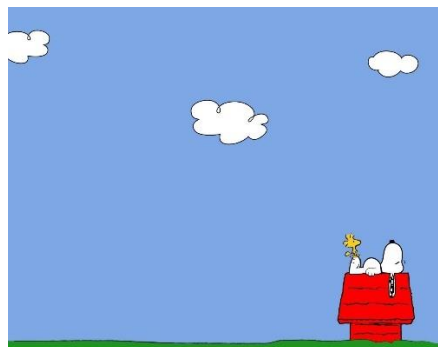


EUROMETAUX CHEMICALS MANAGEMENT NEWS



Enjoy the summer months
in peace & quiet and take care.

The Chemicals Strategy for Zenitude ☺
is available on the last pages, have fun!

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Dear All,

The last days of June remain -even in COVID times- associated with the perspective of shrinking lists of “things to tackle” and breaks from (virtual) meetings and (email) debates. Although I have to admit that I see the upcoming Chemicals-Strategy-for-Sustainability (CSS)- nicely rhyming -with-Green-Recovery becoming very comfy, squatting July without any remorse, completely annihilating the dream of an empty to-do list for the coming weeks.

Listing and delisting is not only addictive: it is widespread and even exciting for some of us. This is true for tasks but also for objectives, and... let's make the jump: for chemical substances to target to be able to meet objectives and have tasks to carry out.

This morning, on the same regulatory topic, I heard references to national lists, those from Commission and NGOs, and the Member States' list of lists. Now, call me naïve, but when I started some years ago, I firmly believed that lists of substances were elaborated in lengthy and half secret conversations, in pompous meeting rooms, filled with books and experts who carefully weighed the evidence before including a chemical on an inventory. This belief of mine did not remain intact for very long, but it is really ECHA's explanation on their automated screening tool that put an end to my idea of scientific romantics that I had in mind. After that, my view remained stuck on the image of Big Brother browsing through the shivering registration files with his laser weapon, followed by an ‘army’ of juniors checking for potential mistakes. Since then, I'm always associating inventories with speedy algorithms and variable eagerness to check the outcomes.

Lists of tasks and chemicals have roles and rules.

Lists are a way to organise information, provide a simple structure, are easy (easier) to write, share, read and help one to prioritise. For some, lists even seem to “dampen” anxiety about the chaos of life; giving us a structure and a plan that we can stick to; and they are proof of what we have achieved that day, week or month”.

Rules include clarity and appropriate level of detail, keeping it achievable, and having some control in place to avoid falling into the trap of consistently avoiding tackling the larger, more major items and focusing on the nitty-gritty instead. I think we should add integrity, matching purposes and outcomes.

As usual, it's a question of balance. A life task on my personal list. Wait! Probably one of these major topics I may typically want to circumvent and thus need to break down in much smaller, attainable blocks. So, CSS for July? It could be cocktails, sun and surprises!



Enjoy the summer!

Violaine Verougstraete, Chemicals Management Director Eurometaux

COMMISSION – EUROPEAN PARLIAMENT

CARACAL-35: first meeting held remotely

On 30 June and 1 July, the European Commission held its 35th meeting of Competent Authorities for REACH and CLP (CARACAL) for the first time remotely. Issues of interest to members include discussions on the definition of intermediates, combination effects of chemicals, substitution, the inclusion of Endocrine Disruptors in Classification Labelling and Packaging Regulation (CLP), Adaptation to Technical Progress (ATPs) to CLP and bioelution. A detailed summary of the meeting will be circulated to Eurometaux's CARACAL Group. The 36th CARACAL is set for November and the Commission already confirmed that it will also be a remote meeting (more information: Noam El Mrabet).

European Parliament ENVI meetings: Chemicals Strategy for Sustainability

On 29 June, the Environment Committee (ENVI) adopted by unanimity its draft motion for a resolution on the CSS. This draft motion for a resolution will now be sent to the plenary for final adoption. Although changes can still be made in Plenary, it is rather uncommon, and the final vote is more of a formality. Please remember that this motion for a resolution is non-binding, as it is the European Commission that holds the pen for Strategies. Yet, it is of significant political importance. The vote in ENVI follows an intense (remote) voting session last Thursday on the amendments and compromise amendments to the draft report, which itself is the culmination of an even more intense outreach programme from Eurometaux to secure key amendments, sometimes down to the last comma. The draft report, first published in February, included several problematic sentences / words, it lacked ambition and used too many non-scientific terminologies. After having prompted certain MEPs to table key amendments in April, we steered negotiations between political groups on compromise amendments throughout May and June. This led to a more balanced text being adopted (more information: Noam El Mrabet).

ECHA REACH & CLP

COMMITTEES

RAC-53: limit values, restrictions and classifications all served up and to be digested in remote fashion

The agenda of the two weeks remote meeting discussed a couple of important items for the sector, like the derivation workplace limit values for lead (see below), the harmonised classification of tellurium and tellurium dioxide but also the finalisation of the discussion on microplastics, because of the possible precedent-settings.

On Te and TeO₂, RAC concluded by consensus, after a rather smooth discussion, on a classification as Reproductive Toxicity category 1B, H DfL with the L for lactation (with recognition that data are quite poor but do not allow to exclude such an effect). On germ cell mutagenicity, RAC concluded in fast-track that no classification was warranted.

RAC has adopted its opinion on ECHA's proposal to restrict the use of microplastics that are intentionally added to products on the EU/EEA market, in concentrations of more than 0.01 % weight by weight. The ECHA proposal -developed in the context of the EU Plastics Strategy- was considered appropriate for reducing releases to the environment. Releases of intentionally added microplastics in the EU/EEA were estimated to amount to 42 000 tonnes a year with additional releases from infill material used in artificial turf pitches that could be around 16 000 tonnes per year. RAC had discussed quite intensively some of the aspects of the opinion like the test methods and criteria for identifying biodegradable polymers that are excluded from the restriction, the use of microplastics as infill material on artificial turf pitches but in the end RAC ended up recommending a complete ban after a transition period of six years for effectiveness reasons and the definition. RAC also changed the definition of 'a microplastic' that was initially included in ECHA's proposal: whilst ECHA had proposed a lower size limit of 100 nm for a microplastic as analytical methods for detecting microplastics in product are still in development, RAC agreed that a lower size limit is not necessary as the potential restriction can also be enforced in other ways, such as by looking at raw materials in supply chains.

RAC also finalised its opinions on the diisocyanates and calcium cyanamide restrictions and discussed a series of applications for Authorisation (AfA).

The presentation of RAC's workplan confirmed that the harmonised classification of V2O5 will be discussed in September and the review of the lead metal massive environmental classification in December. The first discussion on the cadmium workplace limit values will take place after summer. These RAC meetings will all take place remotely (more information: Kerstin Heitmann and Violaine Verougstraete).

RAC-53: lead OEL -let us know if you are impacted!

RAC finalised its evaluation of limit values for lead and its compounds at the workplace. RAC agreed that to protect the majority of workers from adverse neurological effects a biological limit value (BLV) of 15µg/dL blood is required. Women of childbearing potential were identified as a sensitive sub-population and the Committee proposed that their blood lead should be maintained below the 95th percentile of the general population and no higher than a guidance value of 4.5µg/dL. Although the Committee agreed that a biological limit value rather than air lead would be the most appropriate risk management measure, an air limit of 4µg/m³ (8hr Time Weighted Average (TWA)) was also included, on request of Commission.

As a brief recap: for lead, the current EU binding BLV of 70µg/dL blood and Occupational Exposure Limit (OEL) of 150µg/m³ (8hr TWA) reported in the Chemical Agents Directive (98/24/EC) are now over 30 years old and no longer reflect the available science or represent what is technically feasible by industry. Over time, many Member States had already reduced national limits, creating an uneven playing field across Europe with different standards prevailing in different Member States. Industry was thus looking forward to the review as a way to improve the level playing field. The derivation of an 'OEL' was also fitting in the context of the lead compounds authorisation debates, as a possible alternative or complementary way forward. However, the health values as proposed by RAC are hardly achievable by industry, mainly due to high costs likely to be incurred to reduce the air lead values. Several industry sectors already have an existing voluntary target of 20 µg/dl blood for workers that will make achievement of 15µg/dL possible in time, but this will be very difficult for many companies not currently participating in the voluntary programmes or in Member States where much higher National limits still prevail.

RAC's opinion will now be sent to DG Employment who will request the Advisory Committee on Safety and Health at the workplace (ACSH) to provide input into the legislative review. A sub-committee of the ACSH, "Working Party Chemicals" will be charged to transform the scientific opinion into a proposal for the binding limit values, also taking into consideration the data on technical feasibility, health benefits and socio-economic impacts for industry. This process should start from September onwards and take approximately one year. Key is now to collect representative and exhaustive data on the aspects of feasibility and socio-economic impacts of achieving different exposure scenarios. Commission will contract a consultant who will contact all sectors potentially impacted by the proposed values. Please inform ILA if you are impacted by this proposal (more information: Steve Binks, Cris Williams and Violaine Verougstraete).

SEAC-47: Co-salt restriction debate postponed but an opinion was reached on many other restrictions, including microplastics

The opinion on the Co-salts restriction was postponed after SEAC 46 went into its second Public Consultation aiming for a review of the outcome of the RAC and SEAC conclusions. In follow-up, the cobalt sector focussed on gathering information to demonstrate that a Binding Occupational Exposure Limit (B-OEL) would be more effective and efficient than the suggested restriction on 5 salts proposing a value of 1 mg/m³ (TWA) on a respirable basis. Given the Covid outbreak and the importance of the case, the sector asked for and received an extension, hence SEAC had to postpone its final opinion forming to the September meetings.

On the other hand, SEAC debated a record number of five other restriction cases, reaching an opinion on three of them and on one a final opinion. One of the three is the restriction on intentionally added microplastics which raised extensive attention from members and stakeholders alike. The restriction proposes to restrict the emissions, given microplastics pollution likely lowers the value of EU's natural capital and the ecosystem services it provides to society; a remarkable but not unexpected precedent. The most important volume and environmental release source of microplastics are the rubber infill materials used on sports fields. They are manufactured from milled tyres and besides PAHs (Polycyclic aromatic hydrocarbons) include quite some encapsulated metals that leach out over time. Several risk management options going from a full ban to a collection of drainage water and restrictions on the refill were reviewed. SEAC concluded that a ban of microplastics for infill (and other uses) is proportionate and that other less stringent options may be proportional at a higher release cost. This restriction will be published for a second Public Consultation around the 1st of July.

SEAC also reached a supportive opinion on the restrictions of skin sensitisers in textile and on calcium cyanamide in fertilisers; each of them setting precedents also relevant for the metals sector which we will review at the upcoming Risk Management Taskforce meeting in September. SEAC was further informed about the SEAC's new chair: Maria Ottati who will replace Tomas Oberg later this year (more information: Hugo Waeterschoot).

SEAC-47: large series of authorisation cases handled by SEAC and Eurometaux presented the SAGA concept workshop

SEAC's highly loaded agenda included large series of reviews and opinion forming on Applications for Authorisation (AfA), with many on the medical uses of OPE (Octylphenol Ethoxylates) and some on chromates. The OPE (an Endocrine Disruptor substance) cases were all related to the use in antigen diagnostic sets or vaccine manufacturing using small quantities with variable releases. Proportionality of the granting was never difficult to demonstrate, but the discussion on the emission control (burning of the medical waste or emitting) was. The most relevant chromate AfA was Tata Steel's on its use for tin plates for food packaging. This use was originally covered by the pending CTAC (Chromium Trioxide Authorisation Consortium) application and debated by SEAC for key issues. The main comment is that the company is asking for a longer review period than the time required for introducing the alternative.

SEAC also held a debate on the SAGA (Suitable Alternatives Generically Available) concept that was raised due to the letter sent by Commission, mainly to the applicants for Cr plating for decorative nature. Commission did that in follow-up of a Court Case and requested the applicants to provide a Substitution Plan for chromates applications under the SEA route (which is new !!) within a 6-month period... unless the applicant can demonstrate that for him/her the SAGA alternative (Cr3+) is not technically or economically feasible. These letters sent a shock wave through industry resulting in Eurometaux and CETS mediating as facilitators in workshops to clarify the concepts (see last month's CM newsletter). Eurometaux was invited to present the outcomes of the first SAGA workshop to SEAC who confirmed that the concept wasn't clear. SEAC will, from autumn onwards, have to review the substitution plans for the different sub-uses therefore playing a key role on how refined those sub-use specific substitution plans need to be (more information: Hugo Waeterschoot).

MSC-70: not all SVHC proposals pass through MSC in an easy way

Most Substances of Very High Concern (SVHCs) proposed by Member States pass MSC very easily in the case of CMRs (Substances classified as Carcinogens, Mutagens or toxic to Reproduction). For other endpoints like Endocrine Disrupting (ED) hazards, this requires an extensive review by SEAC given no classification endpoint exists. The MSC review is based upon a Member State's Annex XIV first evaluated during a written procedure and debated in MSC when too many different opinions are voiced by Member States. A proposal from France asking MSC to confirm the ED properties as equivalent concern (ELOC) for resorcinol resulted in a painfully long process with a large number of Member States, but not a majority, contesting that the extent of the ED properties would meet the ELOC criterion. The lack of unanimity mainly related to the quality of the studies quoted and will now require the Commission to trigger the case, an interesting precedent given the amount of MSC voices criticising the too strict view of the French dossier submitter.

All dossier evaluations were handled in written procedure mainly due to the lack or limited amount of comments (due to the remote conditions?), allowing MSC to hold a quite in-depth scientific debate on the testing strategy for the *in vivo* Comet assay in case of concerns for both chromosomal aberrations and gene mutation. This is not unimportant for the metals sector and we will inform the Evaluation Taskforce on the outcome of this ongoing discussion. The same relates to the outcome of a recent Board of Appeal (BoA) case (A-011-2018) on the requirement for long-term fish testing while other chronic evidence is available, whereby ECHA may even request a more extensive test (OECD 234) than the classical long-term fish test. Eurometaux asked for a future debate to clarify the BoA outcome asking for clear criteria under which conditions ECHA could ask for such extensive testing (more information: Hugo Waeterschoot).

MB-58: ECHA's Management Board focussing on the financial future of ECHA and Covid measures and impacts.

The 58th Management Board (MB) focussed to a great extent on the longer-term financing of ECHA. The declining income coming from REACH fees, and even more so from the Biocides registration, challenges ECHA's long-term financial independence. The Commission complements this budget under normal circumstances, but it is feared that under the multi-year financial framework that is presently under debate

by the Member States at Council level, ECHA may have to face a rather significant budget reduction rather than an increase. The MB considered different options and strategies which may -in the long run- include significant staff cuts as well as taking new tasks on board with associated budgets. Industry, represented by Marco Mensink (Cefic's Director General), continues to promote that ECHA's activities should be aligned to its budget to prevent overspending. The MB further discussed the measures ECHA took to ensure a 'business as usual' service, during the Covid outbreak. Whilst most ECHA activities continued as scheduled, some postponements were accorded to important Public Consultations (like on the cobalt salts restriction case) and the Committee meetings were all run in remote mode. The MB was informed that ECHA wanted to extend this practice. Industry reacted by indicating that while the committee meetings were reasonably successful, the remote conditions did not allow for the usual level of interaction and debate hence reducing industry's capacity to defend their cases. ECHA reacted stating they will conduct a review to collect experience (more information: Hugo Waeterschoot).

OTHERS

ECHA-Industry exchange: 3rd call covered registration statistics, dossier evaluation notifications and tonnage bands

The 3rd informal call between ECHA and industry took place on 18 June. ECHA presented updated **statistics on registrations**, showing the same trend as last month: a lower number of registrations compared to their forecast

In relation to **dossier evaluation notifications**, it was reported that notifications currently sent by ECHA do not specify to which substance they refer. ECHA explained that the info is available on their website under "dossier evaluation". ECHA realises that the list on the ECHA website is very long and suggested to filter the table by "under assessment". However, they confirmed that the notification letters will be improved for the next batch by adding instructions on how to find the information. For testing proposal evaluations, no notifications are sent because all testing proposals are processed (contrary to evaluations that are only conducted on some dossiers).

Eurometaux took the opportunity to ask for clarifications regarding **tonnage bands reported on the ECHA dissemination website**. It seems that, for example, when multiple companies register in the 1-10T band (nobody registered above 10T), the ECHA dissemination website will report higher tonnage bands; and this will lead to a request for letters of access related to tonnage bands that "do not exist". ECHA clarified that in the dissemination database data are indeed aggregated. The current aggregated total tonnage band is at the substance level and does not reflect the registered tonnage band of any registrants. For reference, it was suggested that the Manual on Dissemination and Confidentiality under the REACH Regulation is consulted (section 2.6.11 - Total Tonnage Band). Furthermore, the tooltips in the ECHA's Chemicals Database are a useful way to find out what the displayed information refers to, just by hovering over the column name. The next ECHA/industry call will be held on the 17 July (more information: Lorenzo Zullo & Violaine Verougstraete).

Nanos Partner Expert Group

ECHA consults on amendments to existing guidance documents they have prepared to support registrants of nanomaterials with more up to date support on Human Health aspects. More specifically, in Appendix R7-1, they have revised the sections on repeated dose toxicity and mutagenicity, included considerations related to toxicokinetics and advised on the most appropriate route of exposure for testing. Regarding the Appendix R7-2 for nanomaterials applicable to Chapter R7c Endpoint specific guidance, the consultation concerns the section on toxicokinetics in the framework of the guidance update regarding human health endpoints. Comments can be filed by Partner Expert Group (PEG) representatives until 31 July. The sector representative is Arne Burzlaff (EBRC). The revised guidance documents were circulated to the Human Health and Evaluation Taskforces (more information and your comments utmost welcomed by Arne Burzlaff and Violaine Verougstraete).

OEL: call for evidence on Cd and its compounds - a very interesting submission

In the context of its OEL activities, ECHA has launched a call for evidence on cadmium and its inorganic compounds. They were looking in particular for information on exposure and uses and health effects, epidemiology and modes of action. ICdA has prepared an extensive contribution structured in 3 parts: information on uses and occupational exposure, genotoxicity and modes of action and repeated dose toxicity and carcinogenicity. ECHA will use this input to draft the background document. An informal

exchange between ECHA and the Cd industry experts will take place mid-August (more information: Howard Winbow, Mik Gilles, Noömi Lombaert, Patrick de Metz, Christine Spirlet and Violaine Verougstraete)

EUROMETAUX CHEMICALS MANAGEMENT

EM FUNCTIONING

Chemicals Management Steering Committee 17 June: *last meeting before the summer break*

The last Chemicals Management Steering Committee meeting before the break was very well attended, with several agenda items relating to the Zero Pollution Ambition for a toxic-free environment and its main pillars: i.e. the Chemicals Strategy for Sustainability, (more details in [CHEMICALS STRATEGY FOR SUSTAINABILITY](#)), the Zero Pollution Action Plan for water, air & soil and the revision of measures to address dust pollution from large industrial installations. This was an opportunity to clarify timelines, status of ongoing work and preparatory actions.

Other important topics were: the policy on Authorisation and the impact of two recent Court cases (Acrylamide & Sodium Chromates case (more details in [RISK MANAGEMENT](#)) for which the sector sent a policy paper to CARACAL suggesting alternatives.

The Committee was updated and also discussed Eurometaux' project on communication on innovation in the sector, an action plan to tackle unintentional aggregate exposures, the impact on the sector of some nanomaterials testing requirements and the Eurometaux interns presenting their work on best case studies (on emissions), diffuse sources, the development of the Metals Toolbox and the current updating of the Reach Metals Gateway. Several written updates were also provided to participants ahead of the meeting. The detailed minutes were circulated on 26 June and follow-up on the agreed actions is currently planned (more information: Violaine Verougstraete).

Slags: *moving on with the project*

A dedicated group, composed of interested Eurometaux's members, continued discussions on the organisation and content of the slags project. It was agreed that the project would aim at increasing acceptance on slags, by market participants and policy makers at European and national/regional levels. In parallel, it would also realise the necessary activities in the field of legislation (advocacy), communication, analysis, research & innovation. This approach was reflected in the 'Terms of Reference' document.

However, after a careful consideration about the uncertainty of Covid crisis long-term influence on our sector, it was agreed to continue the work on slags but focusing only on certain elements of the project at this stage. The alternative starting scenario includes the following next steps for which Eurometaux will centralise the information:

- To make progress on the technical side we will go in the direction of the Life Cycle Assessment (LCA) for slags and share the knowledge gathered from the individual companies who have already done that. Once done, the LCA will well serve our advocacy with facts and figures regarding the sustainability of slags.
- In parallel, to make progress on the advocacy side, a first set of analyses will be done on the: (i) EU Stakeholder mapping; (ii) overview of regulatory measures with implications to slags and (iii) draft messages.
- In addition, a public event could be organised in Q4 2020 to promote the issue towards the EU & national levels (policy makers, industry stakeholders etc.). Eurometaux will be directly involved in the advocacy related activities.

The alternative scenario was endorsed by Eurometaux Management Committee and presented to the Sustainability and Chemicals Management Steering Committees (more information: Guy Thiran, Violaine Verougstraete, Kamila Slupek).

CHEMICALS STRATEGY FOR SUSTAINABILITY

Chemicals Strategy for Sustainability: European Commission

It is the final countdown for the penholders drafting the Chemicals Strategy for Sustainability (CSS). Ahead of the interservice consultation phase, which is when the lead Directorate-General (DG) of the Commission (in this case DG Environment) shares its draft with other Commission services, Eurometaux conducted an intense outreach programme and we have virtually met with officials from DG GROW, DG SANTE, DG EMPL, DG ENER, and the Secretariat General. The outreach continues, as we are now meeting with Director Kestutis Sadauskas (the Strategy's progenitor), Executive Vice-President Timmermans and Commissioner Sinkevičius. Earlier this month, we also submitted [our public response](#) to the Commission's Roadmap, which summarises our concrete proposals and solutions for ensuring the safe management of metals needed for the Green Deal (more information: Violaine Verougstraete & Noam El Mrabet).

MEP debate organised by EM: our MEPs meet Metals webinar series

As all of you have (unfortunately) noticed, in these last months social distancing rules have not allowed in person meetings. As a consequence, we have been seeking for innovative ways to engage with policymakers and decided to go digital.

That's how the idea of our "MEPs meet Metals" series was born.

While complying with the widespread lockdown measures, we have "digitally" debated with Members of the European Parliament, the European Commission and ECHA in a series of four webinars on topical subjects in the EU agenda relevant to our members:

- "Chemicals Strategy for Sustainability: How can Europe achieve a toxic-free environment for the metals needed for the Green Deal?"
- "Industrial Policy: What is needed to restart the European metals industry post-COVID-19?"
- "Global supply chains and Europe's trade policy: How can we build-up supply resilience for Europe's strategic industries and guarantee fair competition?"
- "Green Deal: What's needed to keep industry on track for 2050 climate goals in parallel to post-COVID-19 recovery?"

We hope that you enjoyed the series! If you missed it or you are curious to see it again, you're welcome to rewatch it [here](#) (more information: Chris Heron & Laura Fazio Bellacchio).

OSOA panel: debate

On 24 June, Eurometaux participated in a debate organised by Rud Petersen: "Under the microscope: One Substance, One Assessment" with Jack de Bruijn (ECHA), Hans Meijer (Ministry of Infrastructure and Water Management Netherlands) and Kevin Bradley (International Bromine Council). This was an opportunity to better understand the drivers and opportunities, but also the challenges associated with this approach, which is seen as a key tool in the upcoming Chemicals Strategy for Sustainability. Eurometaux explained it welcomes OSOA as a way to improve efficiency, predictability and consistency of assessments carried out on the same datasets but also to ensure we have the right and enough expertise in the right place. We however recommended to proceed stepwise, by defining the means on how to best formulate the policy questions and the aspects of communication and cooperation with all actors (more information: Violaine Verougstraete).

CSS: how can we enhance safety and competitiveness?

Eurometaux joined a virtual event on the Chemicals Strategy for Sustainability hosted by MEP Maria Spyraiki. (<https://lnkd.in/gaGCfnH>). Among other speakers were EU Commission Director Carlo Pettinelli, ECHA's Executive Director Bjorn Hansen, MEP Sven Giegold, and CEFIC's Sylvie Lemoine. Eurometaux shared 3 differentiators for metals in EU chemicals policy: a) their high volumes on the EU market, b) their rising demand for strategic value chains in the Green Deal and c) their leading circularity and recycling performance. We also stressed that to achieve EU's sustainability goals and climate objectives, we will need chemicals, metals included, and many of them have hazardous properties requiring management. The metal sector proposes to work together under the upcoming EU Chemicals Strategy for Sustainability on the 3Ms: Minimise exposure - Manage (regulatory) processes better- Maximise social welfare (more information: Chris Heron, Noam El Mrabet, Hugo Waeterschoot and Violaine Verougstraete).

Combined toxicity: *combined/unintentional aggregate exposure*

The desire of authorities to address this issue and the proposal to apply a Mixture Assessment Factor (MAF) on the PNEC/DNEL or RCR has been reported in our May edition, as the sector had a call early May aiming at preparing comments to submit to CARACAL. The topic was discussed again at CARACAL this week and an intervention was prepared. Based on the EP Draft Resolution voted in ENVI this week, the comments filed by the Member States, conversations with ECHA and the leaked Chemicals Strategy for Sustainability, the MAF seems -although not perfect for all authorities- the most “pragmatic, simple and quick solution”. Eurometaux had an exchange early June with the penholders of the staff working document on mixture toxicity in DG ENV to highlight the importance to be able to overrule the default with refinements based on evidence. This is key to consider the metal specificities. The topic was also discussed with the Steering Committee on 17 June and it was agreed to go for a double track:

- a) assess the impacts of a MAF on our existing REACH dossiers (by dividing the RCR, DNEL, PNEC by e.g. a factor of 10 or 3 and assess what it means in terms of iterations of data (monitoring, risk management), risk management measures, exposure scenarios, costs etc.
- b) propose a refinement of the MAF, taking into account metal specificities... to be defined (besides essentiality, bioavailability etc.).

The Registration, Environment and Human Health Taskforces will be involved in the technical work required by this action plan. The Steering Committee will further be involved in the determination of the sector's advocacy (more information: Hugo Waeterschoot, Noam El Mrabet, Lorenzo Zullo and Violaine Verougstraete).

REACH REGISTRATIONS

Brexit REACH & CLP platform: *first call beginning of June*

On 3 June, a first call of the Brexit REACH & CLP platform was held. This platform, which comes as an add-on to the existing Brexit Taskforce, will focus exclusively on REACH and CLP issues associated with the Brexit. An update of the state of play of the negotiations was provided, including on the uncertainty whether there would be an extension of the transition period. The 22 May letter from UK Defra mentioning that the preparation for the end of the Transition Period is treated as a priority, with work to prepare for UK REACH remaining on track, was analysed in this context. The participants then shared their views on how such a platform could help the members and how to best structure the exchanges. It was proposed to have a common blog/drop box on which information could be posted such as the consortia/commodities activities/plans with regard to the Brexit, existing guidance, information related to data-sharing (at authorities and consortia level), further useful information (or links) to e.g. the cross-industry group in the UK etc. The Eurometaux secretariat will create such a drop box over summer to collect the information and prepare a more concrete action plan (more information: Elena Vybaldina & Violaine Verougstraete).

CLASSIFICATION

Co CLH: *status update call*

The aim of the 9 June call was to provide a brief status update on work done around the cobalt metal classification and several ‘after-effects’. The new classification will apply from October 2021 onwards. The Cobalt Institute explained that they have submitted to ECHA a testing proposal for an oral carcinogenicity study to address the ‘all routes’ classification. The ‘all routes’ is the consequence of the CLP text and is applied due to the lack of a negative carcinogenicity study for the oral or dermal exposure routes. Not a lot of progress was made by the expert group set up by Commission to look at the CLP method to calculate potency for carcinogenicity and derive concentration limits. Main reasons for the very slow progress of this work are resource issues at ECHA level and the limited interest of the MSCAs for carcinogenic potency calculations for inorganics and inhalation carcinogens. A next web-meeting is scheduled for 9 July. Participants were updated on the bioelution debate and encouraged to continue using the bioelution test to further increase experience and test data and to participate in the set-up of a physical repository of (reference) samples as kind of ‘database’ of reference results for labs to check on and access samples. Further political leverage will be needed for the work at the CARACAL expert group starting in September. Finally, the Cobalt Institute explained that they have posted a Q&A that will be continuously updated https://www.cobaltinstitute.org/assets/files/Pages%20PDFs/CI_Q_and_A_cobalt_classification.pdf. They concluded by providing an overview of their activities in the short to medium term. Minutes were

circulated on 10 June (more information: Adam Mc Carthy, Ruth Danzeisen, Simon Cook and Violaine Verougstraete).

Pb metal environmental classification: ECHA will launch the PC on the reassessment of the massive form by early July

RAC proposed last year to classify lead metal powder and massive in the same way, a proposal that was challenged by CARACAL for the massive form as probably being too strict and not in line with the metals Classification Labelling and Packaging Regulation (CLP) guidance. RAC recently received a mandate from the Commission (under REACH Art. 77(3) to reassess the environmental classification of the massive form of lead based upon 1) the impact of the recent snail study on the Ecotoxicity Reference Value (ERV) derivation and 2) the information available to justify a different (less strict) classification entry for the massive form. This case is undoubtedly most critical for the metals sector given it could challenge the different environmental classification entries in CLP for the massive forms, if not appropriately concluded on any of the two issues. Another aspect that will be challenging is the fact that the ERV derivation will require a much more sophisticated approach than applied by RAC last year, to be in line with the metal guidance (classification by pH band). RAC did not support any of these arguments during the previous debates, mainly because of the lack of expertise. This case highlights the need to submit clear and understandable guidance on how to do an appropriate assessment. This will be aimed at during the six weeks of Public Consultation that will start in early July (more information: Steve Binks, Jasim Chowdhury, Violaine Verougstraete and Hugo Waeterschoot).

RISK MANAGEMENT

European Surface Treatment Sector -Eurometaux: 2nd Workshop held on 18 June

Eurometaux and the European Surface Treatment Sector (CETS) together with ECHA, facilitated a second workshop on 18 June on the new concept of Suitable Alternatives Generally Available (SAGA); building on the outcome of the first workshop (see previous newsletter) and the recent SEAC discussions. The workshop made it clear that the different applicants had not really progressed very much, despite the short deadline for submission of the Substitution Plans for the plating sector with decorative character and the pressure of the downstream users (the platers) who fear their activities may need to halt if the applicants do not deliver on time. The applicants still seem to be struggling with the way how and to what extent, “the uses need to be split” into “sub-uses” balanced with the need for a Substitution Plan for each of the sub-uses. The workshop mainly clarified that the process, the technical specifications set by the users (as key functionalities), and the need for different Review Periods, depending on the potential availability of suitable alternatives, would be the main criteria to define the right balance for the splitting. Furthermore, there were indications that applicants would be prepared to align the splitting of the use of plating into different utilisations to ensure the best outcome of the review by SEAC and the Commission in the granting process. ECHA clarified that unlike for AfAs, there would be no interaction foreseen between the submitter of the Substitution Plan and SEAC, meaning that the content of the Substitution Plans should be complete and transparent, from the submission onwards. However, ECHA will help the user sector somewhat by posting the non-confidential part of the Substitution Plans submitted by the first applicant (CTAC on 24 August) allowing the possibility to align the next submissions. As next steps Eurometaux is invited to report the outcome of the second workshop to SEAC and pick up the messages and learnings from SEAC concerning this concept and the submitted Substitution Plans while CETS will check with its members to see if it can propose relevant suggestions to split the use for functional plating with decorative character to promote alignment by the applicants (more information: Dave Elliott and Hugo Waeterschoot).

WATER

Water Directives REFIT: EP draft resolution

After a period of silence from the EU Institutions regarding the Water Directives, the European Parliament continued with the work on drafting a motion for resolution. With the special situation due to the Covid pandemic, the timetable was changed, and the process shortened: there is no official exchange of views and the deadline for tabling was 1 July. By means of different sources Eurometaux had the possibility to read a draft version and share our written comments with the MEP Christophe Hansen. These being mostly on the implementation issues caused by the Weser-Ruling, but also unclear guidance on the interpretation of some

of the provision in the WFD (e.g. phase-out of Priority Hazardous Substances). In exchange with other associations -via the Working Group Water of BusinessEurope- it became clear that in general it was rather difficult to discuss the draft with the rapporteurs of the resolution directly. Nevertheless, several sectors, as did BusinessEurope itself, reached out to existing contacts to bring forward our main concerns on the implementation, not sufficiently addressed in previous drafts.

Just a week before the deadline Commissioner Sinkevičius announced that the Commission will not review the Water Directives. The extent of this decision (if it also includes the EQS Directive) is unclear. Most probably the Commission will give an official statement after the summer break once the process within the Parliament is (almost) closed. The adoption of the resolution shall be in October (more information: Nathalie Kinga Kowalski).

INDUSTRIAL EMISSIONS

Webinar Workshop 12th June: on the 2nd BREF review cycle

Following a decision taken by the Industrial Emissions Directive (IED) Art. 13 Forum in November 2018, the Commission decided to move forward with a webinar to discuss the planning of the 2nd BREF review cycle. As reported last month in the news, Eurometaux has, jointly with other 18 associations of the Industrial Emissions Alliance, sent a letter to Aneta Willems to make sure that the webinar is not overloaded and only crucial points (e.g. pending BREFs) discussed. The Industrial Emissions Alliance didn't receive a direct answer from the Commission. Rather, the EC concentrated on a proper technical preparation with strict house rules to make sure there is a smooth discussion. During the webinar it became clear, that the Member States agree with our perception that the different proposed specific criteria cannot be used as basis for the order of BREF reviews. Furthermore, the Member States want to re-discuss the strategy for chemical BREFs, maybe even going back to the original ones (before the Common Waste Water (CWW) and Waste Gas Treatment Systems in the Chemicals Sector (WGC) BREFs). Eurometaux spoke on several occasions: reminding of the energy efficiency Best Available Techniques in the NFM BREF, supporting Germany's comment on the need to have a reliable BREF timetable for investment security, highlighting the integrated approach versus the use of specific criteria (e.g. material intensity) for BREF review prioritisation and flagging the need to exchange more with the other DG ENV unit's experts when discussing circular economy or decarbonisation.

Additional written comments are still possible before 16 July. Currently we are exchanging with Cefic and Eurofer on an aligned position regarding the handling of sulfuric acid production among BREFs. A follow-up by the Commission will be shared by the end of summer with a proposal for another webinar. The Member States asked the Commission to see whether a regular exchange of this nature will be possible in the future and documents could be made available, e.g. via BATIS. On a side note, the European Environmental Bureau's position of the needs to revise the NFM BREF ranked very low in priority, which shows that the NGOs acknowledge the work done in our sector (more information: Nathalie Kinga Kowalski).

Webinar Workshop 4th June: HAZBREF project (pre-)final webinar

Originally planned as a 2-day long meeting in Dessau, Germany, the project leaders of the so called "HAZBREF" (Hazardous industrial chemicals in the IED BREFs) project invited to participate in a (pre-) final webinar on a Thursday beginning of June. The webinar was divided in two parts: wrapping up the last results of some activities and an afternoon session with different guest speakers (DG ENV, ECHA, EEB) on how the goals of the Green Deal regarding chemicals management can be implemented throughout BREFs. Prior to the webinar Eurometaux shared their views on the last activity 4.3 "Development of BAT descriptions", which was based on the BREF Surface Treatment of Metals and Plastics case next to Chemical BREFs. It was important here to make sure that the specificities of the different processes are well understood, and new BAT proposals not overlapping with legislation under other regimes such as REACH or Waste Directive. The presentations as such didn't bring forward new insights, it is expected that the final report that is expected end of the summer will be more interesting.

On the other hand, during the afternoon session, one was able to gain a good understanding of the positions of some crucial stakeholders. DG ENV was as usual rather careful in supporting the conclusions of the HAZBREF project, defending work already done and highlighting that the BREF revisions are an ongoing improving process. ECHA gave an in-depth presentation on how they see the possible contribution of IED to improve chemicals management, e.g. via a questionnaire on process chemicals. However, the highlight of the workshop was the short but clear presentation by the EEB proposing a new concept of a Best

Industrial Environmental Regulation. The latter to be discussed under the IED revision activities. The “HAZBREF” team wanted to have a face-to-face meeting in early September but most probably this will not happen, another webinar could then be an option (more information: Nathalie Kinga Kowalski).

TOOLS

SPERCs: update on the ongoing quality assessment and Member States activities

On 16 June the cross-industry SPERCs taskforce organised a web-conference with the Finnish Chemicals Agency (Tukes) to get a better understanding of the MSs project (NEXPO SpERCs project) to assess the use of quality criteria to evaluate several SPERCs developed by industry. They are currently working to identify which SPERCs will be included in the scope. Activities are expected to run during Q3-Q4 2020. The web-conference was also attended by ECHA and other Nordic countries involved in the project.

In parallel, Eurometaux is proceeding internally with the quality assessments of the SPERCs that were previously developed for metals. DHI Consulting was appointed as independent third party to run the evaluation. The preliminary results showed a good level of quality; some possibilities for minor improvements have been identified and we expect, in July, to complete the assessment. As part of the deliverable, DHI Consulting will provide Eurometaux with an updated improved version of the SPERCs. As next step, a more in-depth discussion will be needed to determine whether and how there is room for making metal SPERCs even more robust. For example, future work could be done to generate more environmental release data and develop sub-SPERCs with more refined environmental release assumption for specific industry scenarios; this could also be a way for the metal industry to reflect on future improvements with regards to environmental emissions. The Registration Taskforce will be involved in the discussion and kept updated on the progress. And the involvement of the Industrial Emissions Taskforce in the discussion will also be considered (more information: Frederik Verdonck, Lorenzo Zullo).

METALS & INORGANICS SECTORIAL APPROACH (MISA)

Update: exchange with ECHA on iUVCB reporting in IUCLID (continued from June)

After the submission of the IUCLID Slags, Doré furnace as test case to give ECHA a tangible example for evaluation of the reporting approach in IUCLID, a call was set up to guide ECHA's experts through the dossier. While explaining the IUCLID reporting strategy and providing clear information on where all different tables, justifications and calculations could be found in the dossier, we proposed to provide them with a short tutorial to ensure good understanding of the dossier. A recorded presentation was prepared to take ECHA's experts through the IUCLID report, explaining the core of each supporting document attached to the IUCLID dossier, clarifying how Assessment Entities were selected for Classification and for Risk Assessment and how this was justified in IUCLID. The recorded presentation aimed at compensating the lack of face to face meetings and it seems to have generated some good questions for clarification. However, as the summer break has also arrived in Helsinki, for the moment, we have only received a partial feedback. We are currently working to address ECHA's further questions to push for finalisation of the reporting in IUCLID (more information: Federica Iaccino).

MISA: ECHA Survey on “residues”

During the month of June, ECHA launched a survey on high volume (above 100 t/y) substances that they named ‘inorganic residues’. They have set up a table linking each substance to its classification and to the uses assigned according to the ECHA registration database. About 28 of the overall 46 substances identified fall in the domain of MISA. Therefore, ECHA asked for Eurometaux's support to provide a sort of reality check of what was registered, obtain some further information and better understanding on i) whether the list could provide a good overview of the types of residues under MISA; ii) uses information retrieved by ECHA was correct; iii) whether such substances would only be used in the metal industry; and iv) in case of use in article or construction works, whether any indications on uses in Europe was available. We have followed up ECHA's request contacting companies and consortia to check correctness of the information and address ECHA's questions. The high level of collaboration encountered with consortia and companies allowed us to send back a first feedback to ECHA on the specific substances information and allowed us to raise their attention on the ‘residues’ terminology, which is not correct for intermediate substances in the NFM industry. We have explained it to them and reiterated our willingness to make such exercises useful

and complete from both sides. We will keep you posted on the further exchanges and would like to thank the participants for their prompt collaboration (more information: Federica Iaccino).

MISA: catching up on 16 June

The MISA community participated in a webinar mid-June, aiming at “catching up” and to provide a status update on the MISA activities (i.e. progress with MISA 1, 2, 3 priorities and the organisation of the remaining activities), considering the peculiar context of the Covid pandemic. ECHA had prepared an overview of what they see from their “MISA end”, namely how the actions reported in the workplans are followed up and the resulting updates of registration dossiers. Whilst ECHA acknowledges the current difficult situation for many of the consortia, they encouraged the MISA community to continue trying to stick to the deadlines (or at least motivate delays) so that at the end of the project, ECHA and the sector can show to the authorities that work has been done, in line with the initial commitment. This will be key as well if we want to extend the MISA programme.

The different MISA activities were discussed, with some clarifications provided on action that had been agreed at the time and further exchanges (e.g. mapping of the chemicals universe, UVCB work). With respect to the next MISA priorities, as the current situation does not permit to organise face-to-face meetings, the idea for a MISA 4 workshop on exposure, originally planned end of April, needs to be re-shuffled (e.g. in several webinars on specific topics) to make the best out of it. Minutes of the webinar are in the making and will be distributed soon (more information: the MISA team).

OUTREACH

OECD

Working Party on Hazard & Exposure Assessment meetings

Eurometaux participated -as member of the BIAC delegation- in the OECD Working Party meetings on Hazard and Exposure Assessment. These meetings- organised this time without French café crème as they were held remotely- were a good opportunity to receive an update on chemicals management systems at global level, new ideas that countries have on prioritisation and grouping, to identify trends and tool developments and even to launch some new ideas. Detailed notes were shared with ICM, our international counterpart and highlights will be drafted and shared in the coming weeks with the relevant taskforces (more information: Violaine Verougstraete).

OTHER

Industrial Emissions Alliance: webinars and calls 8th, 11th and 24th June

Linked to the different webinars on Industrial Emissions legislation that have taken place, the IEA had three calls in June.

As a follow-up on the HAZBREF webinar (see above) the Alliance decided to work within a sub-group on the potential impact of further inclusion of chemicals provisions in the BREF process. Ideally this results in the mapping of existing and discussed BATs on chemicals management against existing provision under REACH or related legislation. Once done, the Alliance will discuss a potential common position on chemicals legislation links to IED, as done three years ago on Water Framework Directive-IED links.

Since the background information for the 2nd BREF cycle webinar was sent only two days before the webinar (see results above), the Alliance agreed for a focused call the afternoon before. During the call the interpretation and most significant points were exchanged, concluding on most important messages to bring forward during the webinar as it was not yet clear how much speaking time each stakeholder will be given (but finally, despite the high number of participants, there was enough time for everyone to come forward with their point).

Last but not least, one association brought to the table the current revisions on the E-PRTR Reporting. There were concerns about the new production data to be shared and related confidentiality, something which Eurometaux already reported on end of last year. Different associations had some additional information, which was shared and will be continued with further discussions after the summer break. In the meantime, one Alliance member has received confirmation by the EC that individual production data will not be

published based on a specific footnote. Ideally a Commission official could join a future Alliance call to exchange on the changes and to better understand what is being done. So far, no official consultation process or anything similar has been held since April 2019 by the European Commission. A next Alliance webinar is planned in September after the summer break (more information: Nathalie Kinga Kowalski).

CALENDAR

For meetings at Eurometaux

For the moment, certain measures have been put in place at Eurometaux for a gradual return to the office. But due to strict social-distancing rules (that will be revised after the summer break and the status of the Covid-19 crisis in Belgium & in Europe) for the moment the format of our meetings planned from September onwards are still to be defined. If they cannot take place face to face, they will be held with GoToMeeting (or remotely). We will of course keep our members up to date as soon as we can.

For meetings at ECHA

ECHA will keep the situation under review and will provide any further information as appropriate. This information is published on ECHA's [website](#)

Further information on the COVID-19 situation can be found on the [ECDC website](#).

- 2 September: Risk Management TF meeting – To be defined (Brussels)
- 4 September: Chemicals Management Steering Committee – To be defined (Brussels)
- 7-11 September: SEAC-48 – ECHA (Held remotely until further notice)
- 7-11 September: RAC-54 – ECHA (Held remotely until further notice)
- 14-18 September: SEAC-48 – ECHA (Held remotely until further notice)
- 14-18 September: RAC-54 – ECHA (Held remotely until further notice)
- 21-24 September: Chemicals Management Autumn Week – To be defined (Brussels)
- 23-24 September: WFD – CIS: SCG & Art. 21 – (Location to be confirmed)
- 24-25 September: MB-59 – ECHA (Held remotely until further notice)
- 30 September – 1 October: WFD CIS WG Ground Water – Meeting to be confirmed (Germany)
- 6-7 October: WFD CIS: ATG Water Reuse (Location to be confirmed)
- 12-13 October: WFD CIS: WG DIS – (Location to be confirmed)
- 12-13 October: WFD CIS: WG Ecostat – (Location to be confirmed)
- 12-16 October: MSC-71 – ECHA (Held remotely until further notice)
- 20-21 October: WFD – CIS: WG Chemicals – (Location to be confirmed)
- 21 October: Evaluation Taskforce – To be defined (Brussels)
- 27 (am) – 30 (noon) October: WFD CIS: SCG & Art. 21 – (Location to be confirmed)
- 12-13 November: WFD – CIS: SCG & Art. 21 – (Location to be confirmed)
- 30 November-4 December: SEAC-49 – ECHA (Held remotely until further notice)
- 30 November-4 December: RAC-55 – ECHA (Held remotely until further notice)
- 1-2 December: WFD CIS: Water & Marine Directors meeting (Potsdam, Germany)
- 4 December: Chemicals Management Steering Committee – To be defined (Brussels)
- 7-11 December: SEAC-49 – ECHA (Held remotely until further notice)
- 7-11 December: RAC-55 – ECHA (Held remotely until further notice)
- 7-11 December: MSC-72 – ECHA (Held remotely until further notice)
- 12-14 January 2021: Metals Academy – Priorij (Corsendonk) (To be confirmed)

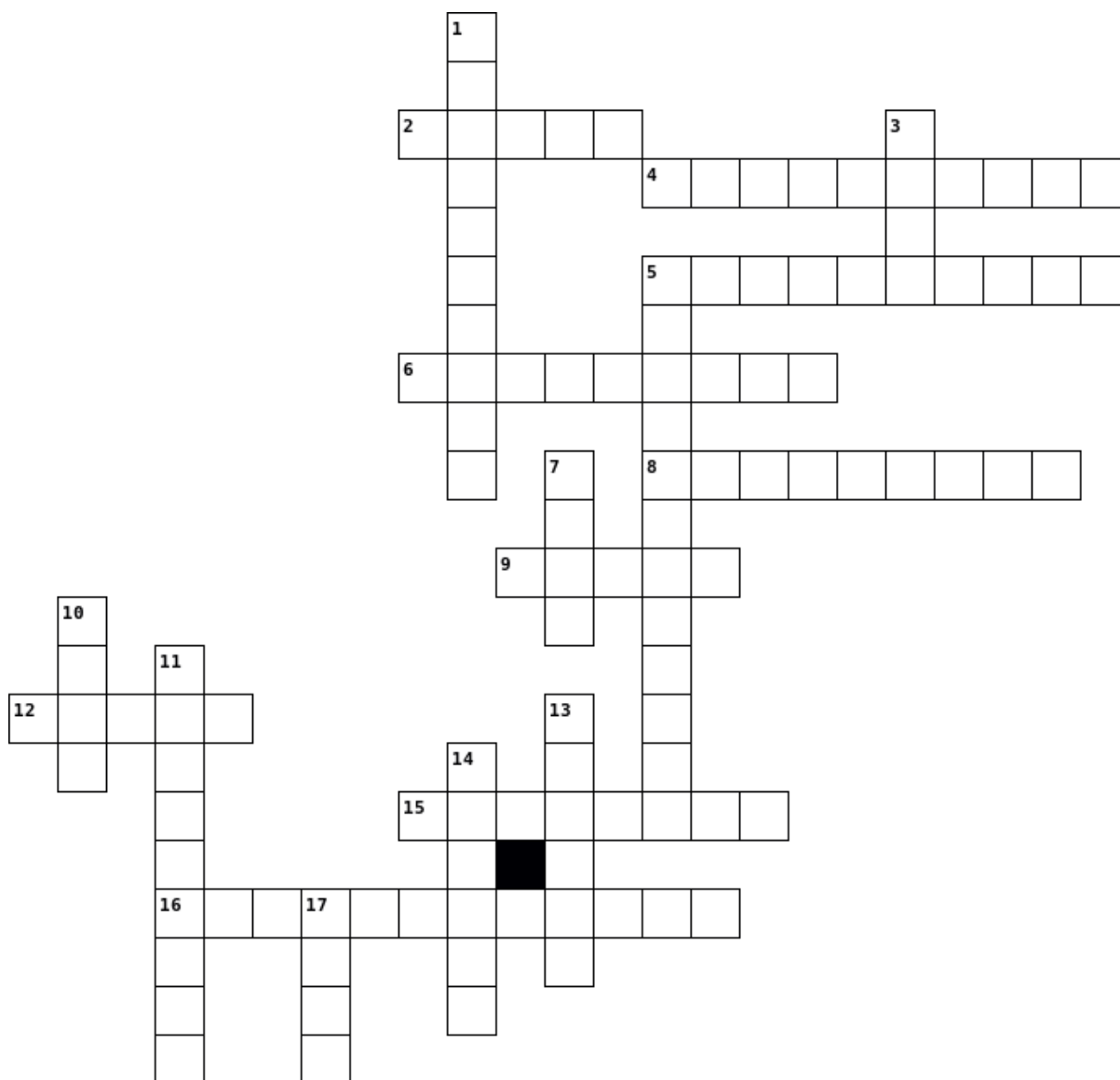
ACRONYMS

For a full list of acronyms, the structure of the Chemicals Management Department and a lot of other useful & relevant information from the metals industry and from authorities please follow the link to our: Reach Metals Gateway <https://www.reach-metals.eu/>

This website is tailored to the specific needs of the metals industry sector, an overview is provided on responsibilities & contact points in metal commodity groups and national metal federations and all information relative to MISA.



Crossword puzzle



ACROSS

2. What society needs to be free of (COM)
4. Process that covers compliance checks and the examination of testing proposals
5. A new method, idea
6. An official or authoritative instruction
8. The action or process of converting waste into reusable material
9. The colour of the Commission's new deal
12. An examination to test or ascertain accuracy, quality, or satisfactory condition
15. A plan of action designed to achieve a long-term or overall aim
16. The action of replacing a substance with another one

DOWN

1. Measures the fraction of a substance that dissolves under surrogate physiological conditions
3. Acronym of 'Suitable Alternatives Generically Available'
5. Substance used in the manufacturing of another substance whereby it is itself transformed into that other substance
7. Commission's new « Zero ... » ambition
10. European Chemicals Agency
11. A community of living organisms (Breton)
13. The state of being free from illness
14. The situation at a particular time during a process
17. Stony waste matter separated from metals during the smelting or refining of ore

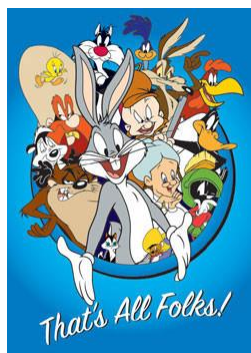
Reunite the following scientists, politicians, poets, ... with their quotes

Nelson Mandela / Antonio Machado / Albert Einstein / Eleanor Roosevelt /
Audrey Hepburn / Confucius / Martin Luther King / Abraham Lincoln

1.	Imagination is more important than knowledge	
2.	We are not the makers of history. We are made by history	
3.	It does not matter how slowly you go as long as you do not stop	
4.	The future belongs to those who believe in the beauty of their dreams	
5.	Travelers, there is no path, paths are made by walking	
6.	In the end, it's not the years in your life that count. It's the life in your years	
7.	The greatest glory in living lies not in never falling, but in rising every time we fall	
8.	Nothing is impossible, the word itself says, 'I'm possible!'	

And finally, to (easily 😊) test your skills.....next month a more difficult one!

			3	7		2	1	
		1	2	5		6		7
	7			1		4		3
1					3	7		
5				9				2
		3	1					6
2		6		8			7	
9		4		3	2	5		
	5	7		6	9			



.....all answers on the last page 😊

Crossword answers:
Across: 2: TOXIC/4: EVALUATION/5: INNOVATION/6: DIRECTIVE/8: RECYCLING/9: GREEN/12: CHECK/
Down: 1: BIOELUTION/3: SAGA/5: INTERMEDIATE/7: POLLUTION/10: ECHA/11: ECOSYSTEM/
 13: HEALTH/14: STATUS/17: SLAG

Answers to Quotes: 1. Albert Einstein/2. Martin Luther King/3. Confucius/4. Eleanor Roosevelt/
 5. Antonio Machado/6. Abraham Lincoln/7. Nelson Mandela/8. Audrey Hepburn

8	5	7	4	6	9	3	2	1
9	1	4	7	3	2	5	6	8
2	3	6	5	8	1	9	7	4
7	2	3	1	4	5	8	9	6
5	4	8	6	9	7	1	3	2
1	6	9	8	2	3	7	4	5
6	7	2	9	1	8	4	5	3
3	9	1	2	5	4	6	8	7
4	8	5	3	7	6	2	1	9