

Consultation Questionnaire Exemption No. 32 (renewal request)

Exemption for „Lead oxide in seal frit used for making window assemblies for Argon and Krypton laser tubes“

Abbreviations and Definitions

Pb lead

Background

The Oeko-Institut and Fraunhofer IZM have been appointed within a framework contract¹ for the evaluation of applications for the renewal of exemptions currently listed in Annexes III of the new RoHS Directive 2011/65/EU (RoHS 2) by the European Commission.¹

Knowles et al. submitted a request for the renewal of the above mentioned exemption, which has been subject to a first completeness and plausibility check. The applicant has been requested to answer additional questions and to provide additional information, available on the request webpage of the stakeholder consultation (<http://rohs.exemptions.oeko.info/index.php?id=228>).

The objective of this consultation and the review process is to collect and to evaluate information and evidence according to the criteria listed in Art. 5 (1) (a) of Directive 2011/65/EU (RoHS II), which can be found under:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32011L0065:EN:NOT>

If you would like to contribute to the stakeholder consultation, please read the following summary of the exemption requests and answer the below questions.

Summary of Exemption Requests

The exemption was first reviewed in 2006², whereupon the Commission granted the exemption, and again in 2010/2011³. In 2011, it was recommended to continue the exemption for the maximum four years allowed under directive 2002/95/EC (RoHS I) until 31 July 2014. This expiry date was postponed to July 2016 in light of the recast of the Directive (2011/65/EU - RoHS 2).

¹ Contract is implemented through Framework Contract No. ENV.C.2/FRA/2011/0020 led by Eunomia

² (Gensch, Carl-Otto [Öko-Institut e.V.], et al. 2006) "Adaptation to scientific and Technical progress under Directive 2002/95/EC: Final Report - final version,"; http://ec.europa.eu/environment/waste/weee/pdf/rohs_report.pdf; page 127 et seqq.

³ For details see report of (Zangl, Stéphanie, Oeko-Institut e.V. 30 May 2011) Adaptation to Scientific and Technical Progress under Directive 2002/95/EC: Evaluation of New Requests for Exemptions and/or Review of Existing Exemptions. With the assistance of Otmar Deubzer, Fraunhofer IZM, Ran Liu, Oeko-Institut e.V., and Katja Moch, Oeko-Institut e.V. Adaptation to Scientific and Technical Progress under Directive 2002/95/EC; RoHS Exemption Reviews. Freiburg: . Final Report, page 83 et seqq.

Coherent and JDSU (now Lumentum) request the continuation of the exemption for another five years because no alternatives are available that could replace the lead-containing seal frits for making window assemblies for Argon and Krypton laser tubes.

Coherent explains in its exemption request that solid state laser technologies are replacing the type of ion lasers that require the above requested exemption. New system shipments of such lasers have been in steady decline for five years.

Ion lasers are unique in that they generate a variety of wavelengths in the ultraviolet, visible and infrared regions of the electromagnetic spectrum. These lasers are capable of producing ultrapure spatial and temporal output.

According to Coherent, the use of argon and krypton ion lasers will persist in those applications only where their unique multi-wavelength performance is a necessity.

For details, please check the applicants' exemption request at:
<http://rohs.exemptions.oeko.info/index.php?id=255>

Questions

1. As an alternative technology is available, the exemption could be restricted to those applications where the unique multi-wavelength performance of ion lasers is a necessity. Ion lasers made available on the market prior to the potential expiry of the exemption could still be repaired and upgraded with lead-containing ion lasers. Please name the applications that depend on these unique properties of ion lasers?
2. Do you agree with the above proposal of Lumentum and Coherent to continue the exemption for another maximum validity period of five years with the current wording?
 - a. Do you agree with the scope and proposed formulation of the exemption as proposed by the applicants? Please take into account the answers to question 1.
 - b. Please suggest an alternative wording and explain your proposal, if you do not agree with the proposed exemption wording.
 - c. Please explain why you either support the applicants' request or object to it. To support your views, please provide detailed technical argumentation / evidence in line with the criteria in RoHS Art. 5(1)(a).
3. Are there any other aspects you deem to be of importance for the future of the requested exemption?

In case parts of your contribution are confidential, please provide your contribution in two versions (public /confidential). Please also note, however, that requested exemptions cannot be granted based on confidential information!

Finally, please do not forget to provide your contact details (Name, Organisation, e-mail and phone number) so that Oeko-Institut/Fraunhofer IZM can contact you in case there are questions concerning your contribution.

References

(Gensch, Carl-Otto [Oeko-Institut e.V.], et al. 2006) "Adaptation to scientific and Technical progress under Directive 2002/95/EC: Final Report - final version,";
http://ec.europa.eu/environment/waste/weee/pdf/rohs_report.pdf

(Zangl, Stéphanie, Oeko-Institut e.V. 30 May 2011) Adaptation to Scientific and Technical Progress under Directive 2002/95/EC: Evaluation of New Requests for Exemptions and/or Review of Existing Exemptions. With the assistance of Otmar Deubzer, Fraunhofer IZM, Ran Liu, Oeko-Institut e.V., and Katja Moch, Oeko-Institut e.V. Adaptation to Scientific and Technical Progress under Directive 2002/95/EC; RoHS Exemption Reviews. Freiburg: . Final Report.
http://rohs.exemptions.oeko.info/fileadmin/user_upload/RoHS_IV/RoHS_final_report_May_2011_final.pdf.