Eurometaux
European Association of Metals

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EUROMETAUX CHEMICALS MANAGEMENT NEWS

Please join us in February:
14: Risk Management Taskforce + EM-ILA Pb MAC debriefing session
27: Water Taskforce

Contents

Dear All,

Despite some chilly days in January, the number of bikes making their way in the morning along the busy Brussels' roads did not significantly decrease.
At least, this is what the counter -strategically placed on my way to Eurometaux- tells me. I cannot totally exclude some bias here: we are a group of bikers convinced that at some point, the number of people passing by will further encourage the local authorities to implement new bike lanes and this does encourage us to sometimes take circumvoluted routes just to hit the counter.
On one of these cold mornings, while I was admiring the stoicism of the kids sitting behind or in front of their parents, resembling small frozen packs, a couple of bikers -stressed by time I assume- crossed the red traffic lights, putting their safety at risk by forcing the flow of cars to stop.
I could not prevent myself -after an initial moment of halted breathing- to feel a bit irritated. While one could consider it is their individual decision and choice, it can also be expected that traffic lights/rules are there overall to make the collective move (more) possible and hence they should be respected. This is of course not only valid for bikers.

It reminded me that when I was 17, a couple of months away from choosing my studies, my father took me to a kind of students' fair where representatives of specific study directions came to promote and explain the jobs they were doing. My father -half consciously- strongly encouraged me to listen to the engineers who were present. I must admit I do not remember what the poor guys looked like but remembering my profound allergy for maths at that age, I can only imagine I was anything but collaborative. My father told me later that I emerged from that chat very angry as the opportunity they had offered was that one day I could oversee the adjustment of traffic lights in Brussels. What the adults probably saw as a practical appealing application, appeared to me as the absolute repellent. With my sense of nuances, I was probably imagining these engineers as moles working the whole day under the ground, making endless calculations on computers. The outcome at that time of all this is that I expressed loud and clear that I would go for medicine, with real people and contacts.

Although that morning, in the cold, I have to say, I was tempted to have the power to set the green/red collectivity rules. Ruling for the society: did you also learn that these came out from the deal goddess Athena made with the Erinyes, during Orestes' trial?
Orestes, son of Agamemnon and Clytemnestra, kills his mother after she murdered Agamemnon (herself avenging the sacrifice of her daughter Iphigenia) and hence is harassed by the Erinyes (or Furies, demons of vengeance from the underworld) who pursue him relentlessly. After a long flee, nearly mad, he ends up in Athens where a court trial is set up by the goddess Athena herself. She announces she will judge the case with the assistance of a chosen number of her best citizens who are to constitute the jury. When the jury cast its ballots and Athena adds her own vote in favour of Orestes, he is proclaimed victor by the tie. The Erinyes, furious, threaten to bring ruin to the land that has denied the justice of their cause. Fearing for her town, Athena makes a deal by promising them enduring honours to assuage their anger: rather than be Spirits of Wrath they will become Spirits of Blessing and they are escorted in solemn procession to their sanctuary beneath the Hill of Ares. My teacher used to say that this combination of imprecations and blessings made the rules.
The story but also the concepts and learnings have survived time and age thanks to "storytellers" like Aeschylus.

At the moment I was wondering if we might need some of those storytellers for the current policy developments, someone rang a bit angrily, asking me how many more green lights I intended to skip? Or if maybe I could dream on the side of the bike path to allow all the others to (collectively) move on?

Violaine Verougstraete

COMMISSION

One Substance One Assessment workshop: *supporting study*

An online workshop took place on 19 January to discuss a supporting study for the legislative proposal on data that is part of the One Substance One Assessment (OSOA) workplan. The study is on streamlining chemicals data flows, increasing data interoperability, dissemination, re-use and the use of all available data, and on the establishment of a data generation mechanism for the purpose of safety assessments in the context of the European chemicals regulatory framework. It is run by a team of four consulting companies and is in four parts:

1. Data flows, dissemination and re-use
2. Data generation mechanism (for use by EU and national authorities)
3. Academic studies (hot to improve uptake)
4. Study notification obligation

The purpose of the workshop was for the study team to gather feedback on different policy options relating to parts 2 and 3 above. Detailed notes will be made available soon. The main takeaways from the session were these:

Data generation mechanism:

- This is intended to be complementary to existing initiatives like PARC (Partnership for the Assessment of Risks from Chemicals - 7 years duration) but more "permanent". Existing requirements e.g., from REACH are not replaced, the mechanism is for use when existing requirements are not adequate or cannot be used.
- There is no move away from the "polluter pays" principle – although the funding mechanism is still to be decided and will include some funding at EU/national level so the burden will not always be on industry.
- A "one size fits all" approach on policy options is not popular due to a range of needs (long-term e.g., biomonitoring vs. short-term e.g., substance toxicity; data-rich vs. data-poor substances)

Academic studies:

- There is support for a legal requirement to encourage better use of academic literature, but there is no support for regular literature searches – instead, these should be done as and when needed
- There was a suggestion to "tag" all relevant studies/papers with EC/CAS numbers of substances being investigated – including historical work – to make all relevant information more "findable"
- There needs to be a good reason for the authorities to dismiss academic studies as "not relevant"

A final workshop on this supporting study will take place on 27 February, when all four parts will be discussed. The goal is to finalise the study in April/May, in time for adoption of the legislative proposal on data by the end of Q2 2023 (more information: Simon Cook and Lorenzo Zullo).

EU AGENCIES

EUROPEAN CHEMICALS AGENCY (ECHA)

ECHA COMMITTEES

SEAC- AfA Review: *Eurometaux discussed a review of AfA cases on their consistency*

Companies and consultants involved in metal (plating) cases indicated that recent SEAC and RAC assessments were different from previous ones, as they contained stricter conditions and shorter review periods. Eurometaux raised this concern at the last SEAC meeting with the co-chairs, which resulted in an invite to discuss this concern in detail. In preparation, Eurometaux and Apeiron conducted an extensive review of all Application for Authorisation (AfA) cases related to decorative plating, demonstrating a creeping bias over time towards stricter conditions (e.g., towards closed systems), shorter review periods even when exposure was completely controlled to very low levels and lack of attention for the regrettable substitution to CrIII in the case of decorative plating. Other unfair process aspects were also identified and raised.

Cefic also participated in the subsequent review session with the SEAC chairs concluding the need for more consistency and fairness. However, SEAC stated that some of the aspects raised related to RAC and/or the Commission. It was agreed to follow-up on this at Commission level. Most important, is the progress made on the attention for avoiding regrettable

substitution by including all steps of the supply chain before deciding that substitution is the best option (more information: Hugo Waeterschoot).

MSC-81: *preparing for an important agenda on nanoforms and the 11th recommendation*

The next MSC meeting will take place early February and includes amongst others 2 important topics for the sector. The first relates on what information is needed to define and justify nano-sets. Such sets are compiled of different nano-forms with comparable hazard, exposure and risk profile. Main point of this debate is the TiO2 nano-forms and in particular how the sector defined its sets to streamline the future test work. So far ECHA challenged the TiO2 sets identification based on available evidence, hence the MSC discussion will be important to clarify how the boundaries of the sets can be reasonably demonstrated.

The second major agenda item relates to the opinion forming of MSC on the 11th recommendation for a priority list of substances to be proposed for Annex XIV (Authorisation) listing, including Pb metal. Eurometaux and ILA submitted comments on the proposed first draft opinion concluding that prioritisation would not reflect the extensive Risk Management already in place as well as the inefficiency that would be caused by listing the substance on Annex XIV, probably triggering thousands of applications. MSCs draft opinion proposing an exceptionally long Latest Application Date (LAD) and suggestions to Commission to consider the expected "unacceptable" workload, are in industry's view not appropriate and should best be substituted by "a clear non-recommendation". ILA and Eurometaux have scheduled a taking-stock workshop on the issue on 14 February, the week after the planned MSC opinion adoption (more information Lisa Allen and Hugo Waeterschoot).

SEAC-RAC-MSC efficiency survey: *a critical input by Eurometaux and Cefic*

ECHA has launched a survey on the efficiency and efficacy of its 3 main technical committees. This survey reviewed in essence on how well or efficient the different opinion and decision processes work on aspects like restrictions, authorisations, priority recommendations, CoRAP, CCH-TPE and Substance Evaluation processes, …) and what did not work so well. Eurometaux staff involved in the Committees provided detailed input and had exchanges with Cefic to align and support each other's messages. Main critiques included the unpredictable nature of some opinion development (mainly on CLH in RAC), the sometimes limited relevant expert experience available to review complex dossiers such as restrictions or Occupational Exposure Limits (OEL) proposals, the increasing use of closed sessions in MSC and other aspects.

In parallel, Eurometaux and Cefic wrote a letter to ECHA's management asking for a session at directors level to discuss the functioning of more generic aspects. We will now need to wait and see how ECHA will react and if an appropriate reaction will be provided to the common comments and suggestions raised by the industry sectors (more info: Violaine Verougstraete or Hugo Waeterschoot).

ECHA OTHER ACTIVITIES

ECHA & Industry webinar: *UVCB read-across requirements*

In May 2022, ECHA published new guidance for using read-across for the UVCB substances specifically, which explains how to apply known RAAF (Read-Across Assessment Framework) requirements to group these substances effectively. After some initial changes on the challenges posed by the UVCB read-across requirements, on 17 January, ECHA agreed to have a dedicated call with industry. During the call, Cefic raised many concerns regarding the grouping exercise, the sampling procedures, as well as the representativeness of the tests already performed. Industry brought practical examples and eventually asked ECHA for examples of successful UVCB read-across, to improve confidence in the UVCB grouping preparation and to develop successful read-across justifications.

For the inorganic UVCBs, the constituents' assessment approach spares the inorganic substances from the grouping and read-across strategy, which is believed to be inappropriate for our sector; nevertheless, we will continue to follow these meetings to understand and anticipate possible impacts on the inorganic substances (more information: Federica Iaccino and Lorenzo Zullo).

ECHA's UVCB grouping advice link:
https://echa.europa.eu/documents/10162/11395738/advice_uvcb_read-across_en.pdf/ac1f64a6-9ee5-441e-cf1c-92914b843b4e?t=1651665130365

EUROMETAUX CHEMICALS MANAGEMENT

CHEMICALS STRATEGY FOR SUSTAINABILITY

Chemicals Strategy for Sustainability Project Group (CSS PG) meeting: *2023 work program*

The CSS PG met on 25 January to discuss the work program for 2023. A key goal for the meeting was to explore how to reframe and restructure the work of the Project Group, to best focus on those key areas and topics where sector input is needed in 2023. Many of the technical workstreams have moved on and/or are being effectively managed in other Eurometaux groups, so now is a suitable time for the CSS PG to re-assess its strategic role and how it is best fulfilled. The group agreed to implement a revised and simplified series of four "pillars" to organise thinking in 2023:

1. High Level Interactions – e.g., High Level Roundtable (HLRT), messaging work
2. CLP & REACH Revisions – including CSS concepts such as Essential Uses (EUC), Generic Risk Management Approach (GRA), Mixture Assessment Factor (MAF) etc.
3. Cross-Cutting Topics - e.g., One Substance One Assessment (OSOA), links to other policy areas, etc.
4. Sustainable Products – e.g., Safe and Sustainable-by-Design (SSbD), Sustainable Products Regulation, Substances of Concern (SoCs)

Priorities for each of these pillars in 2023 were discussed. Under pillar #3 on cross-cutting topics, there were two significant and new pieces of work to be covered:

1. Look at the complex interlinkages between CSS and other EU policy areas (e.g., Green Deal, Industrial Strategy, taxonomy), from the point of view of chemicals management. What are these various policy areas, where are the links between them, where are there missing aspects (coherence, clarity, links), what should the sector response(s) be to this overall picture?
2. Development of advocacy plans derived from the above, and identification of what is needed to support and deliver those plans.

Updates on other CSS-related topics since the last meeting in September 2022 were also given (more information: Simon Cook & Ainhoa González Pérez).

ZERO POLLUTION ACTION PLAN

Air Quality Directive: *common messages*

In the Industrial Emissions Alliance steering sub-group on Air Quality, discussions are taking place to find common messages to include in a cross-industry high-level paper, to be co-signed by other associations and to be used for advocacy and communication.

Eurometaux's members have been active in submitting technical input on the new Air Quality Directive Proposal. This will be reflected in our position and will be sent in our response to the Open Public Consultation launched by commission (deadline 14 March).

Eurometaux presented the methodology of the Air Quality Project at the 6th Meeting of the Working Party on Pollutant Release and Transfer Registers (PRTRs) of the OECD (Paris, 26-27 January), highlighting how this methodology allows to identify relevant pollution sources using E-PRTR data for better policy making. Positive feedback was received by a number of Member States in the room, and the European Commission, and interest and support for the approach was also expressed by the European Environmental Bureau (EEB).

An abstract of the study was accepted to be presented at SETAC Europe 33rd Annual Meeting (Dublin, 30 April - 4 May 2023).

On 1 February, Eurometaux participated in a Workshop on the new Air Quality Directive at the European Policy Centre, among the participants key people from the Commission responsible for the new Directive Proposal, NGOs, Academia and representatives of European regions (more information: Lorenzo Marotti).

CLASSIFICATION

Li CLH Taskforce: *Status update and RMOA*

Both the Li CLH Taskforce and ILiA's members were invited to join a call on 15 January to get a status update on the Li CLH proposal and discuss the launch of an industry Risk Management Options Analysis. The chair of the Li CLH Taskforce, Francesco Gattiglio (Albemarle) started by providing the latest information on the 21st ATP (Adaptation to Technical Progress), indicating that the Commission has started an inter-service consultation on its proposal in December. The 21st

ATP was expected to be discussed in a dedicated CARACAL meeting second half of February but will probably be on the agenda of the March CARACAL instead. The actual proposal will be circulated once available on CIRCA BC.
The chair also reported on the outcomes of two advocacy meetings held end 2022. The first one brought together Cabinets Breton and Sinkevičius with industry representatives who were able to briefly reiterate that our concerns are primarily scientific. The second one with DG GROW and ENV discussed possible ways forward including a discussion on impacts mitigation. The Taskforce's next steps are to monitor the ATP to check the Li entry and thus plan the work ahead accordingly.
The 2nd part of the call was devoted to the Risk Management Option analysis (RMOa). The French ANSES has launched a RMOa and the group discussed about the relevance of launching an industry RMOA in parallel to feed the French exercise with relevant information and bring in key elements that may not be considered in a regulatory RMOa carried out by authorities (e.g., how the possible risk management options (RMOs) may affect some critical dimensions of the Green Deal etc.). Eurometaux provided a short presentation to explain the aim of an industry RMOa and the potential differences with the regulatory one. The objective of the industry RMOa is to identify the optimal RMO to address the probability or possible impact of risks to human health or the environment related to the use(s) of a substance, by testing the possible risk management measures for their efficiency and efficacy using defined criteria. An industry RMOa also helps to anticipate additional data needs beyond information in the registration dossier that could help define the best RMOa and help coordinating the supply chain actors on relevant RMOa needs. Eurometaux has drafted a guidance for the industry RMOa: it is freely available on the REACH Metals Gateway with fact sheet, examples, infographics:https://www.reach-metals.eu/rmoa/practical-guide-to-industry-risk-management-options/introduction
ILiA has been exchanging with the French ANSES on their RMOa work for Li salts, and ANSES has asked ILiA to provide them with detailed information asap. To ensure this information can be compiled and provided, ILiA proposes to coordinate a joint industry RMOa via its Health & Safety sub-committee. All members of the Taskforce were invited to express their interest in contributing to the industry exercise.
The full minutes of the meeting were circulated on 13 January (more information: Francesco Gattiglio, Roland Chavasse, Chris Heron and Violaine Verougstraete).

ECHA is preparing for the Partner Expert Group: *the revision of the Environmental Classification Guidance*

End of October, Eurometaux submitted detailed comments on the proposed suggestions by ECHA to change/update the CLP environmental classification guidance. This proposal includes important aspects like the outcome of the CARACAL discussion on the Rapid Removal, the potential to use data on other species than standard species, the statistical treatment of ecotox data in case of large data sets and the use of the Transformation Dissolution data. We recently received ECHA's reactions on our suggestions, and for Rapid Removal they seem to accept our view (based on the outcome of the 2012 and 2019 workshops) to keep the door open for case-by-case assessments. On the other hand, ECHA claims that for most other EM comments the present guidance text is clear which is absolutely not the case as testified in the MISA review process, in some MSC cases and questions EM received from industry. To note is that ECHA does not aim to update the entire guidance and all collected comments on these sections (e.g., learnings from the recent metal environmental assessments) will only be considered in the next review in 2024). The ENV TF co-chairs and Eurometaux reviewed the extensive tables including ECHA's comments, and submitted replies ahead of the Partner Expert Group review session that will take place on 14 and 15 February (more info: Jelle Mertens, Stijn Baken, Hugo Waeterschoot)

Cu environmental classification: *ECI informed the supply chain with contributions from Eurometaux*

ECI organised in January a briefing session to inform the Cu supply chain (from manufacturers to downstream users) on the outcome of the Environmental Classification outcome for copper metal by RAC. The RAC opinion recognises the different hazards of powder (classified as acute/chronic 1) and bulk forms (not classified) defining the latter on a weight/surface basis corresponding with a 1 mm/diameter for the massive form. Hence the agreed opinion is in general aligned with the CLP guidance and the existing situation for the massive and powder forms, except for flakes. The RAC assessment diverged from the industry assessment on two points (rapid environmental transformation and removal; extrapolation of Transformation/Dissolution data down to pH 5.5) but these did not lead to a classification of the massive form. The briefing session therefore provided confidence that nothing would change in respect to the automatic consequences triggered by the classification, like labels, packaging or other risk management measures.
Eurometaux explained that the Cu case as reviewed by RAC was contrary to the previous Ag and certainly to the Pb metal RAC reviews, an example case on how the CLP guidance was well and correctly implemented. The fact that the dossier submitter proposed a robust proposal aligned with the guidance and the high quality assessment conducted by the RAC Rapporteur certainly formed the fundamentals for this positive outcome. The alloy sector would probably be the only one that would still see an effect, in particular for Pb containing Cu based alloys, not due to Cu (non) classification but

due to the RAC's proposal to classify Pb very strictly even in the massive form. Hence the need to ensure the Pb case is also aligned with the CLP guidance as was done for Cu (more information Stijn Baken and Hugo Waeterschoot).

ENVIRONMENT

PNEC derivation Workshop: *defining a common view for the metal sector*

The assessment of Unknown or Variable Composition, Complex Reaction Products and Biological Materials (UVCBs) whereby evidence of several metals is needed, requires an understanding and preferably well-harmonised derivation of Predicted No-Effect Concentration (PNECs) for the environmental assessment part. This concern was also picked up by MISA and triggered a full day workshop. ARCHE having extensive experience on many metal PNEC reviews suggested the best options for such a harmonised way of assessing the quality of toxicity data and deriving/updating PNECs for metals, including attention for different tiers depending on the extent of information available (data-poor vs data-rich).

A survey conducted by Eurometaux provided a good baseline on what aspects were well covered in metals PNEC derivations and which ones were not. The workshop was well attended by most metal consortia and concluded on the recommendations on how data quality assessment should be performed and PNECs should be derived recognising the available info.

Together with ARCHE, Eurometaux will now develop an action plan for discussion at the CMSC in March, on what guidance or other aspects need to be modified/updated to allow registrants to update their registration files in the PNECs. It was further proposed to consider a common exercise for the Ecotoxicity Reference Value (ERVs) whereby not only the multi-metallic data base but also MeCLAS would profit from (more information Patrick Van Sprang, Violaine Verougstraete and Hugo Waeterschoot).

REACH REGISTRATIONS

Need for an urgent solution to enable updating registration dossiers: *without violating Russia sanctions*

As already shared in December, the sanctions imposed by Europe to Russia are also impacting REACH registration dossiers updates due to the fact that access to new data via letters of access or contributing to cost-sharing are among the economic activities that are prohibited.

In practical terms, the lead registrant is not allowed to submit a dossier update if there are entities subject to Russia sanctions among the co-registrants, and part of the complexity is identifying such entities that could be directly or indirectly linked to Russian companies. Furthermore, it is not clear how to proceed since, at the same time, the non-submission of an update could put the entire consortium at risk of failing potential compliance checks from ECHA.

The initial suggestion from ECHA to use the "registration opt-out mechanism" 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!

The issue has been raised to the attention of the European Commission and ECHA. We have been informed that ECHA is working on a process for temporary revocation of registrations, but to-date there is no clarity on an ECHA timeline for that to be introduced.

Eurometaux is pushing ECHA and the European Commission to urgently find a workable solution, also taking into account the possibility to pause compliance checks for dossiers facing Russia-sanction complications and for which the registration of entities subject to the sanctions has not yet been revoked (more information: Federica Iaccino, Lorenzo Zullo).

RISK MANAGEMENT

RMOa: support to the launch or review of several metal initiatives

More and more metal sectors recognise the value of a well conducted Risk Management Option assessment (RMOa) to pre-empt regulatory risk management and define what information would be relevant to collect in case regulators start risk management activity.

This month, Eurometaux provided support to many metal sectors like the TiO2 sector -who are considering launching such an activity- by indicating what value this can bring and the silver sector that conducted an elaborated RMOa now the conclusions of the ECHA's opinion on a health classification of metallic silver are defined.

The Eurometaux RMOa guidance is a good tool for all these cases to assure a robust approach and conclusion setting (more information: Violaine Verougstraete and Hugo Waeterschoot).

INDUSTRIAL EMISSIONS

Industrial Emissions Directive : *lots of amendments*

On 10 January, the ENVI Committee in the European Parliament published its full list of amendments to the new IED Proposal containing 1,751 amendments. On 23 January, the ITRE Committee followed by publishing its 295 amendments, totalling more than 2,000 amendments to the original Commission's Proposal. Eurometaux carried out a draft analysis of the amendments that was circulated to the Industrial Emissions Taskforce. At the same time, via the Industrial Emissions Alliance steering sub-group on IED, a collective assessment of the amendments was sent to the ENVI Rapporteur (Radan Kanev, EPP, BG), including a separate document with a summary and reflections on what possible compromise amendments on selected articles could look like.

Outreach towards Permanent Representations is ongoing, with the aim to involve members during advocacy. At the moment, negotiations are still focusing on the scope (inclusion of farming). Nevertheless, Council aims at reaching a general approach by 16 March (more information: Lorenzo Marotti).

Timeline:

Council general approach: 16 March

ITRE vote: 27 March

ENVI vote: 27 April

Parliament, plenary vote: May (TBD)

LVIC BREF: *continuing…*

Eurometaux continues to coordinate with other industrial sectors covered by the Large Volume Inorganic Chemicals (LVIC) BREF by attending coordination meetings hosted by Cefic to align on key issues individuated during the discussions in Sevilla. In this context, Eurometaux has been collaborating with the European Sulphuric Acid (ESA) Cefic group to align our position on the questionnaire design and data to be submitted to the EIPPCB.

Eurometaux circulated to members of the LVIC Working Group (WG) our proposal for a questionnaire template related to sulphuric acid plants, the final version of the energy balance to update the descriptive part of the BREF, and an explanatory note prepared by ESA to give an overview of the approach taken on the documents. These documents were shared with the LVIC BREF Technical Working Group to be considered for the workshop on questionnaire development planned for 7-8 February.

The draft questionnaire shared with the members of the LVIC WG dedicated to sulphuric acid production and a draft list of "well-performing plants" was finalised based on the received input and sent to the EIPPC Bureau as Eurometaux's contribution. The final list of plants will be decided on by the whole Technical Working Group (TWG) and the selected plants will participate in the data collection (i.e., their data will be used to derive BAT conclusions and Best Available Techniques - Associated Emission Levels (BAT-AELs)).

The EIPPCB shared the draft Kick-off-Meeting (KoM) report that was circulated to TWG members for comments. Site visits for the selected plants in Belgium were to start in March 2023, but have been postponed until October 2023.

A number of web-based workshops are planned for the next few months:

- 7-8 February 2023 – 'Relevant contextual information and key data features for the questionnaire development (including a session on energy)'.
- TBD – 'Questionnaire development'. A workshop for finalising the questionnaire template to be used for the data collection exercise.
- TBD – 'EU Hydrogen production'. A series of workshops to identify and track advances on H2 projects (scope, size, technology maturity and relevant key environmental aspects). The first workshop foreseen for this topic will be organised by Cefic during Spring 2023, in close collaboration with the EIPPCB (more information: Lighea Speziale, Lorenzo Ceccherini, Lorenzo Marotti).

WATER

Water: *next meeting on 27 February*

The next Water Taskforce meeting will take place end of this month (27 February) and discuss among others the design of advocacy at European Parliament and Council level and the key messages to provide as metal sector.
This will also be the opportunity to catch up with the 'procedural concerns letter' and the document on the learnings from the current process that was circulated on 10 January. An exchange on national EQS work (and consistency) will be organised as well.
David Boyle (CI) will report on the meeting on strategic plan for the estrogenicity assays (follow-up of the workshop on Effect-Based Method (EBM) Trigger Values for Chemical Status) he kindly followed on behalf of the sector on 24 January.
And finally, we will celebrate Lara's return! See you on the 27th!
(more information: Lara Van de Merckt, Chris Cooper and Marco Vallini).

METALS ENVIRONMENT EXPOSURE DATA PROGRAM (MEED)

MEED: *excellent progress made in 2022 with all milestones met! 2023 planning defined.*

A report on the MEED program demonstrated that in one year the program has already made quick and good progress with several of its projects along the scheduled milestones. The first MEED reports confirmed the impact of a Mixture Assessment Factor (MAF) factor, demonstrating that 80 % of the metals environmental exposure scenarios would require refinement if a MAF factor of 10 were to be introduced and that the natural background for the most common metals would already prove problematic for the aquatic and soil compartment (Milestone 1). This report helped the Commission to inform their consultants working on the MAF impact studies and seems to have been taken seriously.
In follow-up the Inorganic-Priority Contribution Substances (I-PCS) for soil and water were defined (Milestone 2) providing focus for all subsequent MEED projects. On the exposure part of the program, a vast project related to the updating of the regional exposure data sets (Project N°1.a) for the EU aquatic and soil compartments (Milestone 3) allowed to define the gaps and trends for I-PCS metals.
Of a different nature but as extensive, were the literature review studies on combined effects of metal mixtures and metal organic mixtures (Projects N° 4 and 5) resulting in a robust alternative approach to the MAF based on the mixture interaction factor (MIF)) (Milestone 4). The progress with this activity allowed to define relevant gaps in mixture knowledge and to design a smart testing strategy (STS) for the ecotox testing program for metals-mixture gaps (Milestone 5). To ensure the scientific credibility of the Smart Testing Strategy (STS) an external expert review for the metal's mixture program was successfully organised in December. Attention was equally provided on reporting the main outcomes to Commission and the scientific community (at SETAC 2022) to ensure support and recognition for the robustness and credibility of the MEED program.
For the first semester of 2023 MEED will mainly focus on gathering (survey) information to estimate the impact of growing volumes on the regional exposure levels (Project N° 1.b) , the overview studies of metal (consumer and professional users) releases from Sewage Treatment Plants (STPs) and the ecorelevance project (Project N° 3), all scheduled to be ramped up.
MEED approaches and results will also be presented as posters for SETAC Europe 2023 aiming to inform the regulatory community on our robust scientific response to demonstrate that metals can be used safely, whilst recognising the potential for mixture effects while contributing to the no harm demonstration. The outcome of the extensive MEED workshop of 31 January and 1 February will be reported in the next newsletter (more information: Marnix Van Gheluwe, Violaine Verougstraete, Diana Dobre and Hugo Waeterschoot).

OUTREACH

OECD

OECD Working Party Hazard Assessment: *mid-year update*

The OECD Working Party on Hazard Assessment held its mid-year call on 24 January to give a status update on ongoing/finalised projects and to prepare the actual meeting of the Working Party that will take place before the summer. Of direct relevance to the sector was the presentation of the work done to review the Guidance Document on Chemical Grouping. This Guidance document includes, besides interesting sections on generic principles to apply when performing grouping, a specific metal section that needs to be updated to bring it in line with the latest approaches

followed by the metals and/or discussed with regulators. The current version of the metals section has been heavily criticised by the German BfR as it refers to bioavailability and bioaccessibility. The metals section will explain how to bring together the different lines of evidence when doing grouping and read-across (rather than focusing only on e.g., the presence of a common ion or water solubility results) and be exemplified. NiPERA and Eurometaux are currently working on a draft that will be presented for comments during the Science Forum meeting end of March (more information: Adriana Oller, Kate Heim, Tara Lyons-Darden and Violaine Verougstraete)

OECD Working Party PRTR: *meeting in Paris*

On 25-27 January, Eurometaux (as part of BIAC) attended the 15th International PRTR Coordinating Group of UNECE, and the 6th Meeting of the Working Party on Pollutant Release and Transfer Registers (PRTRs) at the OECD in Paris. The main aim of the International PRTR Coordinating Group of UNECE is to improve coordination between international organisations, governments and other interested parties in their ongoing and planned efforts related to the further development and implementation of PRTR systems. The Coordinating Group serves to promote capacity-building for PRTR systems in developing countries and countries with economies in transition through intergovernmental coordination,. whilst the OECD PRTR Working Party aims at developing practical tools and guidance to help countries to install and implement PRTRs, including provisions of information and technical support. Special focus goes to improving PRTR data quality, exploring PRTR data applications and harmonising PRTRs across the countries. In this context, Eurometaux presented its study on assessing the health impact of the non-ferrous metals industry emissions to air using E-PRTR data. Emission data extracted from the E-PRTR were used in modelling and calculating exposure in the environment, which was then used for DALYs (Disability-Adjusted Life Years) Calculation. This methodology is relevant to the Working Party as it allows to identify relevant pollution sources using E-PRTR data and thus enables effective policies (more information: Lorenzo Marotti).

COMMUNICATION

Molymet: *plant visit*

On 18 January, Eurometaux visited the Molymet plant in Ghent, Belgium. Molymet is a European leader in the production of molybdenum (Mo), a metal used in a wide range of applications and many innovative products, from stainless steel, speciality alloys, green energy applications, electronics and consumer products such as computers and smartphones. The Molymet site produces various qualities of molybdenum that are used in the metal and steel industry and the chemical & electronics industry. The site is currently building a new additional factory for the production of PurOx, pure molybdenum oxide with high-tech applications. We thank our hosts Nele Van Roey and Justine Gregoir for the informative and exciting visit.

ERIF: *debate on the Precautionary Principle*

The European Regulation and Innovation Forum (ERIF) organised a debate on 31 January to exchange on the application of the Precautionary Principle in the EU: latest developments and considerations. The EU Commission communication of 2000 has widely been considered as setting out a reasonable and workable framework for the application of the Precautionary Principle in EU decision-making. However, subsequent practice by the EU institutions, as well as the case law of the European Courts have expanded both the scope of application and the rationale for invoking the principle. To feed the debate, Kristina Nordlander of Allen & Overy presented the paper she prepared for Eurometaux reviewing the actual legal and policy boundaries of application of the precautionary principle at EU level and the conclusions that may be drawn from a review of recent judgments by the European Court of Justice and the General Court, and Eurometaux presented a couple of cases where it felt that 'precautionary approaches' were inappropriately used to justify conclusions, discarding some data and even some scientific facts. The outcomes of this exchange will be further discussed at the next Chemicals Management Steering Committee (more information: Veronique Steukers and Violaine Verougstraete).

Chemicals Management Spring Week: *please note the dates*

We hope to see you numerous, so please note the dates for our upcoming Spring Chemicals Management Week. The (hybrid) meetings will take place on the **27 – 28 March for the Science Forum, and the 29-30 for the Regulatory Forum and there will be a live Social Event on the Tuesday evening.**

We are currently working on an appealing agenda that will be sent in due time with more information about the precise timing and a link to register (more information: the Chemicals Management Team).

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: this information is published on ECHA's website

- 07–10/02: MSC-81 including Pb prioritisation for authorisation and TiO2 nano set review
- 14/02: Risk Management Taskforce + EM-ILA Pb MAC debriefing session
- 14-16/02: RAC-64 REST Working Group
- 27/02: Water Taskforce
- 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
- 30-31/03: ECHA Management Board
- 06/04: Registration Taskforce
- 20/04: MEED webinar on sediment regional exposure project
- 24-28/04: RAC-65 CLH Working Group
- 25-28/04: Metals Academy
- 01-04/05: 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
- 12-16/06: SEAC-59
- 21/06: Chemicals Management Steering Committee
- 22/06: Risk Management Taskforce
- 21-22/06: ECHA Management Board
- 27/06: MEED: regional exposure and defining monitoring needs and metal-Org. mixture test design
- 03-05/07: RAC-66 CLH Working Group
- 06-07/07: RAC-66 AfA Working Group
- 23-24/08: RAC-66 REST Working Group
- 28-29/08: ETAP
- 30/08: MEED workshop on Metals mixture testing outcome
- 31/08: Chemicals Management Steering Committee
- 04-08/09: SEAC-60
- 11-15/09: RAC-66 (Plenary) + SEAC-60
- 18-21/09: Chemicals Management Autumn Week
- 27/09: Risk Management Taskforce (Webinar)
- 28-29/09: ECHA Management Board

- 09-13/10: RAC-67 AfA Working Group
- 09–13/10: MSC-83 (Tentative)
- 23-27/10: RAC-67 CLH Working Group
- 07-09/11: RAC-67 REST Working Group
- 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

GENERAL INFORMATION & ACRONYMS

Follow the logo and check out our Metals Gateway website.

This website is a one stop information source for regulators & risk assessors dealing with metals/metal compounds and is tailored to the specific needs of the metals industry sector.

A continuously updated list of acronyms is available under the Reach Metals Gateway (RMG)