

**Direction Durabilité,
Affaires Publiques et
Réglementaires**

**Oeko-Institut e.V.
Institute for Applied Ecology**

Postfach 17 71
79017 Freiburg

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Ref.: CONF250718-1

Subject: Exemption Review under Directive 2011/65/EU on the Restriction of Hazardous Substances in Electrical and Electronic Equipment

Exemption Annex III n. 45 for “Lead diazide, lead styphnate, lead dipicramate, orange lead (lead tetroxide), lead dioxide in electric and electronic initiators of explosives for civil (professional) use and barium chromate in long time pyrotechnic delay charges of electric initiators of explosives for civil (professional) use”.

We would like to thank Oeko-Institut for offering the possibility to contribute to consultation on the renewal of the above-mentioned exemption.

EPC Groupe is a mid-cap company with 3,000 employees and a turnover of 550 million euros, listed on the Paris Stock Exchange (Euronext). EPC Groupe manufactures, drills, and blasts civil explosives for quarrying, civil engineering, and mining sectors. The Group operates through a network of over 50 subsidiaries across more than 30 countries on five continents. These subsidiaries utilize both electric and electronic initiators, which incorporate lead (Pb) and hexavalent chromium (CrVI) compounds as explosive agents and oxidizers. For the Group, these products are primarily sourced from the European Union market.

Please find below our answers to the questions proposed in the questionnaire.

1- *Do you agree with the arguments put forward by the applicants? Are there any additional reasons that support the requested extension of the exemption?*

We agree with the arguments put forward by the applicants. We understand that progress is made in the research to substitute the substances concerned by the exemption n°45. It is important to notice that if finding new substances that present comparable performance takes time, evaluating their toxicity and environmental hazards also take time. It is only once both technical and harmless performances are assessed that the replacement can be done with trust.

2- *In your opinion, what reasons oppose the requested extension of the exemption?*

We do not see any reason to oppose the requested extension of the exemption. Additional time shall be given to correctly evaluate the substitutes, allow smooth ramp-up of their production and phasing out the problematic substances.

3- *Do you have any experience of how the test procedures required for the safe use of alternatives in mass production could be accelerated? What conditions would need to be in place for this?*

Substituting substances, mixtures or technologies in the industry of explosives shall be made with a progressive approach and extreme care to avoid any dramatic accident. One cannot jump from lab research to large scale field tests in a short period of time.

4- *How do you assess the potential negative effects of substitution on occupational health and consumer safety, in particular regarding possible accidents due to insufficient reliability of substitutes? How do you assess the overall benefits of substitutes for the environment, health, and consumer safety?*

Electric and electronic initiators of explosives for civil are of professional uses only, there is no direct impact on the consumer (general public) safety. Any possible accident will have an indirect impact to the general public. Supposing that the substitutes found would be completely harmless, the overall benefits of substitutes for the environment and health will be minor due to the very low quantities of problematic substances replaced at the EU market scale.

Exemption No. 45 is indeed of relatively low scope in view of the expectations of the RoHS Directive.

5- *Are there any other aspects that you believe should be taken into account when assessing this application? Please provide relevant documents and evidence.*

We would like to bring the attention on the two important following economic aspects:

1- Electric and electronic initiators (detonators) containing substances covered by Exemption No. 45 are currently used for blasting explosives in mining operations. Based on our experience as users of these detonators in both the EU and global markets, we observe that viable alternatives - specifically "lead-free detonators" - and the necessary production capacities are not yet available from our suppliers. In light of the European mining revival and the objectives of the Critical Raw Materials Act, we believe that allowing additional time for a gradual transition to lead-free detonators is essential. Prematurely banning lead-based compositions in detonators could lead to two significant risks:

- The creation of a near-monopoly for the few companies that might be able to currently supply lead-free detonators.

- A potential supply shortage for the EU internal market that could disrupt key industrial sectors.
- 2- Between 55% and 60% of the electric and electronic initiators purchased by our Group from European manufacturers are exported outside of Europe, that represents approximately 2 million units annually.
The introduction of lead-free detonators manufactured in Europe is expected to come with higher production costs, which could significantly impact the competitiveness of European manufacturing facilities. This is particularly concerning given that a substantial portion of our exports - such as those to African markets - face competition from technologies originating in countries not subject to RoHS regulations.
Maintaining cost competitiveness is therefore essential to preserving market share and supporting the viability of European production in the global arena.

Best regards,

Lionel Aufauvre
Explosive Products Compliance and
Regulation Manager for EPC Group