

EUROMETAUX CHEMICALS MANAGEMENT NEWS



Please join us in January:

- 11: Li CLH Taskforce
- 16: Multi-metallic PNEC derivation discussion
- 23: Briefing Cu CLH
- 25: CSS Project Group
- 31 + 01/02: MEED Workshop (*sponsors only*)

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Dear All,

One may not be a big fan of Christmas celebrations and of the New Year's fiestas, it remains that there are some magic sparks floating around that one can feel.

The twinkling Christmas lights in the rainy streets, a message from someone you have not heard from since last January or even that -slightly C₂H₆O tinted- declaration of a shy pal telling you spontaneously how precious you are. For a short lapse in time, the good mood emanating from the seasonal advertisements is unfurling its glow in your home, a choice of wording in the wishes that makes so much sense.

That instant of awareness that we are still here to celebrate and wish, with those who left us suddenly present again; that minute a crowd is taken over by the music and sings its head off; and the luminosity of the first day of the year where sun (and clouds) wait for human beings to come back to reason. That in-depth conscience that peace and health are the key assets for the new year.

"Feeling right" moments! And if the December eves allow to make these sparks more perceptible, let's go for it and multiply the opportunities.

And then the days after, let's fix a resolution to keep the magic ongoing!

On the latter, being New Year-pragmatic, I thought I would spare you some time by going directly to real magicians to get ideas to make magic flashes sustainable. Luckily, they are used to processing urgent requests and provide one with a contract by a twitch of their nose. I will remain silent on the terms of the contract as well as the budget (generic, multi-metallic: you won't see a trace in the REACH budget overview) but know that I am keeping my toes crossed for this whole year and have put a frog on my desk. I already received a draft deliverable that requires to be tested.

Without surprise the testing requires some work on our side (magicians belong to the consultants family 😊), in particular on the vocal side (and maybe wearing a hat may help- some uncertainty there).

In practice, find a window with a view of the European quarter (a computer window with an EU flag works as well), look inspired and sing (<https://www.youtube.com/watch?v=5t1f8UB49h0>):

*In every job that must be done
There is an element of fun
You find the fun and ...snap!
The job becomes a game
And every task you undertake
Becomes a piece of cake
A lark! A spree! It's very clear to see that...*

*A spoonful of humour helps the metals science go up
And the advocacy go up-wup- Their advocacy goes up!
A spoonful of extravaganza helps to keep the work up
In a most delightful way*

*A Commission (further) feathering its nest
Has very little time to rest
While gathering bits of consultations
Though quite intent in its revisions
has a merry tune to toot
They know a song will move the job along - for
A ladle of incoherence helps common sense to go down*

*A spoonful of humour helps the metals science go up
And the advocacy go up-wup- Their advocacy goes up!
A spoonful of extravaganza helps to keep the work up
In a most delightful way*

*The authorities that fetch the prioritisation
From weird data to authorisation
Never tire of ever banning to and fro
Because they take (only) a little nip
From every explanation that they sip
And hence (And hence),
They find (They find)
Their task is not a grind.*

*A spoonful of humour helps the metals science go up
And the advocacy go up-wup- Their advocacy goes up!
A spoonful of extravaganza helps to keep the work up
In a most delightful way*

Let me know if it works – I have to go back with comments by 31 December 2023!)



Violaine Verougstraete

COMMISSION

CLP: new CLP is out, in time for the Christmas tree

On 19 December, Commission has issued its proposal for a revised Regulation on classification, labelling and packaging of chemicals (CLP) and introduced via a Delegated Act new hazard classes for endocrine disruptors, PBT/vPvB, PMT/vPvM substances. The proposal as well the impact assessment (in five parts) can also be found here: https://environment.ec.europa.eu/publications/proposal-clp-revision_en.

The proposal aims at having better and faster processes for all actors to identify and classify hazards of chemicals placed on the EU market, improving the communication on chemical hazards, including for chemicals sold online, addressing legal gaps and high levels of non-compliance and discusses consistency with other Union policies.

The Commission proposal will now be subject to the approval of the European Parliament and Council as part of the ordinary legislative procedure. The Commission Delegated Act introducing the new hazard classes is expected to enter into force early next year, after scrutiny by the European Parliament and Council. Also, the EU will chair a new UN informal working group to develop global criteria for the newly adopted hazard classes.

The proposal will be further analysed and possible advocacy discussed with the members in January (more information: Ainhoa González Pérez, Hugo Waeterschoot and Violaine Verougstraete).

EU AGENCIES

EUROPEAN CHEMICALS AGENCY (ECHA)

ECHA COMMITTEES

SEAC-57: a wave of new applications on chromates reviewed and upcoming demonstrating the shortcomings of the authorisation system

SEAC handled a long series of chrome plating authorisation applications. Moreover, the ECHA secretariat informed RAC and SEAC that more than 100 Authorisations for Application (AfAs) are expected in the coming months. This wave of applications is driven by the expected negative outcome of the court case on the ChemService (previous CTAC) upstream (granted) application whereby the European Court Advocate General pleaded for an annulment of the granted application(s). While the conditions of such potential annulment will only be known when the EC adopts its final verdict early 2023, it is already clear that upstream applications (grouped applications) will be much more difficult, in practice impossible. This outcome may challenge the thousands of platers who would then become uncovered by an upstream authorisation application, a huge legal precedent.

Eurometaux is therefore promoting the need for an alternative risk management approach based on Occupational Safety & Health (OSH) to ensure the system is effective for regulators and workable for industry. Challenged by the high number of applications, SEAC as well as RAC seem to be increasing their requirements for individual applications, thus breaking the principle of equal treatment. Eurometaux is preparing a dossier on this and has asked for a session to discuss this with ECHA (SEAC) to ensure the role of the Committees remains fair and balanced.

In addition, Eurometaux will use this opportunity to regain attention for the potential regrettable substitution (see Chromates Workshop reported in October/November), to gain further support from ECHA for the need to promote alternative risk management measures, other than Authorisation (more information: Hugo Waeterschoot).

MSC-80: Substance Evaluation CoRAP update adopted and growing focus on nanos

MSC-80's busy schedule included the adoption of the CoRAP (list of scheduled Substance Evaluations) for the running calendar period of 2023-2025. For the first time in years, this update did not include metals or metal compounds mainly because MSC is shifting its focus from substances with CMR (Substances classified as Carcinogens, Mutagens or toxic to Reproduction) properties to other endpoints of concern like PBT, PMT and ED. The only scheduled substance on the list supported by Eurometaux's consortia is Carbon Black, whereby the Substance Evaluation year was once again postponed (for the 3rd time) due to a running Compliance Check. While metals disappeared from the list, the sector is still waiting for the outcome of the Substance Evaluation of Cr(III) by France and the conclusion that will draw on the information submitted by industry on the ZnO nano-evaluation, cases that could set broad precedence for many others. It is expected that in 2023 we will learn more about these.

Finally, ECHA MSC announced that its next (February) meeting will include several nano-related compliance check cases including a discussion on the boundary setting of sets of chemicals. Evidently Eurometaux will prepare well for this session and draw learning lessons for the metals sector nanomaterials (more information: Hugo Waeterschoot).

MSC-80: first discussion on 11th recommendation for priority substances for authorisation

MSC's agenda item of highest interest for the metals sector related to the analysis ECHA prepared on the comments received under the Public Consultations on the 11th priority list for substances for Annex XIV. This list covers 8 substances and includes for the first time a metal in metallic form (Pb metal). ECHA reviewed the received comments on Pb in much more detail than usual, categorising them in comments on the prioritisation scoring, on potential exemptions requested by industry and in proposals for the Latest Application Date (LAD) and Sunset Date (SSD). However, as expected, at this stage ECHA is not changing its recommendation to include Pb metal, stating that: primarily because *Pb metal's scoring based on its toxicity, volume and uses warrants prioritisation even corrected for uses under scope of existing and planned restriction* and secondly because *ECHA feels that exemptions for uses under the RoHS, ELV, and DWD (Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment, Emission Limit Values, Drinking Water Directive) legislation do not include "an equivalent pressure on substitution nor cover the full lifecycle compared to authorisation"* and should further be considered by Commission. Based on industry's input, ECHA recognised the unprecedented high number of AfAs to be expected. To compensate for this, ECHA proposes an unusually long LAD -of at least 36 months- while maintaining a standard SSD of 18 months, recognising that AfAs not concluded by MSC by that time cannot be challenged. Only clarification comments were accepted at the MSC meeting given a full debate is scheduled for February 2023. ILA and Eurometaux nevertheless succeeded in "challenging the relevancy and workability of the Authorisation system as well as the overlap with other EU legislation, if Pb was to be listed".

While the MSC Rapporteur supported the ECHA draft opinion, several MSC members expressed reservations on the relevancy of proposing Pb metal for Annex XIV. However most stated that "*they will not block the prioritisation at MSC level but not support Pb-metal being taken forward by Commission in the next stage*". Eurometaux interprets that this reasoning is driven by the intention to keep the relevancy of the priority scoring system intact, while realising that the Authorisation scheme will not be efficient, nor functional for substance such as Pb-metal. Comments on the MSC Draft Opinion can be submitted by 16 January by members, but Eurometaux will try to contribute too.

MSC will adopt its opinion on the draft 11th recommendation at its next meeting early February likely endorsing the draft recommendation for Authorisation Listing of Pb metal.

ILA and Eurometaux are therefore organising a joint briefing session in Brussels on 14 February for members and stakeholders soon after the MSC-81 meeting (more information Lisa Allen and Hugo Waeterschoot).

ECHA OTHER ACTIVITIES

MB-68: welcoming the new Executive Director and adopting the Programming Document (PD)

ECHA's Management Board (MB) held its last meeting of the year on 15-16 December welcoming the new Executive Director Dr Sharon McGuinness. In her speech, she emphasised the challenge of *managing expectations on new tasks for ECHA under the Chemicals Strategy for Sustainability (CSS), the implementation of the new REACH and the need for collaboration with stakeholders*. The latter is certainly a new emphasis, industry should capitalise on.

Most of the other MB agenda points related to routinely topics, such as the acceptance review of RAC and SEAC member extensions and some smaller budget accommodations.

The meeting also agreed on the Programming Document that describes in detail the planning of activities, budgets and related resources for the upcoming 3 years. Industry had submitted a series of suggestions focussed on better cooperation with industry, better anticipation of expected CSS tasks, more efficient use of resources and better alignment and integration of the Commission's Green Deal objectives (e.g., attention for the 3Cs (Chemicals (Management), Climate, Circularity) concept). While the MB recognised their relevance, they suggested to take those forward for discussion in the next year's Programming Document update, so that the new ECHA Executive Director will be able to provide steering and input (more information: Guy Thiran and Hugo Waeterschoot).

ECHA Workshop on CMS/IED: 13 February 2023

During the course of December, Eurometaux exchanged with ECHA on their CMS/IED workshop. This workshop aims at comparing different approaches to Chemicals Management Systems (CMS), analysing their strengths and weaknesses to identify needs for improvement/development. During the workshop ECHA will also present their methodology to share information to the EIPPCB during the BREF Process. ECHA selected participants to provide concrete examples on how CMS is applied at site level, how substances are prioritised, what system is in place, and what principles guide the

prioritisation of actions. Eurometaux proposed various case-examples, and ECHA will select those relevant and invite the sector to present them. The workshop (fully remote) will take place on 13 February 2023, from 12:30 to 17:30 CET. Registration to follow the workshop is [open](#) until 15 January 2023 (more information: Lorenzo Marotti).

EUROMETAUX CHEMICALS MANAGEMENT

Chemicals Management Steering Committee: *last meeting for Véronique Steukers & for 2022*

This was the last meeting of Véronique Steukers as chair of the Committee and she was thanked for her great & committed chairmanship over the past years. Caroline Braibant will step in as new chair for the Steering Committee in January 2023.

After an update of the staff functioning and plans for the new year, including the passing-on of knowledge to the younger generation, the Committee started its discussions on the three pillars of the Zero Pollution Ambition:

- On the Chemicals Strategy for Sustainability, after a quick update on the REACH & CLP timings and an exchange on the sector's key priorities, the Committee agreed to be presented with a firmer advocacy strategy on 22 March 2023 (next Steering Committee meeting). This requires a clear identification of metal specific priorities vs. generic ones and a plan vs. Commission and Member States. Chris Heron (Eurometaux) gave an overview of the articulation between the REACH Review and the Raw Materials, with the intention for industry to continue raising pressure on the need for a structural solution for Raw Materials to address the incoherence issues. Simon Cook (Eurometaux) explained the latest developments on the Transition Pathway (TP) and Innovation with the main question being should we embark on a "metal" TP? The actions for the SC are to map out ongoing initiatives and those to come, to have an impact on design & implementation. He followed by giving an update on two main Research & Innovation (R&I) CSS activities, i.e., Safe and Sustainable-by-Design (SSbD) and Strategic Research and Innovation Plan (SRIP). And there is also a 3rd: "[Advanced Materials](#)". Of interest is also the Materials 2030 Manifesto & the associated Roadmap
- On the Zero Pollution Action Plan: Lorenzo Marotti (Eurometaux) gave a presentation on the Revision of the Ambient Air Quality Directive (AAQD), that was further discussed at the ZPAP Taskforce meeting (see below for more details). He followed with the Industrial Emissions Directive (IED) and the intended advocacy strategy.
- Two high-level items were also evoked: The EU Directive on Collective Redress, for which members were asked to provide views in support (or not) of Cefic's actions on the topic. Also, Eurometaux presented the next steps vis à vis the ZPA Roadmap, following the discussions at Eurometaux's General Assembly in October. Discussions are ongoing with TNO.

Brief presentations were provided on the learnings from the classification discussions on Li and Pb and further actions were proposed and supported by the Steering Committee.

The meeting was concluded with a presentation of the plans for the Metals Academy 2 and a debrief of the important "substitution" chromates workshop. For more details, the minutes were sent on 16 December (more information: Violaine Verougstraete).

Human Health Taskforce: *follow-up call on cobalt and DNELs*

The agenda of the 12 December call included two items, starting with the presentation by Vanessa Viegas (CI) on the outcomes of the RAC discussions on the cobalt Occupational Exposure Limit (OEL) (see also November CM news for more details on the RAC discussions). In a nutshell, RAC confirmed its opinion fixed under the restriction on the 5 cobalt salts, resulting in values that are 10 – 24-fold apart from the ones derived by the CI. RAC did not take into account other more recent regulatory reviews (like the ACGIH, German AGS, IARC) and favoured conservative views. Hence industry disagrees with RAC's announced 'scientific robustness in derivation of Co values'. It also contests the inclusion of non-CMR substances in the scope of the proposed values. Another painful learning lesson is that ECHA and RAC did not consider formal requests (including by RAC) to generate data for the OEL process, thereby didn't wait for the testing proposals' results (submitted well before the official OEL process for Co, but which remained stuck in ECHA for several years). CI will continue to support high quality data for Co and Co compounds. This will also be the case during the socio-economic assessment phase, which will look at the technical feasibility as well. Advocacy will be prepared.

Steven Verpaele (NI) discussed the question on what to do when you have Derived No-Effect Level (DNELs) for both the respirable and inhalable fractions? He presented a useful status update on the Worksafe BC study which assessed the performance of commonly used respirable and inhalable aerosol samplers. Key messages of the study are that knowledge

on the samplers' sampling efficiency is crucial and that aerosol sampling in workplaces is not yet as standardised as commonly perceived. More research (and funding) is needed to produce more data, better standards and protocols for sampling aerosols in workplace atmospheres. Simple factors for normalising between samplers and between fractions, that apply for **all** metals and workplaces, are NOT FEASIBLE. However, a 6-step way-forward approach was elaborated by the researchers involved in the study and applied to Ni as an example. More details in the minutes sent on 19 December to the Human Health Taskforce members (more information: Vanessa Viegas, Steven Verpaele, Violaine Verougstraete).

CHEMICALS STRATEGY FOR SUSTAINABILITY

Safe & Sustainable by Design (SSbD): EU Commission adopts recommendation on DG RTD framework report

On 8 December, the European Commission adopted a recommendation to promote a framework to assess safety and sustainability of chemicals and materials. They said that *“the proposed European framework sets a common baseline for evaluating safety and sustainability – an important step to increase the protection of human health and the environment against hazardous substances. Commissioner for Innovation, Research, Culture, Education and Youth, Mariya Gabriel and Commissioner for the Environment, Oceans and Fisheries Virginijus Sinkevičius, both stressed the significance and importance of the Recommendation.”* A number of items were published [here](#). There are no surprises – there is no new information.

A two-year testing phase for the Safe & Sustainable by Design (SSbD) framework has now started, during which Member States, industry, academia and research and technology organisations (RTOs) are encouraged to use the framework in their research & innovation process and report back to the Commission during the testing process, using a reporting template.

There is something missing, however. When Eurometaux reached out to DG RTD in late November (after CARACAL-47) to enquire how to get involved in the testing process, DG RTD stated that the recommendation would be adopted, and “methodological guidance” would be given by the Commission on how to test the framework. This guidance is not part of the publication from 8 December – it will be provided, but in a workshop planned for Q4 2023, once the Commission has gathered some feedback.

The next event on SSbD is a workshop on 9-10 February during which the Commission will give an update on three SSbD case studies that are already running, all on organics - plasticisers, surfactants and flame retardants. Clarity on the testing process may come from this. In the meantime, the sector should continue to reflect on ideas and examples that could be suitable test cases for metals / metal compounds (more information: Simon Cook and Kamila Slupek).

Materials 2030 Roadmap – AMi2030: introduction to new project

This is linked to the CSS Strategic Research & Innovation Plan (SRIP) for Safe & Sustainable Chemicals & Materials. The purpose of AMi2030 is to build on the “Materials 2030 Manifesto” from February 2022. A webinar entitled *“Discovering AMi2030 – The EU Advanced Materials Initiative”* was run on 16 December to introduce the project to stakeholders. The overall goal is to take a high-level view and speed up the innovation process for advanced materials by tying together different industry sectors with respect to materials research & innovation. There is already a lot of innovation going on in different materials sectors, but it takes too long for new technology to diffuse between sectors - silos exist. To speed up the innovation process requires a new model and new governance approach, which is strongly supported by the EU Commission who participated in the webinar (DG RTD). There is funding on the table, and some urgency.

The draft of the roadmap, published in June, was covered in November's CM News. Coherence was lacking - chemicals management considerations were largely absent. On 12 December the final version of Roadmap was published on the AMi2030 [website](#). The policy support section has been edited but coherence is still lacking. Most of the changes and additions made to the final version relate to data and digitalisation.

Eurometaux has signed up to AMi2030 -the group developing the roadmap- with the objective of contributing to the work stream on “policy support” and improving coherence between chemicals management and innovation objectives. At the time of signing up, a questionnaire was offered. Eurometaux raised several points, all of which have been raised before in various fora. These included: the hazard-based approach to chemicals proposed in the CSS and how this is incoherent with other EU objectives; the hazard-based cut off in the SSbD framework and its impact on metals; the importance of removing or lowering regulatory barriers to innovation e.g., faster permitting.

There was a meeting of Working Group 3 on “policy support” on 21 December. As well as re-iterating the points above on coherence/hazard-based approach, Eurometaux also highlighted the relevance of the Critical Raw Materials Act, the importance of improving circularity moving forward, and innovation-related work already done by OECD and ERIF (European Regulatory Innovation Forum).

Membership of AMi2030 is dominated by academia (approx. 70%) where the level of understanding of chemicals legislation and its impact on materials value chains is generally poor (more information: Simon Cook).

ZERO POLLUTION ACTION PLAN

Zero Pollution Ambition: *Monitoring Assessment Published*

On 8 December, the Commission published its first [Zero Pollution Monitoring Assessment](#) highlighting that good progress has been made towards reducing air pollution from industry, transport and homes — reducing the number of deaths linked to air pollution as a result. At the same time, Europe has been maintaining and improving its bathing and drinking water quality and reducing the risk of antimicrobial resistance. The assessment shows progress trends in key areas as well as several emerging issues (e.g., emerging evidence of soil pollution). While Europe is making important progress towards its 2050 ambition of reducing pollution to levels no longer harmful to health and natural ecosystems, further efforts will be needed to eliminate all negative impacts. The report points to the new policy proposals currently under consideration that have the potential to accelerate progress towards this ambition.

On 14 December, the report was discussed at the Zero Pollution Stakeholder Conference (Eurometaux attending) (more information: Lorenzo Marotti).

Air Quality: *Third Clean Air Outlook Report Published*

On 8 December, the Commission published its [Third Clean Air Outlook report](#). The report focuses on prospects for reducing air pollution in the EU by 2030 and beyond, in terms of pollutants emissions reduction and impacts on air quality, health, ecosystems and the economy, including cost-benefit analysis to society.

Air pollution has decreased over the last decades in the EU, as a result of EU clean air legislation and joint action taken by the EU and national, regional and local authorities. Yet, air quality [remains a serious concern for European citizens](#). Following the mandate under the European Green Deal and the EU's ambition to reach zero pollution for a toxic-free environment, the Commission recently proposed [a new Air Quality Directive](#). The report presents strong arguments in favour of the adoption of the new Directive proposed by the Commission, arguing that measures/actions proposed would bring more benefits than costs. The proposal puts the EU on a path to achieve zero pollution for air at the latest by 2050 and sets interim 2030 ambient air quality standards aligned more closely with the [updated air quality guidelines by the World Health Organization \(WHO\)](#) for key air pollutants. The outlook shows that despite EU policies that have contributed to reducing air pollution, pollution levels are still too high. The results show that overall, much stronger action is necessary if the EU is to achieve 2030 pollution reduction targets (more information: Lorenzo Marotti).

Eurometaux's Air Quality Project

The draft final report of our Air Quality Project (in collaboration with ARCHE) was circulated to the Zero Pollution Working Group for feedback and comments.

The objective of this study was to quantify the sector-specific impact of the air emissions associated with the activities of the European NFM industry on human exposure and health. This was done by collecting data on factory emissions, estimating their ground-level concentrations, modelling the population attributable exposure fraction and the relative health impact in terms of Disability Adjusted Life Years (DALYs) by following the Burden of Disease (BoD) approach as recommended by the World Health Organisation (WHO).

The methodology and the results were discussed during the last Zero Pollution Project Group meeting (15 December). Comments and feedback from members were collected and addressed. A report of the meeting including a summary of the discussion was shared with the participants (more information: Joonas Koivisto and Lorenzo Marotti).

CLASSIFICATION

Environmental classification of Pb metal: *a comparison of the 3 recent metal discussions in RAC confirmed the non-equal treatment of Pb metal*

In follow-up of the recent copper metal environmental classification discussions in RAC and anticipating the Commission's Adaptation to Technical Progress (ATP) proposal on lead metal, ILA and Eurometaux compared in detail the steps in decision-making and the interpretation of metals guidance for the 3 metals recently reviewed by RAC (i.e., Ag, Cu and Pb metal). This analysis confirmed that all three metals were assessed in a somewhat different way whereby the copper and silver assessments were well aligned with the existing ECHA CLP metals annex guidance, contrary to lead metal.

The main differences related to the interpretation of releases during article manufacturing and use, the lack of recognition of pH banding and the impact of using non-standard species. Applying the same rules to Pb metal, as RAC did to Cu, would result in a classification of most probably 3 orders of magnitude less severe than proposed for the massive form, hence reducing or even avoiding potential downstream use legislative consequences like Seveso, Transport or Environmental Permit changes. These differences in interpretation cannot be explained by the data sets and are primarily related to the difference in assessment and interpretation, which challenges the principle of equal treatment and scientific credibility of RAC's review. The Chemicals Management Steering Committee therefore agreed for Eurometaux to write a policy-oriented letter to the appropriate services within the Commission to challenge the breach of those principles given it is expected that Commission would only focus on the split (massive vs. powder) classification for Pb metal, leaving all other differences uncorrected (more information: Steve Binks and Hugo Waeterschoot).

REACH REGISTRATIONS

EU sanctions to Russia are blocking REACH dossier updates: a solution is urgently needed!

The sanctions imposed by Europe on Russia are also impacting REACH registration dossier updates since access to new data via letters of access or contributing to cost sharing are among the economic activities that are currently prohibited. REACH consortia are therefore facing two main problems. First, the identification of companies subject to Russia sanctions is not a straightforward exercise as it requires to run deep investigations to understand which members of the consortium could be directly or indirectly linked to Russian companies. Secondly, if companies subject to sanctions are identified within the consortium, it is not clear how to proceed with REACH dossier update activities without risking infringing the law. In practice, Lead Registrants with Russia-sanctionable companies in the joint submission, are blocked from submitting dossier updates. This, in turn, leaves all co-registrants disadvantaged and vulnerable to ECHA compliance checks on dossiers for which updates are ready but cannot be submitted because that would breach EU-REACH Russia sanction rules.

The issue has been already raised with ECHA, who suggested the "registration opt-out mechanism" as only possible solution. However, this solution is considered to be impractical and unworkable, especially for large consortia. For the registration dossier of iron, for example. This would imply almost 600 opt-outs versus likely 5 Russia-sanctionable companies! Handling that amount of opt-outs would also be hard to manage for ECHA. A solution to be identified, probably also involving national authorities, is urgently needed!

Eurometaux will participate in January (date not yet identified) to a dedicated meeting with industry, ECHA and the Commission) to further discuss the issue and identify suitable solutions (more information: Federica Iaccino and Lorenzo Zullo)

INDUSTRIAL EMISSIONS

Industrial Emissions Directive: December timeline

Early December, Eurometaux sent to the Industry, Research and Energy Committee (EP) (ITRE) Rapporteur and to key MEPs fresh amendments to the ITRE Draft Opinion focusing (among others) on the issues of innovation, permitting and on the "reversed burden of proof". Eurometaux also sent fresh amendments to the ENVI Rapporteur and key MEPs on the ENVI Draft Opinion. Those focused (among others) on the issues of emissions at the strictest levels, overlaps with existing legislation, fast-track procedures, new articles, and the "reversed burden of proof".

On 13 December, Eurometaux attended the BusinessEurope Environment Committee Meeting including the participation of the Czech Republic EU Presidency to discuss the IED Review.

An Industrial Emissions Taskforce meeting was held on 16 December to discuss the latest developments on the IED Review. The ENVI and ITRE Draft Opinions were presented and discussed together with timelines, advocacy and communication actions.

On 20 December, during the Environment Council, the Czech Republic EU Presidency presented the Council's 'draft compromise' on the new IED Proposal. Member States expressed concern on several key points of the new Commission's IED Proposal. While not substantially changing the Commission's proposal, the draft compromise includes important amendments e.g., proposing to delete the "reversed burden of proof". On 8 December, the Council Working Party on the Environment held a discussion on the IED Proposal based on a steering note from the outgoing Czech Republic EU Presidency. The Council needs more negotiations to reach a common position, and the upcoming Swedish EU Presidency aims at reaching a general approach by March 2023. Frans Timmermans commented that he expects dialogues to start as soon as possible after the European Parliament's vote in May 2023 (more information: Lorenzo Marotti).

LVIC (Large Volume Inorganic Chemicals) BREF: *moving on*

On 15 December, Eurometaux's LVIC BREF Working Group had a meeting to discuss the questionnaire and strategy for data collection and the next steps. During the meeting, the group agreed on several action points including providing feedback on the questionnaire template that was circulated.

Eurometaux will start preparing an internal questionnaire to be used throughout the review in order to understand potential impacts. Also, the draft meeting report of the LVIC BREF kick-off meeting in Seville was circulated for comments to send back to the EIPCCB. The draft minutes and the presentation of the last meeting of the LVIC BREF Working Group were shared with the participants (more information: Lorenzo Ceccherini, Lighea Speciale and Lorenzo Marotti).

WATER

A brief update on the Water file was sent to the Water Taskforce on 21 December recalling that following the publication of Commission's proposal for amending [the Water Framework Directive, the Groundwater Directive and the Environmental Quality Standards Directive](#) the sector is preparing some input in the consultation that is running until February 2023 to raise concerns on some specific proposals (deletion of Art. 16, the proposal for a 'delegated act', EU-wide Environmental Quality Standards (EQS) for Specific Pollutants etc. and submit recommendations to improve the next Prioritisation process.

On the latter, Eurometaux aims at sending a joint letter with the JAM members to Commission.

Further advocacy will be required at the Council and Parliament level and will be designed by the Water Taskforce in January-February.

News was also provided on the recent developments of ECHA's involvement in the Drinking Water Directive (DWD) implementation. ECHA will support the creation of the first EU Positive List (EUPL) and prioritisation of their entries, support DG ENV in drafting implementing legislation and prepare for the DWD review programme (setting up application process and IT modalities). After 2025, ECHA will receive, validate and process applications for the EUPL (from industry and MSCAs) and RAC will issue opinions. The modalities for RAC's involvement were discussed at the RAC meetings of September and December and a specific working group will be set up. A first meeting of this group is planned for early April.

The next meeting of the Water Taskforce (date to be set soon) will also host an exchange on national EQS initiatives (and consistency) (more information: Chris Cooper, Macro Vallini, Violaine Verougstraete and Lara Van de Merckt).

MISA

MISA Program: final report posted on the ECHA website

ECHA has posted its final report on the Metals and Inorganic MISA on its [website](#), concluding that by the end of the program, about 60% of the substances were updated at least once, on human health and environment endpoints, which is significantly more than for other non-MISA substances. The report explains in detail the structure of the program and the focus of the scientific/technical exchanges (i.e., use of read-across, application of the rapid removal principle for environmental classification, registration of inorganic Unknown or Variable Composition, Complex Reaction Products and Biological Materials (UVCBs) and improvement of exposure information). It highlights the commitment of the consortia/associations and the benefits of the project for both ECHA and the metals sector, namely an increased understanding on metal specificities, and in fine in better assessments of metals and inorganics. It is also transparent on the limitations of the projects and includes the feedback and learnings shared by the participants. Actually, MISA is not completely finalised yet as there are still some pending updates, i.e., on the UVCB dossiers and pending actions, some of which will be addressed by the MEED projects. The Eurometaux MISA team would like to thank the consortia and associations as well as the ECHA MISA team and associated experts for their commitment and energy, as the program has clearly demonstrated that cooperative action is a sustainable model to improve chemicals management (more information: EM MISA team).

TOOLS

Industry findings on environmental emissions: integrated in risk assessment tools

Specific environment release categories (SPERCs) are important parameters that are used in environmental exposure models to assess potential risks caused by emissions of chemicals into the environment. SPERCs have been developed over the years by different industry sectors, including Eurometaux. To ensure that SPERCs are developed in a harmonised

way and to ensure a sufficiently high quality to allow their use for regulatory purposes, a dedicated cross-industry Taskforce, currently chaired by Eurometaux, has developed over the past years dedicated templates and quality criteria. Thanks to this effort, the use of SPERCs have also been validated and promoted by ECHA and national authorities and such parameters have been integrated in different tools, including ECETOC's Targeted Risk Assessment (TRA), a tool that calculates the risk of exposure from chemicals for workers, consumers and the environment in the framework of REACH. Considering that industry is constantly updating their SPERCs based on new data and evidences -Eurometaux, as chair of the SPERCs Taskforce- has recently been in contact with the persons in charge of maintaining ECETOC TRA to facilitate their interaction with industry and ensure that their tool is always linked to the most updated SPERCs. More information will be shared as soon as the discussion within the SPERCs Taskforce will proceed (more information: Lorenzo Zullo and Frederik Verdonck)

COMMUNICATION

The Chemicals Management team is currently working on the development of a graphic overview that showcases the different Green Deal and Industrial Strategy-related initiatives, with a focus on chemicals. The objective of such an overview is to clarify what the CSS, ZPAP, Industrial Strategy, Circular Economy Action Plan (CEAP) and Taxonomy mean in terms of chemicals management and how these initiatives are (or are not) linked to one another in a visual format. The latest draft is being circulated between the Eurometaux teams working on these different subject matters for further refinement. Upon its finalisation, the overview will be presented to the CSS Project Group at the meeting on 25 January (more information: Ainhoa González Pérez).

CALENDAR

Please find here below a non-exhaustive list of the meetings that are already planned for 2023.

For meetings at Eurometaux

Most of our meetings will now be held as hybrid meetings, and **our members will be informed ahead of the meetings** (links to join will be sent ahead of the meetings).

For meetings at ECHA: more information is published on ECHA's [website](#)

- 11/01: Li CLH Taskforce
- 16/01: Multi-Metallic PNEC discussion
- 23/01: Briefing on the Cu CLH environment
- 23-26/01: RAC-64 CLH Working Group
- 25/01: CSS Project Group
- 31/01 - 01/02: RAC-64 AfA Working Group
- 31/01–01/02: MEED Workshop (sponsors only)
- 01-02/02: CARACAL-48 (**only if necessary**)
- 06–10/02: MSC-81 (Tentative)
- 13/02: ECHA Workshop on CMS/IED
- 14/02: RMTF + EM-ILA Pb MAC debriefing session on the MSC recommendation to prioritise Pb metal for authorisation
- 14-16/02: RAC-64 REST Working Group
- 06-10/03: SEAC-58
- 13-17/03: RAC-64 (Plenary) + SEAC-58
- 22/03: Chemicals Management Steering Committee
- 27-30/03: Chemicals Management Spring Week
- 28-29/03: CARACAL-49 (Provisional Date)
- 30-31/03: ECHA Management Board
- 06/04: Registration Taskforce
- 24-28/04: RAC-65 CLH Working Group
- 02-04/05: RAC-65 AfA Working Group
- 10-11/05: RAC-65 REST Working Group
- 30/05 – 02/06: MSC-82 (Tentative)
- 05-09/06: RAC-65 (Plenary) + SEAC-59
- 05-09/06: SEAC-59
- 21/06: Chemicals Management Steering Committee
- 22/06: Risk Management Taskforce

- 21-22/06: ECHA Management Board
 - 03-05/07: RAC-66 CLH Working Group
 - 04-05/07: CARACAL-70 (Provisional Date)
 - 06-07/07: RAC-66 AfA Working Group
 - 22-24/08: RAC-66 REST Working Group
 - 27/08: Risk Management Taskforce (Webinar)
 - 30/08: Chemicals Management Steering Committee
 - 04-08/09: SEAC-60
 - 11-15/09: RAC-66 (Plenary) + SEAC-60
 - 18-22/09: Chemicals Management Autumn Week
 - 28-29/09: ECHA Management Board
 - 10-12/10: RAC-67 AfA Working Group
 - 09-13/10: MSC-83 (Tentative)
 - 23-27/10: RAC-67 CLH Working Group
 - 08-09/11: RAC-67 REST Working Group
 - 16-17/11: CARACAL-51 (Provisional Date)
 - 27/11 - 01/12: RAC-67 (Plenary) + SEAC-61
 - 04-08/12: SEAC-61
 - 14-15/12: ECHA Management Board
 - 11-15/12: MSC-84 (Tentative)
 - 19/12: Risk Management Taskforce
 - 20/12: Chemicals Management Steering Committee
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