

# Waste Advisory Group Meeting Discussion Note – Critical Raw Materials Act proposal

Date: Thursday 20th April 2023

## **Context**

The European Commission published the Critical Raw Materials Act on 16 March 2023 as part of a series of actions to ensure the EU's access to a secure, diversified, affordable and sustainable supply of critical raw materials.

Critical raw materials (CRMs) are indispensable inputs in our economy, particularly as they are used to manufacture technologies required for the deployment of green energy, for the digital transition or for strategic applications in health or defence. Given the growing needs generated by the twin transitions, the demand for those materials is forecasted to increase exponentially both at EU and global level, leading to supply-demand gaps. In addition, the EU supply of CRMs at both the extraction and processing stage is highly concentrated, sometimes in a single third country.

Against this background, the main problem identified by the Commission is the EU's lack of secure and sustainable access to CRMs, which is fostered by three sub-problems, namely the insufficient anticipation and mitigation of supply risks, the underdevelopment of the EU domestic CRM supply potential at different value chain stages, and the insufficient sustainability and circularity in the EU sourcing of CRMs.

The Department of the Environment, Climate and Communications (Geoscience Policy Division) is the policy coordination lead for the negotiation, which will conclude in June 2023. The instrument will be a Regulation with direct effect on Member States from Q1 2024.

### Focus for Action

The Critical Raw Materials Act sets clear priorities for action: In addition to an updated list of critical raw materials, the Act identifies a list of strategic raw materials, which are crucial to technologies important to Europe's green and digital ambitions while being subject to

potential supply risks in the future. The Regulation embeds both the critical and strategic raw materials lists in EU law (see Annex).

The Regulation sets clear benchmarks for domestic capacities along the strategic raw material supply chain and to diversify EU supply by 2030:

- At least 10% of the EU's annual consumption for extraction,
- At least 40% of the EU's annual consumption for processing,
- At least 15% of the EU's annual consumption for recycling,
- Not more than 65% of the Union's annual consumption of each strategic raw material at any relevant stage of processing from a single third country.

The Act will simplify permitting procedures and provide finance mechanisms for critical raw materials projects through the designation of Strategic Projects. Member States will have to develop national programmes for exploring geological resources.

#### Waste / Circular Economy Aspects

Specifically in relation to the circular economy transition, the CRM Act will result in a new emphasis on improving circularity and sustainability of critical raw materials. Member States will need to adopt and implement national measures to improve the collection of critical raw materials rich-waste and ensure its recycling into secondary critical raw materials. Member States and private operators will have to investigate the potential for recovery of critical raw materials from extractive waste in current mining activities but also from historical mining waste sites. Products containing permanent magnets will need to meet circularity requirements and provide information on the recyclability and recycled content.

The Act also introduces mechanisms for coordinated monitoring of critical raw materials supply chains and measures to mitigate supply risks; lowering the environmental footprint of critical raw materials; cooperation on international Strategic Partnerships; and a European Critical Raw Materials Board.

#### Some questions to consider:

- What questions or concerns does your sector have in relation to the proposal?
- What CRMs and SRMs could be recovered from the Irish waste sectors (NB; C&D, WEEE, pharma, extractive, other)?

• How do you see the Strategic Project concept incentivising recycling projects? What are the barriers to implementation?

Critical Raw Materials list 2023	
(a) Antimony	(s) Lithium
(b) Arsenic*	(t) Magnesium
(c) Bauxite	(u) Manganese*
(d) Baryte	(v) Natural Graphite
(e) Beryllium	(w) Nickel – battery grade*
(f) Bismuth	(x) Niobium
(g) Boron	(y) Phosphate rock
(h) Cobalt	(z) Phosphorus
(i) Coking Coal	(aa) Platinum Group Metals
(j) Copper*	(bb) Scandium
(k) Feldspar*	(cc) Silicon metal
(I) Fluorspar	(dd) Strontium
(m) Gallium	(ee) Tantalum
(n) Germanium	(ff) Titanium metal
(o) Hafnium	(gg) Tungsten
(p) Helium*	(hh) Vanadium
(q) Heavy Rare Earth Elements	
(r) Light Rare Earth Elements	* New to 2023 list

#### Annex – CRM and SRM lists

Strategic Raw Materials list 2023	
(a) Bismuth	
(b) Boron - metallurgy grade	
(c) Cobalt	
(d) Copper	
(e) Gallium	
(f) Germanium	
(g) Lithium - battery grade	
(h) Magnesium metal	
(i) Manganese - battery grade	
(j) Natural Graphite - battery grade	
(k) Nickel - battery grade	
(I) Platinum Group Metals	
(m) Rare Earth Elements for magnets (Nd, Pr, Tb, Dy, Gd, Sm, and Ce)	
(n) Silicon metal	
(o) Titanium metal	
(p) Tungsten	