

EUROMETAUX CHEMICALS MANAGEMENT NEWS



**We thank you all for your active participation
in our September meetings and ongoing support.**

October webinars

Water Taskforce on the 8th

Industrial Emissions Taskforce on the 16th

Evaluation Taskforce on the 21st.

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Dear All,

I have to admit that some mornings, I feel like a young kid whose mother is trying to take to school, and who remains by all means clamped successively to the car's door, the fence next to the school and then as last resort clings to its mother's skirt, screaming 'I.do.not.want.to.go'. But transposed to our remote meetings conditions. Expert Groups on Bioelution have that effect on me. My body and brain try by all means to escape the meeting, screaming "no, not again" although I know (the "rational me") -alike the kid- that we will have to surrender. My 'reason' takes over the control of my hand that was maintaining the door to my office tightly closed, superbly ignoring the warnings sent by my stomach that I'm about to enter a hostile world.

The only thing I can do for now is try and identify where the antagonism will come from, recognise the type of projectiles that will be thrown and control my heartbeat. I hate to be in the midst of all this, but hé, I'm courageous. You won't find me crying (so) fast and I will get out of here at the end of the day!

And luckily, I have an ally: another (much wiser) kid on the other side of the ocean who is giving me a hand and murmurs soothing words. "We have worked so hard, we have tried to anticipate all possible arguments and concerns, we have shown so much understanding, don't worry, it will go well'. I feel a flush of hope, look up and valiantly say: "Come on, you! You won't defeat us".

But nonetheless we both emerge from the day, stumped and with bruises. We could use a hot chocolate and a Mum's comforting tone to temper the anger and the frustration that hang all around us. We are not defeated of course -oh no! - but crushed.

Because of that one projectile that was used against all science codes of conduct and hurts so much: willful ignorance! If ignorance is defined as the state of not knowing something, not having certain knowledge or information, one can hardly feel indignant about it. One can indeed be ignorant simply due to never having been exposed to certain things (e.g. industry life); it has no real bearing on one's intelligence, it relates to an uninformed condition.

The terms "wilfully ignorant" refer to those who lack the information or facts because they refuse to acknowledge them. Whilst, to some extent, ignorance is a matter of choice, "wilful ignorance is a decision made in bad faith to avoid becoming informed about something so as to avoid having to make undesirable decisions that such information might prompt" (https://herdingcats.typepad.com/my_weblog/2020/04/ignorance-versus-willfull-ignorance.html).

Wilful ignorance is based on an individual's pre-existing beliefs and own worldview, and manifests itself in variable ways, from disregarding facts, evidence or reasonable opinions to claiming that a source of information is unreliable (or that an experiment is flawed). RationalWiki adds that nice explanation "More often than not this is simple circular reasoning: "I cannot agree with that source because it is untrustworthy and because it disagrees with me".

But wilful ignorance can be more extreme: it can involve a refusal to read, hear or study, in any way, anything that does not conform to the wilfully ignorant's view.

I smiled when I read that it is referred to sometimes as tactical stupidity. But only briefly, because unfortunately, it is very powerful.

Because what can you do? Besides continuing, repeating, explaining, hoping the composition of the class will change, or that a teacher will bring some order to the mess, to generate the possibility to inform and learn.

That's what we do. Go back to the arena the next day.

Taking care of the contusions by listening to music overnight (for example, <https://www.youtube.com/watch?v=g3Uzi0Vndbo>) and reading the musician's words (about the pandemic, of course much worse than bioelution but also calming for smaller causes): "In a time where the darkest predictions assail us, sometimes in a suspect escalation, let's remember to stay confident in the resources of harmony: to stride over all woes and to answer them on a higher level. Music is an opening into the infinite. Nothing can silence this song to come. Let's keep our ears open to what will come, take place, perhaps as silently as "on doves' feet" "(Hélène Grimaud).

Violaine Verougstraete, Chemicals Management Director Eurometaux

COMMISSION – EUROPEAN PARLIAMENT

CARACAL-36: CLP session

On 28 September was held the last CARACAL session dedicated to the 17th Adaptation to Technical Progress (ATP) to the Classification, Labelling and Packaging (CLP) Regulation. As a reminder, please note that this ATP includes several boron and copper compounds. The meeting was more of a formality for the Commission, because since the ATP procedure has been changed to delegated acts, the Commission only consults Member States and does not require their approval anymore. An interesting case was the fungicide mancozeb. In a last-minute attempt, mancozeb industry representatives have called on the Commission to delay its inclusion in the 17th ATP and wait for the results of a new ongoing study. This attempt was badly perceived by certain Member States, especially Belgium, who “alerted” the rest of CARACAL against what seems to “becoming a new practice” for delaying new risk management measures. The Commission had the final word and kept mancozeb in the ATP. In line with the new procedure for CLP, the Commission will now adopt the delegated act amending CLP annexes. It will then be submitted to the European Parliament and Council for a 2-month scrutiny period (more information: Noam El Mrabet).

ECHA REACH & CLP

COMMITTEES

RAC-54: lead metal “on stage” and carcinogenicity classification for vanadium pentaoxide,

RAC had scheduled two weeks of remote meetings in September, discussing several Harmonised Classifications (CLH) proposals but also some Applications for Authorisations (AfAs) and the second opinion of the restriction on perfluorohexanoic acid. The presentation of the workplan confirmed the timing of the lead metal environmental classification discussions (December and March) but also that the restriction dossier prepared by ECHA on lead and its compounds in ammunition and fishing tackle will be handled over the different meetings in 2021. ILA has been invited to present short videos on lead manufacturing and handling to the RAC members, with the hope that this will facilitate the discussions on the criteria to apply to have split entries according to the physical form. RAC also discussed the proposal submitted by France to classify V2O5 as acute toxicity 1, muta 1B, carcino 1B and repro 1B/lactation. The discussion on acute inhalation toxicity highlighted issues with the material that had been tested but also differences in sensitivity depending on the animals’ species and sex. RAC followed the Rapporteur who proposed to classify as acute tox 2, based on a weight-of-evidence approach. The discussion on mutagenicity picked up on the debate started during the previous legislation (DSD), highlighting that the available *in vitro* data suggest clastogenic and aneugenic effects rather than direct effects. The Rapporteur did not follow the Dossier Submitter on its recommendation to classify as 1B, arguing that reliable *in vivo* studies are negative and that several studies considered in the Annex XV could not be considered as sufficiently reliable to be used to justify a cat 1B. However, as some concern remains (considering the *in vitro* data and Klimisch 3 *in vivo* studies), RAC retained the cat 2 classification. The debate on carcinogenicity was more challenging: RAC considered that the increased number of lung tumours observed in mice in the NTP 2002 study justifies a cat 1B. Industry questioned the reliability of the NTP study, because of significant discrepancies in the dose-range finding studies prior to the actual study, the flat dose-response in the experiment but also because of issues related to the characterisation of the tested material. The flaws of this NTP study have been reviewed in a recent publication (McGregor et al. 2020), which had been announced during the Public Consultation and was provided to RAC over summer. Unfortunately, RAC did not consider that the identified issues lessen the reliability of the study, concluding finally to the cat 1B classification. Also, as there was no data available to exclude carcinogenic effects via other routes of exposure, the resulting classification is for ‘all routes’ even if RAC acknowledges the local nature of cancers induced by inhalation. RAC also discussed developmental, fertility and lactation effects and concluded to a Repro 2, H361 fd and lactation H362. The Rapporteur will now finalise the opinion to consider the RAC discussions and forward it to Commission (more information: Astrid Voigt, Arne Burzlaff and Violaine Verougstraete).

SEAC-48: a “double” meeting with a series of restrictions and authorisation applications debated

Despite Covid, SEAC almost doubled its activity due to the long list of restriction and authorisation cases to be reviewed for opinion making, resulting in 2 weeks of continuous webinar meetings. This included very large and/or important restriction cases like one on the Co-salts (see below), on microplastics and on sensitisers in textile. As expected, ECHA received large series of comments on the microplastics case often challenging the fact that their use would be restricted *without a real proof of risk* due to a lacking hazard. Besides its precedent setting nature, for this reason (preventing new exposure of substances (in this case microplastics) society does not want to access the biosphere and food chain) the case is most relevant for the metals that are used in such applications or are impurities in recuperated materials containing microplastics (metals in milled tyres used for rubber infills in sport fields). The Chair therefore agreed to postpone the discussion and organise a special SEAC session on microplastics to review the consultation output and to decide on it in December. Contrary to this postponement, the opinion on the restriction on the use of sensitisers in textile was adopted. The metals sector could in this respect achieve clarification that metallic forms would be excluded. Besides these restrictions SEAC debated a long series of authorisation applications including some on chromates, thus allowing further experience building. Two striking conclusions included: the refusal to grant for more than 12 years despite solid evidence that no feasible alternative could be developed earlier than that, as well as the very low substance volumes (sometimes kgs) and emissions (grams) questioning the relevance of the heavy authorisation process even further (more information: Hugo Waeterschoot).

SEAC-48: agreement on the Co salts restriction case, a milestone step towards the further discussion on a B-OEL

A milestone was reached when SEAC agreed on its opinion this month on the cobalt salts restriction. It considered that the proposal from ECHA (as dossier submitter) and the suggested changes made by RAC (promoting a Time Weighted Average (TWA) of 1 mg/m³ for the selected salts) were most probably not the most appropriate EU-wide risk management measure. They justified this conclusion based on the uncertainties related to the proportionality aspects of the proposals (too high a cost for too low benefits). Furthermore, SEAC took note of the socio-economic assessment information provided by the Cobalt Institute to promote an EU-wide Binding-Occupational Exposure Limit (B-OEL) as a more cost-effective approach given covering all Co exposure sources and preventing duplicate systems being applicable. SEAC appreciated this information very much and confirmed it being in line with expectations on the proportionality. It is now up to the Commission to make a decision on what is the most appropriate RMO and the fate of this restriction proposal, but the information on a different Risk Management Option (RMO) (B-OEL) provided by the Cobalt Institute will be very helpful for them to make their decision (more information Rohit Mistry and Hugo Waeterschoot).

SEAC-48: Eurometaux presented the learnings on the industry workshop on the new Substitution Plan requirements

The court case on Pb-chromates (Sweden against the Commission) that took place some while ago resulted in the requirement that a Substitution Plan (SP) be now also required under the socio-economic authorisation application route (for non-threshold substances, like many metals) in case a Suitable Alternative Generically Available (SAGA) exists. In the absence of such a SP, the Commission would conclude the SAGA would apply and as a consequence the authorisation application would not be granted. The first and most challenging cases are the decorative plating with chromates that will set a precedent for many others to come (especially metals). Hence it explained why Eurometaux was invited to help clarify this new concept and to broach a pragmatic interpretation from industry's perspective (promoting alignment on how to split the uses applied for in functional utilisations of common status in respect to potential technical feasible substitution) and SEAC as a reviewer and scrutiniser of the substitution plans. Eurometaux presented the outcome of the two workshops they organised for Industry and ECHA and contributed to the debate in SEAC on how to progress. BAuA was most active in this discussion and presented their case study on the potential generic substitution possibilities for chromates for the plating sector in a balanced way. So far SEAC had not received SPs from the metals sector because of the additional time granted to compile them due to the Covid outbreak. The SEAC discussion was nevertheless clarifying in that it recognised that focussing *exclusively on the SP and not considering the need to reassess the review periods (time length of the granting) and the AoA* as originally foreseen had to be reviewed allowing such discussions on a case by case basis (more information: Hugo Waeterschoot).

Management Board-59: Focus on the long-term (financial) future of ECHA: this could impact industry more than ECHA!

ECHA must progress with its Programming Document 2021-2024 by the end of this year to agree on its workplan and budget for the years to come. However, due to the ongoing institutional debate of the EU's financing under the next multi-annual financial framework (MFF) 2021-2027, the MB broadened the discussion to debate the priorities running until 2027. To estimate the impact on its future activities, ECHA presented an assessment on what it would maintain or not as core tasks based on an expected tangible resource reduction. For REACH, they propose to focus on its main tasks such as receiving Registration files, Compliance Checks and Risk Management (restrictions and authorisations), CLP and

raising fees; whilst reducing activity on Substance Evaluation (a Member States' responsibility) as well as support to industry, to the help desks, reducing public consultations when not legally required and reducing the service to Member States too, which may include cancelling Risk Management Experts (RIME) support (where the RMOAs are promoted). Eurometaux analysed this proposal concluding that contrary to ECHA's interpretation: industry is part of the solution to prevent longer term work for ECHA. Therefore, support for interaction, consultation and help desk support should be enhanced and not reduced. On the other hand, RAC's CLP activities and Authorisation consume lots of time with a low benefit for society and a heavy burden for industry, given it can be replaced by the self-classifications and more efficient Risk Management Measures (RMMs). While a reduced budget can be expected, it will not be as extensive as ECHA considered for this exercise. ECHA requested support from Member States and industry to influence these budget discussions. Eurometaux therefore suggested to Cefic who represents industry in ECHA's Management Board, to raise the need for further support to industry, and to consider to review some of its activities that could be replaced (e.g. CLP), be improved or are outside the core (Substance Evaluation) (more information: Hugo Waeterschoot).

OTHERS

ENES: REACH Review Action 3 -safety data set

The Exchange Network on Exposure Scenarios (ENES) is working on a multi-year work plan to improve the way safety data on hazardous chemicals is generated, communicated and applied in Europe. This *Plan* is prepared by the Commission jointly with ECHA, for endorsement by CARACAL. Stakeholders drawn from industry (including Eurometaux), policy domains (occupational, environmental, product safety) and Member State authorities are consulted in its preparation. The plan builds on REACH Review action 3 (improve workability and quality of Safety Data Sheets (SDS)). To improve the way the safety data on hazardous chemicals is generated by a supplier and communicated in the supply chain via the SDS, authorities propose to set i) mandatory minimum requirements for the content of the safety data sheet and ii) a mandatory xml standard for company-to-company electronic communication of the safety data. The ENES Coordination Group met on 15 September to discuss the technical aspects of this proposal. While the group expressed support for the principle and sees benefits in digitalisation, participants raised some questions with regard to the 'mandatory' aspect, the legal implications (a mandatory XML format is not foreseen by the REACH text, the method to use for the mixture safety assessment is to be further defined), the analysis of costs vs. benefits of this proposal, in particular for SMEs. The development plan will be submitted for discussion in CARACAL in November (more information: Violaine Verougstraete).

ECHA manual completeness check: start of CSR checks on 2 November

ECHA has confirmed that the extension of the manual completeness checks to include chemical safety reports (CSR) will start on 2 November 2020. Up to now, the content of the chemical safety report has remained outside the scope of the completeness check. ECHA had announced end of last year that extending the completeness check to the CSR is "expected to enable better prioritisation of substances for regulatory action by authorities, enhance the dissemination of use information and improve the starting point for appropriate supply chain communication". They postponed the start of the check to this autumn to "help companies facing difficulties due to the COVID-19 pandemic and to align with an update of IUCLID". ECHA has organised a [webinar](#) end of January 2020 to explain what it would look like. In addition, how to ensure some of the metal/inorganic CSR specificities fit with the new completeness check will be on the agenda of upcoming MISA activities (more information: Lorenzo Zullo, Federica Iaccino and Violaine Verougstraete).

EUROMETAUX CHEMICALS MANAGEMENT

EM FUNCTIONING

Data use and Diffuse Sources: discussion & agreement

A meeting was held on 1 September to agree on how to ensure 'healthy data handling' in data collection/communication exercises. It is clear that data will be crucial in the context of the Green Deal and the Zero Pollution Ambition, which will most probably be particularly penalising for "hazardous substances", due to societal pressure to move towards a less harmful environment whilst meeting climate and circularity objectives. Documentation of innovation efforts in this context (of processes, resulting in decreasing 'pollution') or best practices are powerful arguments in regulatory discussions provided they are backed up by representative data. Emission/exposure data will also help to focus efforts

and priorities on what matters. Data collection exercises are and will thus be set up within the membership to collect data that could demonstrate the efforts made by the sector to innovate, to comply with existing standards/regulations and further support our advocacy and credibility. The Steering Committee asked to define a ‘frame’ and principles for such exercises, as having clear boundaries on what can be done-not be done will reassure data providers and facilitate sharing, consolidation and communication of information. A two-pager emerged from the discussion and was submitted to EM’s Management Committee as applicable for data beyond chemicals management ones. The group also agreed on a way forward on the diffuse sources work. Eurometaux had indeed endeavoured to update a draft publication from 2014 on how diffuse sources information could help emissions assessment and ‘focus on what matters’. Along the process, it appeared that commodities and ETAP were themselves working on the topic and that ensuring consistency would be crucial. It was agreed to post all data (and related methodologies, trends etc.) on a share point and to discuss Q1 2021 collectively with the interested members what can be done with the data, for which purposes and if an external expert can be of help (more information: Lara Van de Merckt, Hugo Waeterschoot and Violaine Verougstraete).

Chemicals Management Steering Committee: CSS and ZPAP on the agenda

The CMSC met on 4 September with a full agenda focusing on the Green Deal and the “Zero Pollution ambition for a toxic-free environment”. The Green Deal acts as an umbrella for the overall Eurometaux’s activities and hence, the Chemicals Management department’s advocacy and technical work feeds and is fed by the other Eurometaux departments activities. The CMSC meeting discussed more in detail two of the three pillars of the Zero Pollution ambition, namely the forthcoming Chemicals Strategy for Sustainability (CSS) and the Zero Pollution Action Plan (ZPAP). Intense outreach on the CSS, towards Commission and the European Parliament, has taken place over summer and the main learnings were presented to the Committee. With regard to the Zero Pollution Action Plan, the secretariat presented the outcomes of a mind-mapping exercise aimed at identifying how it fits within the Green Deal and the interaction between the different strategies. The mappings of the CSS (done in May) and the ZPAP should help members to identify priorities and select their “battles”, either as sector or jointly with other industry sectors. Further topics on the CMSC agenda included the presentation of a thought-starter on how risk management could become more holistic and consistent and dealt with in a more resource-efficient way. Several updates were presented, among others on the status of the CARACAL discussion on intermediates and its possible precedent-setting or on the input Eurometaux would give in the Public Consultation on the lead metal environmental classification. The minutes were circulated on 14 September (more information: Violaine Verougstraete).

Chemicals Management Autumn Week: Science Forum

The Science Forum was very well attended and addressed a variety of topics, despite the limitations of the online settings. Three metals (Cd, Pb, Ni) shared their experience with workplace monitoring, highlighting the importance to ‘think before acting’ and select the most appropriate tool. The benefits and difficulties of air- and biological monitoring were exposed, illustrating where they are complementary approaches to address the possible effects of concern or to the contrary where issues pop up when using one approach in isolation. Ongoing projects were presented as well.

Adriana Oller (NiPERA) gave an update on the bioelution work and presented schemes that could be used to refine the alloys classification, using the data generated by the Standard Operating Procedure (SOP) recently validated by EURL ECVAM and now being discussed at OECD.

Sue Hubbard presented the situation regarding Poison Centres Notification (PCN) and alloys. Industry has an obligation to submit information on certain categories of the chemical products (mixtures) to Member States Appointed Bodies/Poison Centres. Under CLP ‘*alloys are considered to be mixtures for the purposes of this Regulation*’ and hence come under PCN. Eurometaux will compile a one-pager on timings and possible alloys-specific aspects to bring in. More information is available via ECHA’s webpage(s) <https://poisoncentres.echa.europa.eu/about-us>.

The Chemicals Strategy for Sustainability will very probably include a Mixtures Assessment Factor (MAF) that will be applied to the REACH risk characterisation ratios or no-effect values. The outcomes of a first impact assessment exercise were presented as well as a project for a possible alternative via a refined environmental scheme.

An overview was provided on the ECHA, Member States and OECD WPNM projects/programmes that may affect the metals sector. Christine Spirlet (IZA) shared her learnings from the ZnO evaluation process with regard to the environmental testing. Koen Oorts (Arche Consulting) gave a feedback on the learning lessons taken from the OECD Working Party on Manufactured Nanomaterials (WPMN) that took place beginning of September;

Finally an interesting panel debate took place on the main learnings and emerging issues from the ETAP meeting of relevance for the EU regulatory scenery. Minutes will be circulated soon (more information: Violaine Verougstraete & Hugo Waeterschoot).

Chemicals Management Autumn Week: Regulatory & Science Forum – Joint Session

Bridging the Science and the Regulatory Forum, the secretariat organised a joint session to discuss the topic of “emissions”. Emissions/exposures are dealt with by several taskforces in Eurometaux and it can be expected that the Zero Pollution ambition will require more cross-topic work and a good understanding of how to collect/use data. This was thus a perfect occasion to listen to Joonas Koivisto (ARCHE Consulting) who provided an overview of the IED considering ambient air pollution and who proposed alternative methods to quantify emissions relative impacts. Sean Comber (Plymouth University) presented the ETAP Project on emissions from Sewage Treatment Plants, explaining that the relative contributions of different sources of metals into municipal wastewater treatment plants (STP) are relatively poorly understood, and that there would be benefit in aggregating and integrating all the available data. He also stressed the importance of a better understanding of the contribution of natural sources of metals into STP systems, e.g. due to natural erosion processes, background levels in water, inputs from natural sources such as human excrement, and metal background concentrations present in the urban environment. Lorenzo Zullo (Eurometaux) and Jens Tørsløv (DHI) concluded the session by explaining the work done over the last months to evaluate the quality of the SpERCs for metals (i.e. emission factors that were derived to estimate the release of metals into the environment). The assessment conducted by DHI showed that there is room for developing more specific SpERCs (i.e. lower emission factors) that could be used to quantify more realistically environment emissions across different industrial processes and applications. This could be done, for example, by collecting more emission data, in combination with additional data related to RMMs, operative conditions and quantities of use (tonnages). Being able to lower the emission factors (SpERCs) could also help to deal with emerging risk assessment challenges related to combined exposures. As this type of data is potentially useful across multiple legislative frameworks (REACH, IED, environmental permits, etc..), the presentation concluded with a reflection on how future efforts related to data collection could be optimised (more information: Nathalie Kinga Kowalski, Noam El Mrabet, Lorenzo Zullo, Hugo Waeterschoot and Violaine Verougstraete)

Chemicals Management Autumn Week: Regulatory Forum

After a break from the Joint Session, the Regulatory Forum began with an introduction from one of our co-chairs, Sandro Starita (European Aluminium). For this edition of the Regulatory Forum, we decided to break silos between emissions-related policies and risk management-related policies, and to kick off we had our first guest speaker, Andreas Ahrens (ECHA), presenting the interface between REACH and IED. This was followed by a presentation from our precious France Capon (EPMF), who explained how the Chemicals Strategy for Sustainability was an opportunity to shape the future of Risk Management through a promising 6-step approach that will further be discussed in the Risk Management Taskforce. Afterwards, Kai-Sebastian Melzer (Nickel Institute) delivered a presentation on the white-hot issues around substitution at OECD-level.

The Regulatory Forum resumed on Thursday for another session, this time chaired by Steve Binks (ILA). Alfio Miazan (NewFields) started with a presentation on circular water management, a necessary step forward because of increased water scarcity. Subsequently, Graham Merrington (WCA Consulting) galvanised the audience by presenting a project, aiming at helping regulators to account for bioavailability. Hugo Waeterschoot and Violaine Verougstraete (Eurometaux) then explained that there are often differences between the portfolio of consortia/commodities, and the ones from companies, and the importance to find ways to ensure information circulates early enough to be prepared, in regulatory discussions and at company level. The session ended on a presentation from Pierre Laffont (ASD Europe) and Noam El Mrabet (Eurometaux) on the evolution of the European Parliament scrutiny over regulatory activities, specifically focusing on a recent case study on chromates and the new composition of the hemicycle (more information: Nathalie Kinga Kowalski and Noam El Mrabet).

CHEMICALS STRATEGY FOR SUSTAINABILITY

REACH REGISTRATIONS

Registration and Maintenance Taskforce meeting: a lot of REACH registration-related issues are still on the table

The last meeting of the Registration Taskforce took place on 17 September. The agenda covered many items of interest for registration dossiers-related activities, such as the Implementing Regulation on duties to update the REACH registration dossiers, the ongoing discussions on possibilities to revoke the registration numbers, and the CARACAL sub-group activities on the revision of the REACH Annexes (i.e. data requirements and information related to endocrine

disruptors). The taskforce was also encouraged to provide input on the ongoing activities related to the revision of the guidance documents on REACH Registrations and Data Sharing.

In the second part of the meeting, the outcome of the metals Specific Environmental Release Category (SpERCs) quality assessment was presented and was used as a basis for a broader discussion on potential environment emission data needs; as follow up, a 'data-need' mapping will be drafted to support future synergies in collecting data that might be needed for multiple purposes.

"Brexit" was added under AOB; the taskforce will further exchange in the coming months to allow consortia to share experiences.

More details, as well as information on other topics (such as ENES and OECD harmonised templates), will be available in the meeting minutes that will be shared soon (more information: Caroline Braibant, Sandra Carey, Federica Iaccino, Lorenzo Zullo).

RISK MANAGEMENT

Risk Management Taskforce meeting: a fully loaded agenda balancing proactive and defensive items

The RM Taskforce's agenda on 2 September, was again overly full; a reflection of the EU and Eurometaux's intense activity. A key project in respect to the Green Deal is the updating of the Industry RMOa guidance including two additional pillars focussing on the impact of climate and circular economy considerations on the selection of the best RMM. Moreover, the development of an integrated example and a toolbox is progressing too, all aiming for finalisation this year in a training event. The Cobalt Institute announced their RMOa initiative on the consequences of the Co-metal classification, indicating they would like to consider assessing the 3 pillars of the guidance. An interesting challenge and pilot case for the new RMOa guidance! The second major item debated by the RMTF concerned strategic thinking on a better recognition for RMOas in defining relevant and effective RMMs under the future CSS. A 6-step process was proposed to target a more holistic view, with more consistency and integration allowing the concept to be used for all EHS EU strategies that include chemicals. The webinar participants welcomed the strategic proposal and discussed the suggestions in preparation of the upcoming CMSC for further direction. The second part of the webinar focussed on learnings from recent authorisation and restriction activities including the role Eurometaux plays in searching for clarification and alignment on the imposed SAGA Substitution Plan requirement (see SEAC meeting report). A more advocacy-oriented learning on the *European Parliament's interest in challenging Restriction and Authorisation proposals* provided a first insight on how to best prepare for this policy step once important metal restrictions (Pb and Co-salts) would reach this level. Finally, the RM Taskforce was informed about the new NeRSAP webinar programme aiming at reviewing more than 10-year experience with the authorisation and restriction processes (more information: France Capon, Klaus Kamps, Noam El Mrabet and Hugo Waeterschoot).

WATER

Priority Substances: review restarting now

The very last day of September we received the information by the Commission that they want to restart the work on the Priority Substances review and finalise the Environmental Quality Standards (EQS) dossiers. This process was started back in 2015 but was paused as long as the WFD REFIT exercise was ongoing. After a first attempt to reopen the work beginning of the year, further delays occurred. Now, the Commission is planning on wrapping up the work within the next 4 months. A table of possible substances includes silver, nickel, uranium and selenium, though only for silver and uranium the rapporteurs have been identified. The final list for proposal may not include all substances. The suggested timeline is very tight, leaving on average only two weeks commenting periods between each step of the process. The Commission is asking for a first feedback on the numerous listed substances by next week 8th October, including the suggestions for experts. The dossiers shall be reviewed via an e-mail/closed web platform-based process. Ideally, the Commission would like to finalise the dossiers by February 2021. Eurometaux is exchanging with the involved members to prepare our comments (more information: Nathalie Kinga Kowalski).

Diffuse Emissions: EEA workshop

After the summer break, Deltares was invited to the 2nd webinar meeting on the European Environment Agency (EEA's) Emissions Inventory project which is organised as a sub-working group of the CIS-WG Chemicals. France, the Netherlands and Poland presented some work they are doing to improve their data sets; all their presentations conveyed some new information on their work which will be followed up by the secretariat and supporting members. In the second half, the draft papers were discussed. Over summer we have received updated versions of the two papers: Proposal for a

simplified method for the quantification of emissions to water and Calculating emissions from Urban Waste Water Treatment Plants (UWWTPs) to surface waters. The latter is more developed than the first one, but the group decided that both documents still need some work to be presented as final to the WG Chemicals. The project will be continued next year, but no new meetings are planned before the end of this year. In the meanwhile, the EEA is exchanging bilaterally with different stakeholders on how to improve the documents. They also reached out to us to consult our experts, that we suggested as expert volunteers beginning of summer (more information: Nathalie Kinga Kowalski).

INDUSTRIAL EMISSIONS

Industrial Emissions Directive: *REFIT exercise*

At the end of September, the Commission published the Staff Working Document to the Evaluation of the Industrial Emission Directive and also shared the report of the consultants (Ricardo, Milieu and UBA). Overall, the evaluation concludes that the IED is effective in reducing environmental impacts and competitive distortions in the EU. It is seen as efficient, coherent with other policies and providing significant EU added value. Most importantly the Commission highlights that its governance model is a major success. However, in the view of the Green Deal, improvements are proposed in the implementation process, water management, broadening the scope for contributions to Circular Economy and Decarbonisation and also enhancing the interaction with the European Pollutants Release and Transfer Register (E-PRTR). An Inception Impact Assessment was already shared in the spring. The consultation to the Impact Assessment is expected during autumn this year, followed by targeted stakeholder consultations. A revision proposal should be ready by end of 2021 (more information: Nathalie Kinga Kowalski).

Kick-off revision of E-PRTR : *analysis ongoing*

In the last weeks and months there have been some rumours that the Commission is preparing a revision process for the E-PRTR. Following the evaluation in 2017, a review on the implementation last year, this year the Commission undertook a study on “Establishing units and metrics for reporting contextual fields”. Now they have proposed an Inception Impact Assessment, which was launched on 28 September. The Commission would like to assess the implementation of different metrics from the Directives on Industrial Emissions, Medium Combustion Plants (MCPs) and UWWTPs, and how additional information can be collected in relation to Circular Economy and Decarbonisation, but also improvements to information on waste transfers, diffuse emissions and releases in products. The secretariat is preparing an analysis of the most important points for our sector, in order to come forward with an answer proposal to the members. The consultation will be closed 26 October (more information: Nathalie Kinga Kowalski).

NANOS

Cross Industry discussion on Nanomaterials: *a relaunch to align industry*

Cefic has kindly organised a cross-industry discussion to prepare the input to the ECHA Nanomaterials Expert Group. Although no meeting will be organised this year, industry can suggest issues for discussion. The cross-industry call was a good opportunity to collect input from different sectors and to share experiences between the participants. The Technical Completeness Check (TCC) was identified as an important issue for the participants who are updating their registration files for nano forms. It was also noticeable that besides the metals sectors, not a lot of participants had extensive experience on nano assessment reviews like those carried out under the Substance Evaluation programmes on silver (by The Netherlands), ZnO (by Germany) or CeO₂. IZA kindly shared its learning lessons from the ongoing evaluation and Eurometaux indicated that the OECD strategy and test guideline on dispersion stability is a real issue for metals and inorganics. It is the intention to bring the learnings from the ongoing SEs on metal nanos to ECHA and OECD as soon as we are able to evaluate their outcome and draw generic learnings. Main objective would be to define what strategy is effective to define the environmental toxicity assessment (more information: Christine Spirlet, Koen Oorts and Hugo Waeterschoot).

TOOLS

REACH and CLP Competent Authorities Sub-Group on Bioelution and OECD: *first meetings and challenges*

The first (virtual) all day meeting of the CARACAL CASG-BIO expert group took place on 25 September 2020. DG ENV chaired the meeting. Attendees included Member States experts EURL ECVAM, ECHA, some Risk Assessment Committee (RAC) members as well as 4 industry representatives. The objective of the CARACAL sub-group is to provide advice and exchange views on technical, legislative and policy issues in relation to the use of the bioelution for the refinement of

their classification under CLP. The group should have one or two additional meetings before going back to CARACAL to explain the outcomes. DG ENV also explained how this approach could be useful for waste. Although Commission had explicitly invited all participants to share their ideas on how they would use relative bioaccessibility data, the only proposal that came in was from industry. Industry presented the approach, explaining how it could be in line with all the requirements set out by EC (in line with current CLP, not lessening protection, not changing Generic Concentration Limits (GCLs) or Specific Concentration Limits (SCLs), including safety nets and being enforceable). Representatives from DK and DE, in particular, were very active in challenging various aspects of the approach but without actually proposing alternatives. A list of items for further ‘work or information’ was identified but we should also ensure that the outcome is not only driven by a minority –even a very vocal one.

On 28 September, to further ‘surf on the wave’, industry participated in the first meeting of the OECD WNT expert sub-group. This expert group is in charge of drafting a Test Guideline to be validated by the OECD WNT. A first draft had been submitted by the EU Commission to facilitate this kick-off meeting. Attendees included experts from EURL ECVAM, Commission, different EU countries but also UK, Brazil, Canada, USA, and Japan. The discussion focused on topics like nomenclature, validation against *in vivo* data (use in hazard vs risk assessment); release per surface area; sample selection and treatment of massive samples. Whilst initially the conversation was driven by the DK, DE and NL representatives, supportive interventions were later made by USA, Canada, ICAPO and UK. The next meeting is scheduled for early December. BIAC was asked to make a presentation on *in vitro-in vivo* correlations early November in an interim call. Overall, the discussions were more reasonable than during the spring OECD WNT meetings, as a plurality of voices were heard. Eurometaux and NiPERA will continue to work with EURL ECVAM to answer the comments and revise the test guideline (more information: Adriana Oller and Violaine Verougstraete).

METALS & INORGANICS SECTORIAL APPROACH (MISA)

MISA 4: finally, the date for the first webinar

The timing of the MISA 4 activity on exposure has been significantly impacted by the Covid. Initially scheduled as a workshop in Helsinki, it will be transformed into a series of webinars starting mid-October. The main objectives for this MISA activity are to reach a common understanding on ‘exposure assessment’ and clear agreements on the way forward to have complete and relevant dossiers and to raise metal specificities that may require technical or conceptual solutions. 4 webinars of 3 hours each, will be kicked off on 23 October with a discussion on the overall framework: how, why to generate information on uses and exposure and what’s the link with safety assessment and communication? The next webinars will be successively devoted to occupational exposure, environmental exposure and consumer exposure/secondary poisoning and remaining issues. The learnings from the completed Self-Assessment Tool will be fed in the different webinars. A more detailed agenda will be sent to the MISA community soon (more information: Violaine Verougstraete, Hugo Waeterschoot and Federica Iaccino).

iUVCB Platform: dossiers refinement & reporting discussion with ECHA

Following up on the Screening Phase run before the summer and the refined actions defined during summer, the practical work on dossiers refinement started in September. The first priorities focus on refining the substance identification and classification of the existing Art. 10 dossiers, as well as working on the hazard reporting strategy: the refinements of these parts of the iUVCBs’ assessments aim at creating the complete set of background documentation that would support the assessment entities approach methodology and, further on, the IUCLID reporting. The work is carried out by Arche Consulting and EBRC assessing groups of similar substances across consortia, in order to ensure and improve consistency across dossiers, while refining them. In the meantime, two virtual meetings have been planned with ECHA beginning of October. These meetings are the conclusive steps in the ongoing discussion on hazard information reporting in IUCLID and aim at reaching clear agreements to ensure both compliance and workability of the dossiers. More information will be shared after the meetings (more information: Federica Iaccino and Violaine Verougstraete).

OUTREACH

Industrial Emissions Alliance: webinar 21/09/2020

After the summer the alliance came together virtually to inform each other on different issues the association are working on and where (new) cooperation can be undertaken. A central point was how to react to the ongoing discussion in the different Best available technology Reference document (BREF) TWGs. Currently each party is self-evaluating on

how to adjust the process to be able to continue the work (including meetings) despite the Corona-pandemic situation. The IEA decided to write a letter to the Commission asking to discuss the issue at the Art. 13 Forum jointly instead of in each TWG separately. Aneta Willems (DG ENV, EC) acknowledged the request, however, highlighted that the TWGs cannot wait until an Art. 13 Forum meeting is planned. Furthermore, the Alliance decided to follow up in smaller exchange activities on the Zero Pollution Action Plan, the E-PRTR review process and chemicals management in BREFs (more information: Nathalie Kinga Kowalski).

OECD eChemPortal:

The OECD organises Green Talks Live webinars that bring world experts together on environmental issues for a global audience. These free webinars are open to the general public and participants are welcome to pose questions during the Q&A part. Eurometaux was invited to join speakers from the German UBA and Environment & Climate Change Canada to share its experience with the OECD eChemPortal. eChemPortal provides direct access to critical scientific information on chemical substances of regulatory relevance with over 800,000 substance records from 37 databases. The portal aims at allowing countries and companies to share work, ensure resource efficiencies, and, subsequently, reduce animal testing. The webinar was very well attended (over 450 delegates) and the video recording is available at: <https://youtu.be/aA2ES3RybSA> (more information: Violaine Verougstraete).

OECD IUCLID group: *i-UVCB reporting in IUCLID 6 is a challenge*

On 30 September, Eurometaux participated in the OECD IUCLID group meeting to make a presentation on the issues associated with the reporting of the information on data-rich constituents of inorganic UVCBs in IUCLID. The proposed way forward, making use of the assessment entity (AE) feature included in IUCLID 6, relates the level of information reported in the UVCB IUCLID (robust study summary or endpoint summary) to three categories of AEs: lead reporting AEs, reporting AEs and other AEs. The proposed solution is still under discussion with ECHA and it is hoped that an agreement can be found soon as having a workable IUCLID represents a condition sine qua non for the updates of the inorganic UVCB dossiers. The presentation in OECD was thus a way to remind ECHA and EU Member States that this UVCB reporting issue remains high on our agenda but also to highlight to the OECD countries that the sector is proactive in searching for pragmatic solutions for complex dossiers (more information: Federica Iaccino and Violaine Verougstraete).

Human biomonitoring for Europe (HBM4EU): *stakeholders Forum 2020*

The EU funded project HBM4EU organised on 30 September a stakeholders' forum to provide an update on the ongoing work. Information of interest for the metals sector included the completion of a study on chromium VI, in which exposure of different occupational groups were assessed: chrome platers, other chromium surface treatments (paint spray), welders. From the preliminary assessment of the results, a dedicated webinar will be organised in January 2021. They have also announced the upcoming data on the second set of priority chemicals, including arsenic (As, As III and As V). The project is also dealing with exposure to mixtures; besides pesticides, case studies include "heavy metals and nephrotoxicity and Chromium VI, nickel and PAHs (Polycyclic aromatic hydrocarbons) in relation to lung cancer. The outcome of the HBM4EU project is expected to be used as an input to EFSA/ECHA in relation to policy discussions, including the Green Deal / Zero Pollution / Chemicals Strategy.

A representative from ANSES and the European Commission presented a draft proposal for a European Partnership under Horizon Europe Partnership for the Assessment of Risk from Chemicals (PARC), which aims at stimulating research and innovation in chemical risk assessment to respond to future challenges. This is a project under preparation expected to be built on the learning ensuing from the HBM4EU project. It will be prepared next year; a concept paper was already published over the summer. A workshop for Stakeholders to discuss which substances will be prioritised in PARC will be organised shortly. If you are interested to receive the notes of the Stakeholder Forum, please contact Eurometaux Secretariat (more information: Violaine Verougstraete and Lorenzo Zullo)

CALENDAR

For meetings at Eurometaux

For the moment no measures have been taken to cancel our next meetings, but due to travel restrictions imposed on certain member companies/associations, it will be possible to join meetings by GoToMeeting, Skype (or remotely). Any further decisions and/or cancellations will of course be communicated in due time.

For meetings at ECHA

ECHA confirmed that the remaining Committee meetings (RAC, SEAC, MSC and MB) for this year and even in Q1 2021, will all be held remotely.

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 information can be found on the [ECDC website](#)

- 08 October: Water Taskforce - Webinar
- 12-16 October: MSC-71 – ECHA (Held remotely until further notice)
- 13 October: Expert webinar “Wider environmental impacts of industry decarbonisation” – DG ENV/ WOOD PLC
- 16 October: Industrial Emissions Taskforce - Webinar
- 20-21 October: WFD – CIS: WG Chemicals – (Location to be confirmed)
- 21 October: Evaluation Taskforce – Webinar
- 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)
- 12-13 November: OECD Expert Group on BAT – (Paris, 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.
