



EUROMETAUX CHEMICALS MANAGEMENT NEWS



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Dear All,

I am certain we have all experienced these parties organised by “friends of friends” (i.e., people we know less) where the description of our jobs impacts the dynamics of the discussion. A classical scenario is the one I experienced on Saturday. I arrived a bit late, and people had already joined the dinner table. I took a left-over seat, managing to discretely sneak in my contribution to the dinner in the series of dishes popping up from the kitchen, and smiled around to discover my neighbours. The aperitifs people had taken, and the ensuing jabber gave the place a cosy atmosphere, until the lady in front of me started to make a strong plea for veganism.

As I had no intention whatsoever of meddling with each person’s food choices, I did not react, but did reflect that the moment could have been better chosen as the table was now covered with cheese and cured meats of all kinds. Or maybe the moment was the right one? I crossed my fingers that the topic would remain veganism and its related health benefits rather than sliding to climate change and environmental burden. A quick glance at the lady – applying I admit all my preconceived ideas - told me it would not be the case. She was passionate and managed to reduce the ongoing side discussions to silence by fervently drawing everyone’s attention to the ongoing environmental disasters and for the need for everyone to contribute in finding solutions.

I can only agree with the latter: each one’s efforts can only help. But usually, in those moments you also see some bold statements flying around and it becomes difficult to stay on the sidelines, not asking for any cross-checks. Thus, remain silent and have some incorrect facts taken for granted, or throw another perspective -hopefully complementary- on the table? I did not hesitate long (enough). The discussion quickly became a confrontation of information sources by half of the table and of course, along the exchanges, a friend -with very good intentions- mentioned that my job may give me a bit of experience in the field. Oops! The angry look from across the table can hardly go unnoticed: ‘so you are one of these lobbyists?’

Right, let’s not take it personally.

A bit naively, I have always been convinced that I was doing more advocacy than lobbying, but if you look up the respective definitions on the web, one can only note that the frontier between both is quite blurred. Advocacy consists of educating about specific issues, sharing best practices and success stories, providing technical assistance to a legislative body or comments and research on administrative/agency rules or regulations. Lobbying includes advocating for the adoption or rejection of legislation, writing lobbying materials that support a position, contacting legislative staff or organising coalition meetings. Advocacy is taking actions in problem-solving processes while lobbying is influencing on behalf of either side’s interests.

So, if I mention natural background as a key metal specificity to consider when assessing risks, carrying with me guidance and tools, I am most probably doing advocacy. However, if I state that in the revision of a specific legislation this aspect needs to be considered to avoid putting the twin transition at stake, this is lobbying. Is my credibility different? Will my problem-solving oriented proposals go down the drain if I am lobbying?

While I was pondering, the hosts of the evening managed - with the help of the desserts- to switch the discussion topic, making it more trivial and comfier.

At the end of the day, I mumbled to myself, the most annoying are unfounded statements and what I (!) perceived as a lack of critical mindset. That the lady would not become my best pal that evening was rather obvious but we both played our role in triggering a discussion. I could leave the table with a peaceful mind, thanking the hosts with a big smile while moving to the door. Up to the moment I heard behind my back ‘you have a big car, I assume?’ ...

Violaine Verougstraete

COMMISSION

Better access to chemicals data: last workshop before a legislative proposal

On 27 February, the European Commission, in cooperation with appointed contractors, organised the third and final workshop related to the study on "chemicals-related data flows". This study will serve as the basis for developing a legislative proposal to facilitate access to chemical-related data and their use across different legislations, in line with the One Substance One Assessment (OSOA) principle.

The workshop covered the four main parts of the study: i) data flows, dissemination, and re-use, ii) data generation mechanisms (for use by EU and national authorities), iii) academic studies (how to improve uptake), and iv) study notification obligation.

The main discussions focused on the role of different agencies that currently handle chemical data (such as ECHA, EFSA, EEA), the use of existing internationally agreed-upon data formats, protection of intellectual property/data rights, and funding to support data collection/monitoring campaigns. The main area of debate was on transparency of data dissemination, with industry asking for the right to keep some data confidential in order to safeguard commercial value, but academia and NGOs preferring full transparency (including dissemination to the general public) so that data can be "used" by all stakeholders for hazard assessment.

The contractors are expected to submit a draft final report to the European Commission by the end of March, and the release of the final report is expected in April/May. The European Commission aims to adopt a legislative proposal by the summer (more information: Lorenzo Zullo and Simon Cook).

EUROPEAN PARLIAMENT

Access to strategic critical raw materials: Council and Commission statements

On 15 February, during its Plenary session the European Parliament held a debate on access to critical raw materials (CRM) and its relevance for the twin green and digital transitions.

All speakers agreed that raw materials are essential for industrial production geared towards climate-neutrality and digitalisation. There was general agreement across political groups and the Commission regarding the challenges that will arise from the expected increase in demand for CRM as well as the EU's external dependency. According to Commissioner McGuinness, the EU is not the only continent looking for access to raw materials and there is already a "race for access" ongoing. In order to improve the EU's access to CRM, most groups favour lowering dependence on third countries through trade diversification as well as increasing domestic production, whilst upholding high environmental and social standards (sustainable mining and sourcing). All groups emphasised the importance of circularity, including strengthening waste management rules and recycling, to increase the efficiency of materials. Most of these points will be covered by the upcoming Critical Raw Materials Act (14 March). No reference was made to the interface between CRM and chemicals management, nevertheless, MEP Hildegard Bentele (DE, EPP) remarked that contradictions in EU legislation should be avoided. She also brought up the need to speed up approval processes, have clearer standards, and better financing (more information: Ainhoa Gonzáles Pérez).

Future revision of the REACH regulation: ENVI exchange of views with the Commission

On 1 March the European Parliament's Environment, Public Health and Food safety Committee (ENVI) committee held an exchange of views with the Commission on the future revision of the REACH regulation where each political group clarified its priorities and concerns. These concerned mainly the timing of the legislative proposal, the content and level of ambition of the revision, and additional requests for action for the Commission.

MEPs unanimously called for REACH to be published in June for them to be able to discuss it during their legislature. MEPs worry that the priorities of the next European Parliament and Commission will change, and thus, jeopardise the adoption of a more ambitious REACH reform. They also defended that having a REACH proposal in June would bring the much-needed clarity that industry needs for investments. Both DG ENV & GROW have defended the need for quality over speed in order to deliver a REACH with a high level of ambition for health and the environment, while simplifying its workings and regulatory burdens, and that it does not result in unintended consequences. DG GROW also pointed out that Q4 could also mean October.

In terms of specific requests, MEPs asked the Commission to specifically tackle cocktail effects as well as PFAS, clarify how the Generic Approach to Risk Management (or GRA) and Essential Use Concept (EUC) will work, and to effectively implement the "no data no market" principle. Aurel Ciobanu Dordea (DG ENV) pointed out that Commission was

considering options for granting civil society an increasing role in cases of breaches of REACH, taking for example as reference obligations resulting from the Aarhus regulation. Martin Hojsik (SK, RENEW) regretted that the Commission has not brought the EP on board in the consultation processes as closely as the MS through expert groups, and requests to involve the EP in a deeper level of detail and the technicalities of the proposal.

Overall, this exchange of views has confirmed the political pressure over the Commission to deliver the REACH revision proposal by summer 2023 (more information: Ainhoa Gonzáles Pérez).

EU AGENCIES

EUROPEAN CHEMICALS AGENCY (ECHA)

ECHA COMMITTEES

RAC-64 Restriction Working Group: capacity building, BPA, PFAs

Although no metal was on the agenda of the RAC restrictions Working Group, Eurometaux followed most of the virtual discussions scheduled between 14 and 16 February. The meeting started indeed with a capacity-building workshop on the approach for the estimation of environmental releases for substances with non-threshold environmental hazards. While the substances in scope were mainly PBTs/VPvBs and 'PBTs/vPvB-like substances' (i.e., difficult to predict effects, difficult to reverse exposure substances, intentionally added microplastics, PFHxA and related substances), the approach was also deemed to be applicable to substances for which RAC agrees that no threshold can be found, e.g., for endocrine disrupting properties for the environment. Contrary to threshold substances where exposure is compared to the PNEC, for non-threshold substances, emissions are used as proxy for risk. The discussions addressed primarily how to derive emissions/releases, following the equation: $[\text{release}]_{\text{exposure scenario i}} = [\text{tonnage}]_{\text{exposure scenario i}} \times [\text{release factor}]_{\text{exposure scenario i}}$. The definition of the uses and exposure scenarios by the Dossier Submitter are important to allow a) release estimation per use, b) the justification of restrictions/derogations, and c) the impact assessment. Possible sources of information including the registration dossiers and the Best Available Techniques (BATs) for the industrial sites were reviewed, along with tools like supply chain mapping and Environmental Release Category (ERCs) and (Specific Environmental Release Category) SpERCs.

The second part of the workshop more specifically on how RAC would evaluate such situations including how/when to move to a qualitative evaluation of the release/exposure assessment rather than a quantitative one (e.g., if RAC concludes that the Dossier Submitter's assessment of emissions/exposures is not plausible/unreliable and/or if there is insufficient data on the use volume(s) and/or source and/or scale of emissions from the different uses and/or whether the implemented Operational Conditions (OCs) and Risk Management Measures (RMMs) are sufficient to address the risks). The presentation by ECHA was built on the learning lessons from the restriction cases over the last decade. The RAC chairs concluded that further capacity building will be organised, using some thought-through examples as restrictions will be further applied.

Eurometaux also followed the discussions on the restrictions on PFAs in fire-fighting foams (more specifically the hazard assessment, including of persistence and the uncertainties; the effectiveness, practicality, monitorability of the restriction) and on bisphenols identified as endocrine disruptors (more information: Violaine Verougstraete).

MSC-81: CoRAP adopted and several evaluations of relevance for the metals sector.

During its February meeting, the MSC adopted the 2023-2025 Community Action Rolling Plan (CoRAP), which lists the substances that will undergo Substance Evaluation by an evaluating country. It will be formally published by ECHA around mid-March. No metals are included and the timing for carbon black was postponed to 2025. But surprisingly, a Member State added in last instance an (organic) substance for a Substance Evaluation request on Endocrine Disruptor (ED) identification in 2023, hereby indicating its intention to include it on the Substance of Very High Concern (SVHC) list at a next stage.

MSC had also a brief, but important discussion related to compliance checks on a series of TiO₂ nano forms. It was clarified that in this (and future) nano case(s), ECHA MSC will first progress with a Compliance Check (CCH) to clarify the boundaries of the identified sets, to ensure that all the relevant information has been reported in the registration and subsequently, if necessary, request a CCH on outstanding information gaps.

A second interesting case related to a rare earth for which the intention was rather to strengthen the read-across, despite requests for several tests, which is a classical problem due to the legal format of MSC's compliance check demands. Both cases will be presented at the next Evaluation Taskforce (more information: Hugo Waeterschoot).

MSC-81: Opinion on ECHA's 11th recommendation for priority substances for authorisation adopted, including Pb metal!

MSC agreed by consensus on the next (11th) recommendation for priority substances for authorisation as an advice to ECHA in preparation of its formal recommendation to the Commission. The recommendation includes, besides a series of organics and a specific borate compound, notably also lead metal. MSC debated the listing of lead metal in extenso whereby ILA and Eurometaux raised a series of concerns including an overlap with existing restrictions, risk management of products, and with Occupational Safety Health (OSH), as well as an unmanageable high number of Applications for Authorisation (AfAs) that would appear if lead metal was listed on Annex XIV by the Commission (Authorisation list). While MSC recommended lead metal, industry's comments found some recognition in the minutes and a statement in the text, stating to the Commission that listing Pb metal on Annex XIV could be problematic. Product legislation such as RoHS, the battery legislation and WEEE, were quoted -in this respect- as uses that Commission should consider excluding from Authorisation cfr Art. 58(2). In addition, some MSC members abstained from voting on the opinion. It is now up to ECHA to finalise its recommendation to Commission and for Commission to consider either its inclusion in Annex XIV or to recognise that Pb metal is already well risk-managed (more information: Lisa Allen and Hugo Waeterschoot).

ECHA OTHER ACTIVITIES

Virtual information session on CrVI AfAs: *uncertainties and experiences*

A virtual information session on Applications for Authorisation (AfA) of hexavalent chromium in electroplating was held on 15 February 2023, bringing together about 260 participants. The purpose was to gain understanding of specific technical, procedural and regulatory issues when preparing and submitting an application. This session was welcomed in view of the market uncertainties and tensions that exist as the Commission/REACH Committee decisions on CTAC use 3 (i.e., functional chrome plating with decorative character) and the European Court of Justice (ECJ) judgment on the European Parliament vs. Commission on other CTAC uses are still pending.

Eurometaux and CETS complemented the introductory presentations made by Commission and ECHA by managing the discussion session. While Commission mainly addressed the legal and decision elements at stake for CTAC, ECHA's presentation focussed on RAC's and SEAC's experiences and was a reminder on what info would ensure the best outcome. The presentations and conclusions can be found here: <https://echa.europa.eu/-/group-teleconference-based-information-session-on-applications-for-authorisation-for-the-uses-of-crvi-substances> (more information: Hugo Waeterschoot).

ECHA workshop on CMS/IED: *Eurometaux's messages picked up*

On 13 February, ECHA held a workshop on methodologies to prioritise chemicals for prevention and control of emissions from industrial installation. The workshop aimed at comparing different approaches to Chemicals Management Systems (CMS), analysing their strengths and weaknesses to identify needs for improvement/development. ECHA presented their draft methodology to share information to the EIPPCB and to include considerations on the CMS in the BREF Process. Participants (including Eurometaux's members) provided concrete examples on how CMS is applied at site level, how substances are managed, what systems are in place, and what principles guide the prioritisation of actions. A big thanks to Stefan Priggemeyer who shared his expertise on the management of hazardous substances at Wieland. Eurometaux provided an overview of the NFM industry together with key messages on chemicals management, prioritisation, substitution and the ongoing review of the IED, which were included in the draft conclusions of the workshop. As a next step, ECHA will share a draft report of the workshop for stakeholders to provide their comments (more information: Lorenzo Marotti).

EUROMETAUX CHEMICALS MANAGEMENT

CHEMICALS STRATEGY FOR SUSTAINABILITY

CSS High-Level Roundtable (HLRT) meeting #4 1 February: *Transition Pathway for the Chemicals Industry*

Industry, authorities (Swedish Presidency) and civil society gathered at the European Commission for the fourth meeting of the HLRT on the CSS, which focused on the recently-published [Transition Pathway](#) (TP) for the Chemical Industry. The

3rd draft of the TP was covered in September's CM News. The main difference between this and the final version is the addition of a *regulatory roadmap* – from which the Critical Raw Materials Act is a significant omission.

The HLRT discussion was structured in two parts. In the morning, participants discussed the status of implementation of the CSS, including different initiatives such as Safe and Sustainable-by-Design (SSbD). The main points were:

- The Commission is currently drafting the legislative proposal on the REACH Revision, which is still planned for Q4 2023. A Staff Working Document on Essential Uses will be published towards the end of Q2 2023.
- Several stakeholders - including the Swedish Presidency - stressed the need to publish the REACH Revision by June 2023. A lack of clarity over the direction of the “new” REACH creates uncertainties for many.
- Most participants welcomed the publication of the SSbD framework in December 2022, which has now entered a testing phase until the end of 2024 (please see next section for more information).
- Eurometaux raised the issue of strategic supply chains for that twin transition that are enabled by metals and the importance of the Commission not working in silos on chemicals and raw materials policy. An important piece that is currently missing from chemicals policy is the link to Critical Raw Materials and supply chains (and vice-versa).

The afternoon session focused on the TP and the way forward for its co-implementation:

- The Commission presented the TP as the facilitator or “compass” for guiding the chemicals industry towards the implementation of the Green Deal and its initiatives such as the CSS.
- The meeting coincided with the publication of the [Green Deal Industrial Plan](#) by the Commission, which seeks to plot a path for the EU towards climate neutrality while also preserving the EU's competitiveness and attractiveness as an investment location for net-zero industry. The plan was presented by Commissioner Breton as it is a relevant second leg of the industrial strategy linked to the TP and is intended to create the business case for investment while the EU works on the Green Deal and its many dimensions.

The Commission will organise several meetings to follow-up on the Transition Pathway for the Chemicals Industry (more information: Ainhoa Gonzáles Pérez, Violaine Verougstraete and Simon Cook).

Safe & Sustainable by Design (SSbD) framework recommendation: test case studies workshop 9-10 February

The workshop presented the initial findings of the four case studies conducted by the Commission and industry. The studies are: i) plasticisers in polymers (JRC); ii) & iii) flame retardants in polymers (BASF & Clariant); iv) surfactants for scouring of cotton (Novozymes). JRC's draft (174-page) conclusion report on the plasticisers case study is open to public consultation (by survey) until 5 March - Eurometaux will provide input. This report covers only the plasticiser study, the other studies were summarised by industry in the workshop. The headlines are:

- SSbD is **not implementable** for industry in the form proposed as it is far too burdensome in terms of data, cost, resources and expertise required, and is therefore not compatible with industry innovation processes.
- The framework needs to be much **simpler** for industry with screening and a tiered approach to focus on “what matters”. Quantification needs to be balanced with **expert judgement and qualitative assessment**. Trade-offs **must** be allowed.
- What is proposed is a “textbook”, what is needed by industry is a “toolbox”.
- It is assumed in SSbD that the technical performance of alternatives is **the same as** the current technology. This is a very large assumption as changes in performance will have a large effect on overall sustainability.
- All four case studies **failed** the cut-off in step 1 (Hazard Assessment). In most cases this was due to missing hazard data except for the surfactants study where the failure was due to hazard (although the alternative already on the market is “safe” as it is an encapsulated enzyme – no exposure).
- The JRC report contains a limited socio-economic assessment, which highlights the presence of Critical Raw Materials (**CRMs**) in the value chain – but the objectives of doing this are unclear.

The Commission recognised many of these shortcomings and this is why it is important to provide input on the testing of the framework. They will be open to revise it to make it work. A final version of the JRC report including all case studies is planned for May. The revision of the framework according to the testing results will start in 2025 (more information: Simon Cook, Kamila Slupek and Ainhoa Gonzáles Pérez).

ZERO POLLUTION ACTION PLAN

Air Quality Directive: status update

On 15 February, Eurometaux participated in the Committee of the Regions discussions on the new Air Quality Directive Proposal.

On 27 February, the European Parliament ENVI Committee published its draft reports on the Air Quality Directive. The Parliament's level of ambition is high and a number of additional, more strict provisions are added. In parallel, the discussions on the Industrial Emissions Directive (IED) in Parliament and Council will most likely set a precedent, resulting in the harmonisation of certain provisions (e.g., those on penalties & compensation, etc.). Advocacy at the level of Parliament (Rapporteur ENVI Committee) and at Council (joint advocacy on IED) is ongoing (technical feedback from members, including key amendments being sent to the relevant players in the Review process).

Furthermore, coordination in the Air Quality Subgroup of the Industrial Emissions Alliance (IEA) is aiming to produce a joint paper with high-level, common messages from various industries to be sent to Parliament and Council.

At the same time, Eurometaux's Position Paper on the new Air Quality Directive Proposal will be circulated to members for additional comments and used to respond to the ongoing feedback consultation. The deadline to respond to the Open Public Consultation is 14 March (more information: Lorenzo Marotti).

Timelines:

Parliament:

ENVI

- 22 March 2023 – ENVI Debate
- 29 March 2023 – Deadline for Amendments
- 26 June 2023 – Vote

TRAN

- 21 March 2023 – TRAN Debate
- 27 March 2023 – Deadline for Amendments
- 24 May 2023 – Vote

Council: 20 June 2023 – ENV Council Policy Debate

CLASSIFICATION

PEG discussion on the environmental CLP guidance: went well but did not (yet) resolve the most challenging aspects!

In January, we reported on the deadline for input on ECHA's proposal to update the environmental classification guidance, a section of guidance industry is regularly faced with (e.g., the 3 recent metal reviews on Cu, Ag and Pb metal). The metals sector has proposed a series of comments to either clarify the present text or introduce learnings from recent cases.

ECHA prepared an extensive Response to Comments (RCOM) covering all contributions that were received. It was clear that they went for a rather minimalistic update on selective aspects, since ECHA considered several of the stakeholders' comments as being out of scope of the present update.

The two co-chairs of the Environment Taskforce represented the metals sector in the PEG meeting that reviewed ECHA's proposals. Some clarifications suggested by the metals sector were accepted. Most importantly, our request for a balanced reflection on the outcome of the previous Rapid Removal discussions was accepted, leaving the door open for a case-by-case assessment in self-classification. However, other important aspects were not even considered for discussion by the group, such as focusing the Ecotoxicity Reference Value derivation on standard species (more information: Jelle Mertens and Stijn Baken).

Lead metal classification: 21st ATP proposes split entries but this is not sufficient

Commission has released the draft Adaptation to Technical Progress (ATP) proposal that will be reviewed and discussed by CARACAL end of March. The draft proposes separate entries for the classification of the powder and massive forms of Pb. It includes "no acute environmental classification" (which reduces the transport impact) but still a classification as "environmental chronic 1 M 10", which would require classifying all alloys, etc. as of 0.025 % of Pb metal and will result in downstream consequences covering aspects like permits, packaging, Seveso for alloys containing 0.25% of Pb metal in massive form or more.

Whilst the proposal is an improvement vs. the RAC opinion, it is still based on the legally and scientifically incorrect application of the "data-poor classification ruling" on a data-rich substance, resulting in a far too conservative

classification. A clarification exchange was held with Commission, ECHA and industry on 27 February and confirmed that ECHA does not want to revise its assessment.

A debrief call will be organised with all interested and potentially impacted sectors on 10 March, 11 am CET (more information: Steve Binks, Hugo Waeterschoot and Violaine Verougstraete).

Li classification: the Li entry is not included in the 21st ATP – industry RMOa to be launched

The 21st ATP does not include an entry for the three Li salts. Commission explains that it has received additional information from stakeholders after obtaining the RAC opinions and that this new scientific information requires further assessment by RAC. Hence lithium carbonate, lithium chloride and lithium hydroxide recommended in the RAC opinions should not be subject to harmonised classification and labelling at this stage. Key issue now is to ensure that the RAC review does not only cover the Boyle study, which was identified after RAC had finalised its opinion, but also the other scientific questions raised in relation to the same RAC opinion (on fertility and lactation). A letter was sent by Albemarle and Livent to ask Commission to issue a mandate to ECHA to enable the Agency and its scientists to reconsider all endpoints and available studies in a robust weight of evidence exercise, leading in fine to a more robust scientific opinion. Also, ILiA has organised a call on 22 February to discuss the industry RMOa project. This project will be managed by ILiA's Health and Safety sub-committee and carried out in parallel with the regulatory Risk Management Option analysis (RMOa) done by the French ANSES. An independent expert should be appointed soon. To do so, a draft high-level list of lithium applications and a draft tender document will be circulated to the ILiA and Eurometaux Taskforce members who expressed interest (more information: Francesco Gattiglio, Joeri Leenaers and Violaine Verougstraete).

REACH REGISTRATIONS

Russia sanctions: ongoing exchange with ECHA and Commission on how to handle registration dossier updates.

A solution on how to update the registration dossiers without violating Russian sanctions has not yet been identified. Following the letter sent by Eurometaux, ECHA stated that the suggested temporary solution of pausing the compliance check while waiting for revocation of the registration to companies in the consortium that are subject to Russian sanctions cannot be implemented. Instead, ECHA underlined that *“ECHA’s approach to tackle the presence of potential entities subject to sanctions in REACH consortia is to swiftly take action on such entities, revoking their registrations”* and clarified that *“this will be publicly visible to all members of the joint submission as well as the general public, clearly indicating they are not having an active registration linked to an update”*.

However, to date, the exact process and timing for such revocations is not clear yet and not under the control of consortia.

This problem could be potentially solved with a token system that would enable lead registrants to define who can benefit/access from dossier updates. Such an idea would also help in solving the problem of free riders (i.e., companies that do not contribute to consortium activities related to dossier updates).

The idea of token, which was initially raised in the latter situation, was brought up again and is currently being assessed. Eurometaux is also waiting for a reply from the European Commission, hoping to receive clear indications on how REACH consortia should handle dossier updates while remaining in compliance with REACH obligations and without violating Russia sanctions (more information: Federica Iaccino and Lorenzo Zullo).

RISK MANAGEMENT

AfAs: Eurometaux and Cefic reached out to SEAC and Commission on consistency

Most Applications for Authorisation (AfAs) handled by the ECHA Committees relate to the plating sector and to chrome plating with decorative character in particular. With the help of a consultant, an extensive analysis was conducted on the conditions and outcomes (e.g., Review Period, ...) of all AfAs on decorative plating. The analysis showed that RAC recommendations on exposure control become tighter by time and appear to be independent of exposure levels measured by the applicants during the electroplating step. SEAC opinions did not appear consistent in the way Review Periods are defined, once again independently from the potential risk and dependent on the Rapporteur for the case.

Of even higher concern for industry is that there is no recognition for the potential risks of the plating supply chain when considering the alternatives. Indeed, the promoted alternative, CrIII, does not exclude CrVI exposure during its manufacturing and involves exposure to other Substance of Very High Concern (SVHC) listed substances in the alternative process. Such a lack of attention could lead to a regrettable substitution which would be a serious political challenge given the amount of effort all parties put into the drafting, opinion forming and decision-making on applications for this

use. The analysis further demonstrated that Authorisation is not the most appropriate tool to stimulate better workplace risk control and substitution when economically and technically feasible (more information: Hugo Waeterschoot).

Pb metal: ILA and Eurometaux organised a briefing session on the listing of Pb metal

In follow-up of the MSC opinion and in anticipation of ECHA's Recommendation to Commission on the 11th priority list, ILA and Eurometaux organised a briefing session for members and users possibly impacted by the lead metal authorisation. Besides informing the participants on what happened at MSC and on what arguments were used in favour of or against the listing, the session aimed to act as a kick start for a series of advocacy activities to prevent Commission moving forward with the Authorisation of Pb metal. To date, we have no clarity on Commission's intentions or timing for the next Annex XIV update. The participants who attended the call on 14 February agreed that proactive action, especially at Member States level, would be most relevant. Several sectors testified in this respect what the potential impact of an inclusion on Annex XIV would be.

Arguments against the listing should preferably build on those raised by some MSC members complemented by sectorial examples and information on the sustainable role of Pb metal in applications relevant for the Green Deal twin transition. It seems obvious that this item will be a priority issue for the Risk Management Taskforce and ILA for the year to come (more information: Lisa Allen, France Capon, Klaus Kamps and Hugo Waeterschoot).

INDUSTRIAL EMISSIONS

Revised IED: *intense advocacy activities last month*

During the month of February, Eurometaux met extensively with Permanent Representations to influence discussions on the IED Proposal in Council. Eurometaux (together with its members) met with a number of Member States to discuss the key issues of the new IED Proposal and provide amendments and arguments. Eurometaux continues to exchange with Member States for the key next stages of the negotiations.

At Parliament level, Eurometaux (together with the other industrial organisations of the Industrial Emissions Alliance) is in close contact and exchanges regularly with the Rapporteur, assistants and key MEPs in the ENVI and ITRE Committees to address their questions and persuade them of our views.

The outcomes of these activities, together with the latest developments will be discussed during the next meeting of the Industrial Emissions Taskforce on 29 March (more information: Lorenzo Marotti).

Updated timelines:

At Parliament level: ENVI vote: 27 April, ITRE vote: 27 March, Plenary vote: May (TBD)

At Council level: General Approach: March 16

LVIC BREF : *plannings*

On 7-8 February, a workshop on 'relevant contextual information and key data features for the questionnaire development (including a session on energy)' was organised for the members of the Technical Working Group (WG).

On 17 February, the Large Volume Inorganic Chemicals (LVIC) BREF WG had a meeting to discuss the outcome of the workshop and the drafting strategy for the questionnaire. Eurometaux continues to coordinate its input in collaboration with Cefic and ESA (European Sulphuric Acid).

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

- 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.

The first draft of the LVIC BREF questionnaire template was shared by the EIPPCB and the deadline to provide comments to the EIPPCB is 31 March.

Preliminary feedback was shared with the Working Group (in particular regarding system boundaries and energy aspects) and a statement highlighting the specificities of the sulphuric acid production was sent to the Bureau. In order to discuss the questionnaire and additional input, including the points above, an internal meeting for the LVIC BREF WG will be held mid-March (more information: Lorenzo Ceccherini, Lighea Speciale, Lorenzo Marotti and Violaine Verougstraete).

HUMAN HEALTH

Human Health Taskforce & Health Technical Advisory Panel (HeTAP): *relaunching projects*

As there is still a remaining HeTAP budget, both the HeTAP sponsors and the Eurometaux Human Health Taskforce were invited to send in some suggestions for project(s) to carry out in 2023. The proposals were compiled in a table and discussed during a call on 13 February.

Several suggestions were received, ranging from carrying out a scoping project on Endocrine Disruptors (EDs) Human Health, to identify metal/inorganic-specific issues that may need to be fed in the future ECHA guidance to further work on 'Poorly Soluble' 'Low Toxicity' (PSLTs) substances and their possible classification and relationship with inflammation/carcinogenicity or on the Extended One-Generation Reproductive Toxicity Study (EOGRTS). For two proposed topics, i.e., the New Approach Methodologies (NAMs) and the use of nanos data, presentations will be provided during the next Science Forum meeting/CM Spring Week or Evaluation Taskforce meeting. Support was also expressed to update the HeRAG inhalation exposure and absorption fact sheet, which dates from 2008 and could be further improved with the outcomes of the work done on the samplers' comparison exercise. On the latter, Steven Verpaele (NI) will set up a dedicated call. Additional actions were identified to address other topics raised like drawing learning lessons on Occupational Exposure Limits (OELs), identifying relevant mixtures human health for the Mixture Assessment Factor (MAF) and human toxicity in LCA.

Eurometaux concluded that the different projects with the respective discussions will be summarised and circulated for further comments and detailed minutes were sent out just after the meeting on 17 February, with a follow-up call on EDs human health scheduled for 2 March (more information: Ailsa Lee and Violaine Verougstraete).

WATER

Working Group (WG) Chemicals: *limited discussions*

The meeting held on 16 February was short and online, with limited opportunity for discussion. For some Environmental Quality Standards (EQS) dossiers (e.g., glyphosate), the Joint Research Centre (JRC) did not support the opinion of the Scientific Committee on Health, Environmental and Emerging Risks (SCHEER) and maintained the value proposed by the JRC in the European Commission proposal. It was discussed that some EQS would need to be updated as the SCHEER opinions were published after the proposal was issued. The EU Council will address these changes during the negotiations, as the Commission will not present a new proposal with corrections.

The Working Group Chemicals will continue to play a role in future revision processes.

Effect based methods (EBM) for metals will be worked on by the JRC in the future.

In addition, the European Environment Agency (EEA) is planning a baseline survey on antimicrobial resistance (AMR) and antimicrobial resistance genes (ARGs) in surface water (kick-off meeting mid-February). The next meeting is planned for October 2023 and may be hybrid.

Water Taskforce Meeting (27/02/2023): *meeting again!*

The first meeting of the Water Taskforce in a long time, and the first face-to-face meeting since COVID, took place last week.

The main courses on our plates were first to analyse the [European Commission's](#) proposal for a Directive amending the Water Framework Directive (WFD), the Environmental Quality Standards Directive (EQSD) and the Groundwater Directive (GWD), and secondly to discuss the next steps in terms of advocacy on this file. Feedback from the two JRC-led workshops on EBM was presented and updates on the setting of national EQS and the Drinking Water Directive were given. The detailed minutes will follow shortly (more information: Lara Van de Merck).

SOIL

EU expert group on SOIL: *2nd meeting*

The second meeting of the EU Expert Group on the implementation of the EU Soil Strategy took place on 7 February. The draft Soil Health Law will be submitted for internal review in June, after which it will be open to Public Consultation. It is not clear whether this initiative will become a directive or not, this will depend on the results of the impact assessment. At the moment, it looks like the focus will be on the national level, with a risk-based approach and a high degree of flexibility. This may be more encouraging for metals than an EU-wide approach (more information: Lara Van de Merck and Koen Oorts).

EEA soil monitoring in Europe report: *published*

An interesting document has recently been published by the European Environmental Agency (EEA), [Soil monitoring in Europe - Indicators and thresholds for soil health assessments](#). This report is basically a risk assessment of soils across Europe, including metals, in the context of the ZPAP. However, instead of REACH Predicted No-Effect Concentration (PNECs) which were used in the MEED project, they used Member State thresholds. There is some consideration of background and soil type, but they used LUCAS (JRC) instead of GEMAS. Metals considered are Zn, Cu, Ni, Pb, Hg, As, Cd and Cr (more information: Lara Van de Merckt and Koen Oorts).

Impact assessment of the Soil health initiative: *summary report published*

The [summary report](#) of the impact assessment of the proposal “Soil health – protecting, sustainably managing and restoring EU soils” was published last week. The Commission plans to adopt the proposal in the second quarter of 2023 (more information: Lara Van de Merckt and Koen Oorts).

METALS ENVIRONMENT EXPOSURE DATA PROGRAM (MEED)

MEED program: *successful workshop with good progress on regional exposure update and assessing mixture toxicity*

The MEED sponsors met on 31 January and 1 February for 2 intense days to discuss the progress made with the project. The 5 key program milestones for 2022 were all met and 5 new milestones for 2023 were proposed and agreed upon. Three key project progress areas were presented and discussed: i) a status on knowledge on metal releases from Sewage Treatment Plants (STP) installations in the EU; ii) an updated overview on regional soil and water exposure and; iii) a proposed smart testing strategy to investigate the mixture-organics effects. An overview report summarising the conclusion of the discussions, recommendations and data overviews (in slide format) was distributed to all the sponsors. An update and finalisation of the STP and regional water and soil exposure report is scheduled for the summer and will allow consortia to update their regional assessment.

A series of dates had been presented to the sponsors to review the next project milestones: a webinar on 18 April to review the sediments regional assessment, a workshop on 27 June to finalise the regional exposure and update the metals-organic mixtures testing design and last but not least, a workshop on 30 August in Ghent back-to-back with ETAP on the first test results of the metals-mixtures project.

The MEED sponsors were further informed that the expenses are so far on track and in line with the budget; and of the proposed outreach and communication moments (e.g., SETAC Europe and during a possible meeting with RIVM). Again, a challenging year ahead! (more information: Violaine Verougstraete, Marnix Vangheluwe and Hugo Waeterschoot)

OUTREACH

OTHERS

PARC: *1st Stakeholder Forum meeting*

The Partnership for the Assessment of Risks from Chemicals (PARC) is a huge, 7-year, EU-wide research and innovation partnership program aiming at supporting EU and national chemical risk assessment and risk management bodies with new data, knowledge, methods, networks and skills, to address current, emerging and novel chemical safety challenges. 27 EU countries (including UK and Switzerland, Iceland, Israel, Norway) and the 3 EU agencies are participating.

PARC includes a Stakeholder Forum that will act as advisory body. It includes 15 representatives from bodies and stakeholder organisations operating at EU level: European Environmental Bureau, Cruelty Free Europe, CropLife Europe, Cefic, Plastics Europe, European Network for Environmental Medicine, Downstream Users of Chemicals Co-ordination Group, Chem Trust, European Trade Union Institute, WECF France, European Federation of Allergy and Airways Diseases Patients' Associations, Cosmetics Europe, Food Packaging Forum v, SMEUnited and Eurometaux.

The Forum should also facilitate interaction, i.e., regular communication, targeted information and continuous exchange on PARC's process and current developments in chemical risk assessment of human health and the environment with relevant European stakeholders.

A first virtual meeting was held on 28 February to discuss the expectations of the Forum members, the terms of reference of the Forum and elect two co-chairs: Cruelty Free Europe and Eurometaux will co-chair the Forum for the first year, with support from Cefic.

Eurometaux' s notes on this first meeting will be circulated soon to the Human Health Taskforce (more information: Violaine Verougstraete).

CALENDAR

Please find here below a non-exhaustive list of the meetings that are already planned for Q1 & Q2 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](#)

- 06-10/03: SEAC-58
- 07/03: JAM meeting
- 10/03: Environment Taskforce & Pb Classification Group
- 13-17/03: RAC-64 (Plenary) + SEAC-58
- 22/03: Chemicals Management Steering Committee
- 23/03: CARACAL Taskforce
- 27-30/03: Chemicals Management Spring Week
- 29/03: Industrial Emissions Taskforce
- 30-31/03: ECHA Management Board
- 04/04: CSS Project Group
- 06/04: Registration & Maintenance Taskforce
- 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 Workshop (sponsors only)

GENERAL INFORMATION & ACRONYMS



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)