



## **Finnish comments on Proposal for discussion on the implementation of the BWR 7 (CPR 06/10/1)**

We welcome this document of the Commission. It is a good starting point for discussion. Now it is also time to clarify the implementation of the BWR 7. One of the main problems on European legislation is the lack of background documents. When national legislation is drafted in Finland the background documents are used to explain the meaning and further implementation of the articles. It should be useful to elaborate first this background document.

We agree with the proposed approach. On the other hand it is important to consider all development which is happening in the construction field based on European legislation and then determine the priorities.

### Future challenges to the construction field

In the near future the challenges of European legislation in the construction field are very demanding when these will be implemented into practice. Following examples are given:

- According to the Energy Performance in Buildings Directive (2010/31/EU) all new buildings will be nearly zero-energy buildings by 31 December 2020.
- Eco-design directive is also setting new minimum requirements for some construction products having different test methods than the ones to be used for the CE-marking under the CPR and even sometimes giving requirements for characteristics for which the European test methods are missing.
- European waste legislation is giving requirements to decrease the amount of waste and thus to increase recycling. However, this can be in contradiction with other European and national provisions.
- CEN /TC 351 is elaborating test methods for emission into indoor air from construction products and leaching into ground. These test methods will be incorporated into harmonised product standards and EADs/ETAs.
- Member States have to adapt their national building regulations according to article 8(6) of the CPR. “The methods used by the Member States in their requirements for construction works, as well as other national rules in relation to the essential characteristics of construction products, shall be in accordance with harmonised standards.”

## Analysis of BWR 7

The items (a), (b) and (c) of BWR 7 need more detailed analysis from the Commission. Probably the future revision of the CPR needs to modify these items.

(a) Reuse or recyclability of the construction works, their materials and parts after demolition.

Reuse of construction products is not covered and should not be covered by harmonised product standards. Recyclability is a more complex issue. There are certain “waste” products which can be used as raw material. Fly ash is a good example on “waste“ material for which there is a harmonised product standard. There should be more harmonised product standards for these “waste” materials.

(b) Durability of the construction works;

There is Guidance Paper F *Durability and the Construction products directive*. This guidance paper should be revised and updated. Nowadays durability is treated in different ways in harmonised standards. It should be discussed if durability could be treated in more common ways. There is also a need for research work.

(c) Use of environmentally compatible raw and secondary materials in the construction works.

Target should be environmentally friendly construction activities and sustainable built environment. One tool to achieve this target can be a comparable environmental assessment of a building. There should be a harmonised method to collect information on products for these assessments. This information on properties of construction products should be declared in such a way that no technical barriers to trade will be created. We do not support the approach of the Commission to develop sustainability requirements for construction products using different legal instruments. CEN TC 350 EPD indicators should be promoted instead of Product Environmental Footprint (PEF) approach. Concerning EPD indicators we would like to see an analysis how well EPD frame standard EN 15804 elaborated by CEN TC 350 will cover item (c) of BWR 7.

Nowadays data for national EPDs is based on national databases. According to the CPR also the values of the characteristics including environmental characteristics have to be determined (by testing or by calculation or using tabulated values given in hENs) by manufacturers. These environmental values hardly can be based on national databases.

The Commission can use delegated acts determining e.g. values related to environmental aspects but this can be impossible or is at least very difficult.

To determine and declare these values of environmental characteristics can be very burdensome especially for small and medium size manufacturers. At the same time the Commission has promised to simplify its legislation and reduce its burden for enterprises.

CEN TC 350 has developed a method to determine environment values derived from collective or average EPD covering results from the group of manufacturers of similar products. This approach is also justified on the basis of need for accuracy of EPD data at the level of building assessment.

In this way burden to declare environmental values have been reduced. This is fine for voluntary systems but it is not according to the existing CPR regime. The CPR needs an amendment, if this approach can be used in harmonised standards.

The environmental assessment of buildings needs that all relevant product groups are covered. Nowadays there are many product groups and products (e.g. ready mix concrete) which are not under standardization work under the CPR. There is a need for larger coverage of harmonised product standards. See the Finnish comments of CPR 06/8/1 Mandates on new standardization areas (dated 12.2.2014).

### Conclusion

A detailed study should be made how aspects which relate to BWR 7 will be covered taking into account European legislation. The overlapping work and requirements shall be avoided.

To answer to the question asked in **CPR 06/10/1**, in Finland there are no regulatory requirements for the environmental characteristics relating to BWR7. However, on voluntary basis there are different systems e.g. LEED, BREAAAM, Finnish Green Building Council to assess buildings. They are not broadly used.

With best regards,

Matti J. Virtanen

Head of the Finnish Delegation to SCC