



EUROMETAUX CHEMICALS MANAGEMENT NEWS



Châteaufort La Ramée – Metals Academy

Please join us in May:

- 17/05: Risk Management Taskforce

And in June:

- 14/06: Cross-Industry Particles Platform (hosted by EM)
- 21/06: Chemicals Management Steering Committee
- 22/06: Risk Management Taskforce

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Dear All,

A key happening in April was the second edition of “Metals Academy”: 42 enthusiastic students, a team of very committed teachers, a wonderful place and a smooth running guaranteed by Ailsa...more to read below.

Such events require a lot of organisations and a bit of stress too. To mitigate the latter, the best treatment ever is the one my first colleagues at Eurometaux (Mark and Lynette) taught me when I joined: add a challenge, a game or a humorous twist to the topic while remaining closely linked to it.

Hence, behind the scenes of the academy, and inspired by its content, some of us reflected more in depth on the sustainability of/in fairy tales. The result is here below: two recycled versions of Snow White, re-arranged with some lifecycle thinking and criticality, for your evaluation and hopefully acceptance!

Version 1: Snow White, the 7 dwarfs and the Green Deal

Once upon a time, there was an industry sector living in a Kingdom called “Europe”. This industry sector produced critical non-ferrous metals for Europe’s future, all essential for environmental abatement technologies, creating welfare and providing high skilled jobs. The people in the Kingdom therefore provided the nickname “Snow White and the seven dwarfs” to this industry sector; as it made life light, clean and easy as a snowflake and people working in its industry were as motivated as the seven dwarfs.

With time, Snow White became more and more beautiful. Others in the Kingdom became jealous, and they started to try and get rid of the sector with a poisoned comb (“Zero Waste Concept”), with lace traps (Zero Emission Concept”), and finally with a poisoned apple (“Essential Use Concept”). While Snow White managed to survive the poisoned comb and the attempt with the lace traps, the attempt with the poisoned apple was successful. The Essential Use Concept did its job. Snow White fell into a coma, and the seven dwarfs laid her in a glass coffin.

Time was passing by, and Snow White was missed by the people and the value chains in the Kingdom. One day, Princess UvdL was riding through the Kingdom. Deep in the woods, the Princess saw the wonderful industry sector lying in the glass coffin – and immediately fell in love! Princess UvdL appreciated Snow White’s beauty, the criticality of its products, the added value it generated as well as the high skilled jobs and welfare that it provided. The Princess also recognised that the future of the Kingdom depended on Snow White. She realised that she could wake Sleeping Beauty up with a simple shake to remove the apple – the EU Critical Raw Materials Act.

“I love you more than anything else on this Planet. Come into the Heart of Europe’s funding opportunities, permitting simplifications, investment incentives and supporting measures” The Co-Decision wedding is being organised, with guests from EU Member States, European Parliament and the European Commission. The wedding is expected to be launched in the second half of 2023 and it will be a long wedding party. We hope that the presents brought by the EU institutions will help Snow White and the seven dwarfs to contribute to the EU Green Deal!

Version 2: Snow White, the 7 dwarfs and the sustainability indicators

Once upon a time, a princess named Snow EU was living in a global Kingdom. She grew up to become more and more beautiful and prosperous.

The queen of the global Kingdom had a magic mirror she could question to know how her nations were developing.

One day she asked her mirror: “Mirror! Mirror! Who is the least sustainable in this Kingdom”? The mirror replied: “Snow EU it is”. “She is living in a big castle on her own, spends a lot of resources on clothes she does not reuse and the food she is served over day goes to waste as she is continuously on a diet”.

The queen got very angry on hearing this.

She ordered a Member State soldier to take her away from the castle and export her.

The soldier obeyed the queen. He took the princess but could not get rid of her as she was genuinely nice and showed some interest for his USEtox shield. Thus, he said: “Go away Snow EU. But don’t ever come back because the queen wants the Kingdom to be & remain sustainable. Go away now and be aware of your footprints!”

Snow EU ran and ran with all her strength through the middle of a forest of UN SDGs trees. She was very tired and desperate as she had always wanted to be the best in her class. Then far away she saw a tiny house and decided to enter.

Everything in the house seemed small but recycled and as she was tired, she laid down on the little beds and fell asleep.

Soon after, the owners of the house, 7 dwarfs, came into their house. They had spent the day in the metals mine. They were quite surprised, and even embarrassed to see the princess sleeping there. They had heard about her way of living and unpredictability and huge debates took place among the dwarfs whether it would be essential or strategic to allow her to remain in their house.

But actually, they learnt to live together, as when the princess woke up, she instantly recognised the value of the metals dwarfs and their criticality in this story.

And now that 8 of them were living in a small house that the princess further designed, drinking water from the well and only eating local products, barely changing clothes and telling stories rather than using big data, the queen gave up on chasing Snow EU and even offered her some apples.

Mark Mistry and Violaine Verougstraete



COMMISSION

CARACAL-48: comments submitted

The period to submit comments as a follow-up to discussions in CARACAL-48 (28-29 March) closed on 26 April. Eurometaux provided feedback to the Commission on the REACH revision (targeted comments on proposed information requirements and on the principles of the Generic Risk Assessment (GRA) workplan) as well as on specific CLP issues (Li CLH review, data-poor vs data-rich ecotox datasets, and ILA's position paper on reasonable worst case chronic Ecotoxicity Reference Value (ERVs) for lead at low pH). These documents were shared with the CARACAL, Risk Management Taskforce, Human Health and Environment Taskforces.

As a follow-up to the last CARACAL discussions, the Commission has organised an ad-hoc CARACAL meeting on CLP on 22 May. The agenda includes the following points: i) Consultation on the draft commission Delegated Regulation regarding the harmonised classification and labelling of certain substances (21st ATP); ii) Discussion of the list of proposed entries in Annex VI based on 2022 RAC opinions. Eurometaux will attend this ad-hoc meeting and report back to the relevant Taskforces (more information: Ainhoa Gonzáles Pérez).

EU AGENCIES

EUROPEAN CHEMICALS AGENCY (ECHA)

Meetings with Executive Director & key contacts in ECHA

The appointment of Dr Sharon McGuinness as ECHA's Executive Director has proven to be an excellent opportunity for Eurometaux to hold a series of meetings in Helsinki, built around exchanges with Dr McGuinness and key ECHA contacts on risk management, evaluation and classification issues.

While the guiding theme was the Critical Raw Materials (CRM) Act and the possible articulation of chemicals policies with the objectives of the Green Deal -including the EU's open strategic autonomy and resilience- these exchanges were also the opportunity to raise important specificities of the sector in chemicals assessment, e.g., in environmental classification and risk management and discuss upcoming changes in ECHA activities such as the assessment of metals under the Batteries Directive, RoHS, etc.).

These meetings confirmed the benefits of Eurometaux's constructive/(pro)active attitude as they also allowed to openly discuss some long-term challenges, both for authorities and industry, namely capacity-building and skills in increasingly complex decision-making and access to knowledge. The specific technical learnings will be further discussed with the respective Taskforces (more information: Guy Thiran, Hugo Waeterschoot and Violaine Verougstraete, also see below).



Meeting with the ECHA Classification/guidance team: Eurometaux tested the waters for a pragmatic approach on the self-classifications of alloys and metals for the ENV hazard endpoint

ECHA had announced that it was considering updating the metals classification guidance and providing further ruling on alloys for the environmental endpoint. Recent experience with lead indicated that such guidance could result in a further deviation (from the GHS guidance) of the environmental assessment strategy in the EU. This triggered Eurometaux to test the waters for an alternative and more pragmatic way forward that would not require a guidance update. The suggested approach makes use of the existing opportunity in the CLP guidance to use the "critical surface approach". Obviously self-classifications of metals in massive form require maximal harmonisation whilst the self-classification of powders and nano forms should preferably be based on the company specific data of their own forms. Alloys could follow a comparable approach. In order to ensure consistency and the quality of the assessment, MeClas could play a pivotal role by storing the dissolution rates in function of the surface, allowing each producer to classify its own powder and nano forms in a robust and correct way using the ERVs from the Multi-Metallic Database. Such an approach would be pragmatic while providing transparency and certainty to ECHA that environmental classifications for non-harmonised substances are done properly. The outcomes of the meeting will be further discussed in the Environment Taskforce and the MeClas Steering Committee (more information: Violaine Verougstraete and Hugo Waeterschoot).

ECHA OTHER ACTIVITIES

ECHA-Industry call: key takeaways from the ECHA-Industry period call held on the 21st of April

One of the topics discussed during the last ECHA/Industry exchange call was the REACH Compliance Check (CCH), which is of particular concern to the industry due to the limited transparency on the timeline of the process and when official information can be expected. According to ECHA, if a CCH is not followed up by an update from the registrants within the assigned deadline, ECHA informs the National Enforcement Authorities immediately. However, if a CCH is followed up by an update from the registrants within the deadline, ECHA will start the CCH process, which typically takes 12-18 months to finalise. Although there is currently a large backlog of CCHs, ECHA is working to streamline the process and reduce the time it takes to complete them.

It is worth noting that ECHA has a legal obligation (Art. 42.2) to inform both Commission and Member States of the successful CCH, but not the registrants themselves. Nevertheless, ECHA sends a notification via REACH IT with the communication sent to Commission/Member States on the finalisation/success of the CCH. For a CCH that is followed up by an update from the registrants within the assigned deadline but is found not compliant at the end of the 12-18 month period, a new decision process will start from the beginning.

Regarding the release of the new IUCLID version, a delay was announced. ECHA has advised on how to make the best use of the current version with the support of the ECHA checklist published in February, which will allow submissions in June even without the updated IUCLID version and the new Technical Completeness Check (TCC). Industry would appreciate more time to be allocated between the IUCLID release and the updated TCC entering into force.

During the call, there was also a recap of the implications of the Russia sanctions on REACH dossier updates. Eurometaux will be contacting the National Enforcement Authorities to ask for coordinated solutions and guidance after receiving explanations from ECHA (more information: Lorenzo Zullo and Federica Iaccino).

EUROMETAUX CHEMICALS MANAGEMENT

CHEMICALS STRATEGY FOR SUSTAINABILITY

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

The CSS PG met on 4 April to discuss and progress the work program for 2023. The status of actions from the previous meeting in January were reviewed. Updates were given and discussions held on each of the four workstreams:

1. High Level Interactions
2. CLP & REACH Revisions
3. Cross-Cutting Topics
4. Sustainable Products

The main topics of discussion were a possible Transition Pathway (TP) for the metals sector, extensive learnings from the most recent CARACAL meeting on the revisions of both REACH and CLP, and learnings from the ongoing restriction on PFAS. With respect to the TP for metals, discussions with the ferrous sector (EUROFER) on the feasibility, practicality, and value of a single pathway for the whole sector are ongoing (there seems to be a good deal of alignment on priorities). On CARACAL, the key items related to the revision of REACH – the mixture allocation factor (MAF), essential use concept (EUC), and the generic approach to risk management (GRA) – and these might be implemented moving forward (more information: Simon Cook and Ainhoa González Pérez).

Materials 2030 Roadmap – AMi2030 (Advanced Materials Initiative)

Eurometaux has been following this in recent months as it 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, with the “Materials 2030 Roadmap” – the final version of which was published on 12 December 2022. On 18 April a new “Strategic Materials Agenda” (SMA) was also published on the AMi2030 website.

AMi2030 is composed of a group of several hundred materials science experts from academia and industry – with academia dominating in terms of numbers. The SMA was written by a subset of this group but the overall direction is set by the EU Commission (DG RTD). The development of the SMA was an iterative process between AMi2030 and DG RTD. The SMA has a heavy focus on **substitution of critical raw materials** (CRMs) to make EU value chains more resilient and improve strategic autonomy. This is to be achieved through innovation on new advanced materials for 9 strategic materials innovation markets, which include several that are important for metals – construction, transport, new

energies, electronic appliances. The drive towards CRM substitution in the SMA is very clear. AMi2030 is not a regulatory, legislative or policy tool. It is seen as a new and complementary funding instrument to help the Commission support innovation in the medium to long term (2030 to 2050), through a coordinated plan of action across member states (more information: Simon Cook).

ZERO POLLUTION ACTION PLAN

Zero Pollution Action Plan (ZPAP): 4th Meeting of the Zero Pollution Stakeholder Platform

On 20 April, Eurometaux attended this 4th Meeting of the Zero Pollution Stakeholder Platform hosted by the Committee of the Regions. The meeting opened with presentations on the circular economy initiatives and an overview of the application of the Polluter Pays Principle (PPP) by Commission's DG ENV. The discussion focused on how to strengthen synergies between the circular economy and the Zero Pollution ambition and how to make the polluter pays principle more effective. Views from stakeholders (majority of NGOs) were expressed concerning the release of hazardous chemicals in the environment and on the urgent need of phasing out PFAS and the related challenges of wastewater purification. Notably, the Critical Raw Material Act was considered – although only from the perspective of its potential in boosting circularity (secondary production). Discussions on how to enable the 'Green Deal Going Local' followed, regarding the activities of the Committee of Regions on the Ambient Air Quality Directive and the Urban Wastewater Treatment Directive.

Ambient Air Quality Directive (AAQD) – Una Power (Rapporteur at the CoR for the AAQD) stressed that the level of ambition must remain high, despite the radical measures required and their costs. It is unclear how these objectives will be achieved in practice and to that regard, the Rapporteur proposed targeted EU funding for initiatives tackling air pollution at local level. It was recognised that this level of ambition would require a deep transformation of society, which would not only need economic investments but also a cultural change and paradigm shift (e.g., electrification of transportation – but also how we think and design transport services in cities, etc.). It was recognised that there is a difference between large scale projects, which are more effective but come with structural challenges, and small projects seen as kickstarting and mainstreaming the ambition/transformation needed.

Urban Wastewater Treatment Directive – Åsa Ågren Wikström (Rapporteur at the CoR for the Urban Wastewater Treatment Directive) addressed the public concerns on the added value of high investments compared to perceived and actual environmental benefits achieved. She called for risk assessment and cost-benefits analysis to be carried out locally using evidence. With pragmatism, she suggested starting the required changes at the level of regions/cities. For both Directives, the interlinks with other policies and regulations (e.g., IED) were recognised. The Social-Economic Committee raised the importance of strengthening the "polluter pays principle" and a number of NGOs supported the high-level ambition of the Commission's Proposals.

Other items regarded digitalisation and possible solutions at the service of citizens' health and the environment. Commission DG CNECT made a presentation on the digital agenda serving the Green Deal, including the working priorities and first results. This was followed by a presentation of the recommendations prepared by the European Network for Living Labs (ENOLL) and a presentation of the European Environment Agency (EEA) on the Environment & Health Atlas. Policy questions for discussion explored the main opportunities for using digital solutions for zero pollution serving citizens and on how to foster digital solutions (and in what specific areas) for zero pollution.

On 25 April, the Zero Pollution Stakeholder Platform hosted a workshop on the EU Zero Pollution Action Plan Flagships 2 and 3: 'towards an urban and regional scoring methodology for zero pollution'. Flagship 2 aims to reward cities in their effort to combat air, water, and soil pollution in the timeframe 2021-2023. Flagship 3 seeks to measure green performance of regions in reaching pollution targets, with a scoreboard to award regions reporting the most progress (more information: Lorenzo Marotti).

REACH REGISTRATIONS

Registration Taskforce meeting: discussions and updates on regulatory and technical developments impacting REACH registration dossiers

The first meeting of the Registration Taskforce in 2023 was held in a hybrid format on 6 April. The agenda covered multiple activities impacting REACH registrations.

The group discussed the upcoming REACH revision, which will be implemented via Ordinary Legislative Procedure (Commission's proposal is expected in Q3-Q4 2023), along with amendments to annexes related to REACH information requirements via comitology procedure.

The Taskforce also discussed changes in IUCLID, the software used to manage REACH dossiers. New rules will apply starting in May 2023, affecting several aspects of REACH dossiers, including substance identification, data waiving justifications, testing proposals, and specific requirements for nanoforms.

A revised technical completeness check (TCC) is expected to be implemented in June.

The Taskforce looked at the new EU initiative to work towards a single ECHA submission system, which was presented at CARACAL. This initiative aims at centralising the interactions between ECHA and duty holders across the various regulatory frameworks for which the agency is responsible. Although details are currently limited, the Taskforce is hopeful that this initiative will simplify submission procedures without changing the established procedures related to REACH.

Lastly, the Taskforce received an overview of the status of metals and metal compounds in the ECHA Assessment of Regulatory Needs (ARNs), following up on a previous meeting's request. A detailed report, including information from other ECHA and MSS' activities on metals and metal compounds (i.e. Registries of intentions, CoRAP, etc.) will be circulated in the coming days.



The next meeting is scheduled for the second half of 2023, and the exact date will be communicated in due time (more information: Federica Iaccino and Lorenzo Zullo).

EVALUATION

Evaluation Taskforce meeting: *nanos and recent learnings from MSC*

The Evaluation Taskforce met on 24 April covering two sessions. The first related to ECHA's nano activities whereby Christine Spirlet and Koen Oorts provided a process and technical overview on nano registration and evaluation aspects. A key issue remains on 'if, when and how' the OECD guidance on dispersion stability (GD 318), integrating dissolution and hetero-agglomeration, will be included in the ECHA guidance. The zinc oxide nano substance evaluation case demonstrated that the relevancy and usefulness of this test for metals is not proven, whilst being very costly and including conditions that are not at all relevant for the environment. As for other materials, New Approach Methodologies (NAMs) are under consideration for nanos, which could often raise the information requirements, even more for a very low volume and diverse sets of nanos. Also MSC has started to process decisions on nano forms. Unlike for normal chemicals, for nanos they conduct the compliance evaluation in two steps. A first one covers how registrants defined the grouping (setting sets and their boundaries), a second on the content of the present information requirements for each individual set of nanos. This approach was tested for the sets/boundaries of the Compliance Check (CCH) at the last MSC meeting for TiO₂ and will be further applied for all existing nano materials. Different than for other chemicals, testing methods and assessment strategies for nanos are still under consideration including those for the bioaccumulation and sediments assessments.

Session 2 of the Evaluation Platform meeting raised a series of recent learning experiences on compliance checks, covering nano sets evaluation, what learning and memory tests could be requested under the Extended One-Generation Reproductive Toxicity Study (EOGRS), when to conduct a long-term fish test and the Board of Appeal annulling a request that required ECHA to pre-discuss Assessment of Regulatory Needs (ARNs). All these aspects are described in detail in the Evaluation Taskforce meeting report.

Last but not least, the Evaluation Taskforce provided recognition to Kai-Sebastian Melzer, co-chair of the Taskforce for his outstanding contributions especially on the legal front. He is leaving industry for a post at the OECD, on the Chemicals Management team (more info: Kai-Sebastian Melzer, Noëmi Lombaert, Violaine Verougstraete and Hugo Waeterschoot).

CLASSIFICATION

Li CLH Taskforce: *Li salts classification process*

A call was organised early April to take stock on the recent developments on the Li file. Starting with the classification, the Taskforce reflected about the comments made during the CARACAL meeting when the Commission confirmed that that the opinion would be sent back to RAC for re-evaluation. These interventions, made primarily by some Member States and NGOs, confirmed that they do not see the various scientific flaws of the current opinion as highlighted several

times by industry and that they want a decision to be taken asap. Key for us will be to have a broader mandate for the reassessment of the opinion by RAC than only a focus on the missing Boyle study, as also for fertility and lactation there is way to have a better, more robust assessment of the data. Eurometaux has sent a letter on this issue to the Commissioners, and we expect the mandate to be defined in the coming weeks.

The Taskforce also agreed to further interact with the UK and other scientific bodies who are working on the evaluation of the Li toxicity.

On the Regulatory Risk Management Option analysis (RMOa), ILiA is continuing to interact with France and an ILiA sub-committee for the industry RMOa (Chair: Joeri Leenaers/Albemarle) has been put in place, with around 50 participating in the Working Group. A draft list of applications of the Li compounds that are in the scope has been drafted as well as a call for tender for consultants (more information: Francesco Gattiglio and Violaine Verougstraete).

Pb ENV Classification: *companies and national federations raised concern at national level and ILA and Eurometaux provided further technical input to the Commission as requested*

In follow-up of the lead metal classification discussions at CARACAL-48, ILA and Eurometaux organised a debrief for the metals and user sectors emphasising the need for a last and critical effort to encourage a maximum number of Member States to confirm written support for a split metal massive entry and a further recognition of the data richness of lead as well as the need for a realistic worst case classification.

In support, Eurometaux provided an updated key messaging paper to facilitate these national contacts. In addition, ILA and Eurometaux prepared two technical papers for the Commission clearly demonstrating that lead is -as other metals (Cu, Ni, ...)- equally a data-rich metal and hence, in accordance to the guidance, a pH banded classification is required. Moreover, the currently used classification approach that used a sensitive data point for a species that could not live at the pH with highest dissolution rate was considered as unrealistic and impossible and therefore did not meet the criterion for a realistic worst case.

At this stage we are waiting for an overview of the submitted national responses as well as Commission's reaction on the provided explanatory papers (more information: Steve Binks and Hugo Waeterschoot).

Silver classification: *meeting with Commission to explain the read-across*

EPMF and Eurometaux met with the European Commission to discuss the RAC opinion on silver metal, highlighting the use of the data on the different types of silver (compounds, powder, massive and nanos) in deriving the classifications for the human health and environmental endpoints. The differences in the approaches used to 'read-across' data, by both RAC and industry also result in divergences between the opinion and the self-classifications proposed in the registration dossiers. The latter make a distinction between the human health hazard for nanosilver (Repr 1B (H360D)) and those of silver in powder and massive forms.

The EPMF explained in detail the *in vivo* comparative Toxicokinetics (TK) study (OECD and GLP guideline compliant) they have performed, which allowed to directly compare nanosilver and silver powder. The study confirmed that repeated oral intake of nanosilver results in markedly higher systemic exposure than silver powder/massive (as demonstrated by comparative blood Ag and tissue Ag profiles). The TK data, taken together with existing knowledge on the distinct dissolution profiles, does not support a grouping of silver in nanoform with silver in powder and – especially – massive forms for read-across approaches.

The discussion was open and constructive, and Commission suggested to express the concerns regarding the science via the submission of comments to CARACAL. These comments will be further discussed during an ad-hoc CARACAL meeting on 22 May (more information: France Capon, Jelle Mertens and Violaine Verougstraete).

INDUSTRIAL EMISSIONS

Industrial Emissions Directive: *status update*

On 13 April, Eurometaux participated in the Industrial Emissions Alliance (IEA) plenary meeting. The purpose of the meeting was to share information among industrial associations regarding the latest development on the new IED proposal, the IEP and related topics. Eurometaux delivered a presentation on the outcome of the ECHA Workshop on CMS/IED. The next IEA Plenary meeting is scheduled in June.

On 25 April, the AGRI Committee (Rapporteur MEP Benoit Lutgen, EPP, BE) adopted its general opinion on the IED Proposal. A strong majority (36 votes in favour, 8 against, and 2 abstentions) rejected several Commission legislative instruments towards livestock farming, proposing the deletion of several requirements placing unbearable burdens on small and medium-sized farms, risking liquidation and/or excessive concentration on existing farms, and a shift towards the consumption of products originating in non-EU countries.

Over the course of the month, Eurometaux had continuous exchanges with the European Parliament to discuss potential amendments and compromises ahead of the Plenary vote in July. Eurometaux also exchanged with Commission regarding specific provisions on the IED such as derogations, implementation related topics and transitional provisions (more information: Lorenzo Marotti).

Timeline:

Next IED Article 13 Forum: 22 May.

European Parliament ENVI (Committee Responsible) Vote: 25 May 2023

European Parliament Plenary Vote: 10 July 2023

LVIC BREF: *questionnaire and comments*

The EIPPCB (European Integrated Pollution Prevention & Control Bureau) received by the end of March all the comments from the Technical Working Group on the first draft questionnaire for the data collection phase. They have received around 900 comments from 10 Member States, 5 industry associations and one environmental NGO. These comments will be very useful to prepare the second draft of the questionnaire.

On 21 April, the EIPPCB sent an email to update the Technical Working Group (TWG) on the progress of the Large Volume Inorganic Chemicals (LVIC) BREF drawing-up process. Concerning the second draft questionnaire, the Bureau is focused on the review of the questionnaire design based on the extensive feedback received. It will most likely have some modifications related to: the reorganisation of the data and contextual information within the worksheets; different interrelations or links to be created between the data and contextual information within the different sheets; additional sections to better capture the relevant details and peculiarities of the production processes.

In order to implement the necessary changes, the Bureau plans to send the second draft of the questionnaire around end of May (tentatively). In addition, to present and explain the revised version of the questionnaire, a one-day online meeting around mid-June will be organised. This would be a useful opportunity to have an open discussion on the implemented changes and on the confidentiality issues raised. For Eurometaux's LVIC working group an online call will be organised after the publication of the second draft in order to discuss its contents and coordinate on possible comments. Furthermore, the TWG are kindly asked to share their lists of proposed well-performing plants by 31 May 2023 on BATIS.

Moreover, as Eurometaux we are currently working on an updated version of the descriptive section related to sulphuric acid production from NFM installations and we will share with members in due course. The deadline fixed by the EIPPCB to send bulk information is end of June 2023 (more information: Lighea Speciale, Lorenzo Ceccherini, Eleonora Tosi).

Air Quality Directive: *advocacy*

Eurometaux continued its advocacy towards the Council, meeting among others the Perm. Reps. of Italy, Germany and Belgium who are influential on the file. The main points for discussions regarded the new Air Quality Proposal implementation deadlines for Member States, the new provisions on penalties and compensation and the specificities of metals (setting limit vs target values, recognising that natural background concentration for metals exists, etc.). These topics are a concern for Member States, as confirmed by Romania's recently published opinion on 26 April.

A poster with the main results of the Air Quality Project will be presented at SETAC2023 in Dublin by Joonas Koivisto (ARCHE Consulting) (more information: Lorenzo Marotti).

Timeline:

EP TRAN (Committee for Opinion) Vote: 24 May 2023

EP ENVI (Committee Responsible) Vote: 26 June 2023

European Parliament Plenary Vote: 10 July 2023

Council of the European Union Policy Debate: 20 June 2023

WATER

The European Commission's proposal: *to amend the Water Framework Directive (WFD), the Environmental Quality Standards Directive (EQSD) and the Groundwater Directive (GWD)*

The Committee on the Environment, Public Health and Food Safety (ENVI Committee), responsible for this file, has published its amendments ([first package](#) on 4/4/23, [second on](#) 21/04/23). In summary, the amendments that were presented include the following proposals:

- 1) *Not to our advantage:*

- Reinstate some parts of Article 16 (which the EC proposal wants to delete) to ensure that Priority Hazardous Substances (PHS) are phased out after 20 years.
- Review the list of priority substances (PS) every 4 years instead of every 6.
- Setting Environmental Quality Standards (EQS) through delegated acts.
- Control pollution at source by introducing Extended Producer Responsibility (EPR), Polluter Pays Principle, Precautionary Principle...
- Adding new substances (e.g., sulphates).
- Introduce hazard classes from the new Classification, Labelling and Packaging (CLP) of substances and mixtures.
- Add more substances and more monitoring for substances related to the mining sector.

2) *In our favour (also thanks to our/our members' advocacy):*

- Maintain the existing EQS values for nickel (= 4µg/L instead of 2µg/L).
- Keep river basin specific pollutants out of the chemical status definition.
- Use openly available data in the prioritisation process.
- Use of bioavailability when proposing a substance for prioritisation or inclusion in the Watch List.
- Deletion of the EC proposal to delete Article 16 of the WFD.

Eurometaux met with several MEPs from ENVI, but also from the Committee on Agriculture and Rural Development (AGRI) and the Committee on Industry, Research and Energy (ITRE). Eurometaux has analysed the package of amendments published by ENVI and is preparing a position on them. Eurometaux will then plan to contact the relevant MEPs in. The ENVI Committee will vote on their package on 26 June. Some of the MEPs who tabled amendments will be at the Strasbourg event dinner next week.

The AGRI Committee has also published its package of amendments, which includes the deletion of the EC proposal to delete Article 16. AGRI will vote on their amendments on 23 May.

Finally, the ITRE committee has recently (last week) been asked to give an opinion on the file. Its members can table amendments (with a deadline set for 4 May). We have sent emails to the members of the ITRE Committee with our position paper and proposed amendments.

Eurometaux will continue to engage with MEPs (in parallel with our advocacy at EU Council level) until the plenary vote scheduled for 10 July (more information: Lara Van de Merckx).

OUTREACH

Meeting with the Ministry of Environment Finland: *discussions on the interlink between the CRM Act, chemicals management and environmental quality*

The recent publication of the Critical Raw Materials Act was a good opportunity to meet Dr Leena Ylä-Mononen (Director of the Ministry of Environment in Finland) and her team to discuss the coherence of the CRM and Chemicals Management ambitions. Dr Ylä-Mononen is the future Executive Director of the European Environmental Agency.

Eurometaux provided a presentation highlighting the material volumes that will be required in the two coming decades for the twin transition (energy storage and digitalisation), resulting in the need for more EU mining, imports and recycling of critical/strategic metals. The interlinks between metals occurrence and manufacturing and recycling processes require a broad and holistic view on metals supply for the vastly growing uses, contrary to the present piecemeal view on metals risk management.

While recognising the growing need for metals, the Ministry questioned what the impact would be on exposures and materials flows. Eurometaux indicated that its activities launched on a “sustainable metals concept” and the MEED programme would investigate and provide tools to ensure that safe use can be justified and confirmed. The attendance of a representative from the Finnish metal sector allowed to raise specific attention to the key role that Finland can play in providing primary supplies for a series of critical metals (more information: Violaine Verougstraete, Pia Voutilainen and Hugo Waeterschoot).

Metals Academy 2: successful 2nd edition

<https://www.linkedin.com/feed/update/urn:li:activity:7059523941949710336>.

The Metals Academy 2, held from 25 to 28 April 2023, proved to be -even more- successful than the 1st edition held in 2022. We were delighted to welcome 42 participants (some of whom travelled a long way to join), and all our knowledgeable speakers in a most delightful location.

The 'basics' module participants started with presentations on the historical background, illustrating the importance of metals and their uses throughout the ages as well as current applications/trends. This was followed by a general overview of main production, refining & recycling processes. Basics in metals sustainability and lifecycle assessment (LCA) (including energy and economic aspects) followed before diving more deeply in risk management and remediation. The last day was devoted to advocacy, i.e., its strategy and timing, storytelling and networking. The 'advanced module' was more detailed on these topics, including practical exercises on LCA and the presentation of real cases on socio-economic/impacts assessment. Advanced techniques in communication, group relations and dynamics including an experiential learning activity concluded this module.

The whole group gathered for a couple of joint working sessions, one kindly given by Michele Galatola from the Commission and the other by Umicore and also enjoyed plenty of very nice extracurricular activities.

All the participants were very happy to receive their certificate of attendance from Guy Thiran.

We hereby take the opportunity to once more thank the organising committee members, the speakers who gave a lot of their time and our students from our wide membership for their commitment and enthusiasm.

We also look forward to organising a follow-up event in 2024, based on feedback received from our participants (more information: Violaine Verougstraete and Ailsa Lee)

Chemicals Watch Event: Regulatory Updates Europe 2023

On 19 and 20 April Eurometaux attended the Chemical Watch [event](#) "Regulatory Updates Europe 2023", which brought together interesting speakers, including 5-6 Commission officials and ECHA's Executive Director. The discussions included updates on the status of the CSS including REACH & CLP, restriction proposals on PFAS, flame retardants or Bisphenols, as well as the future role of ECHA.

The Commission advanced that within the REACH revision, it is contemplating to provide for the possibility for access to justice, collective redress and to claim compensation for damages related to non-compliance. The Essential Use guidance document will be published in May-June 2022 and three proposals are expected in July 2023 to implement One substance, one assessment. This OSOA package will include (1) a *Horizontal proposal on attribution of tasks to EU Agencies*, (2) a *Proposal for a basic regulation of ECHA*, and (3) a *horizontal proposal on improving access, sharing and re-use of chemical data*. Less advanced CSS initiatives include the export ban for hazardous substances, which will be conducted through the Rotterdam Convention on Prior Informed Consent (PIC). The Public Consultation for this initiative will open on 8 May 2023.

Regarding the new hazard classes for CLP, they entered into force on 20 April and application times are envisaged as follows: 1 May 2025 transitional period ends for substances and 1 May 2026 for mixtures. ED/PBT expert group consultations are expected for Q2 2023, a CARACAL consultation for Q4 2023, and guidance publication by Q2 2024. Regarding their international angle, the EU managed to initiate the work at UN GHS level to start discussing new unaddressed hazard classes under this biennium (2023-2024). An Informal Working Group, coordinated by the EU, on Potential Hazard Issues and their presentation in GHS (PHI-IWG) was established, and will develop a mandate to the OECD on the science needed to identify Endocrine Disruptors for discussion at the 44th session of the GHS Sub-Committee (10 to 12 July 2023). Nevertheless, OECD work may extend beyond the end of 2024, thus for the next biennium.

Eurometaux visiting Aurubis in Bulgaria

On 4 April, Eurometaux visited the Aurubis plant in Pirdop, Bulgaria. Present during the visit was MEP Radan Kanev (Rapporteur for IED). After the visit, Eurometaux sat in a roundtable with Aurubis, other NFM companies, BAMI (the Bulgarian NFM sector association) and MEP Radan Kanev, to discuss the main priorities of the sector and its key role in providing the essential materials enabling the green and digital technologies needed for the transition. The progress on environment, health and safety and the increased responsibility and ambition of the sector has been praised. It was recognised that the sector is "part of the solution", and that the right conditions to be able to continue thriving in Europe are not only needed, but must be ensured by regulators. A press conference followed with coverage by Bulgarian media. Thanks to Aurubis, Marie-Christine Hahn, Daniela Cholakova, Milan Pazicky and all the organisers for the visit (more information: Lorenzo Marotti).

Meeting with WVM: nice exchanges on priorities and actions

EPMF and Eurometaux were kindly invited by the WVM for a discussion on several topics of common interest like the EU classifications on silver and lead, Occupational Exposure Limit (OEL) setting for metals, IED, Water, REACH and CLP revisions, the ESPR and the articulation of the raw material initiatives with chemicals management policies. The possibility to discuss more in-depth the respective priorities, resources and networks is very useful to get more insights on the possible synergies and complementarities. Herewith, we would like to warmly thank the WVM for this opportunity and the very smooth organisation of these 2 nice days, which we would be very keen to repeat next year (more information: France Capon and Violaine Verougstraete).

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)

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](#)

- 30/4-3/05: SETAC Europe (Dublin) with presentation of MEED work
- 01-04/05: RAC-65 AfA Working Group
- 10-11/05: RAC-65 REST Working Group
- 17/05: Risk Management Taskforce
- 22/05: Ad-hoc CARACAL
- 30/05 – 02/06: MSC-82 (Tentative)
- 01-02/06: Drinking Water Directive - RAC Working Group
- 05-09/06: RAC-65 (Plenary) + SEAC-59
- 12-16/06: SEAC-59
- 14/06: Cross-Industry Particles Platform (hosted by EM)
- 21/06: Chemicals Management Steering Committee
- 22/06: Risk Management Taskforce
- 21-22/06: ECHA Management Board
- 27/06: MEED Workshop on Regional assessment updates and Metal-organics mixture testing program (sponsors only)
- 03-05/07: RAC-66 CLH Working Group
- 06-07/07: RAC-66 AfA Working Group
- 23-24/08: RAC-66 REST Working Group
- 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