

EUROMETAUX CHEMICALS MANAGEMENT NEWS



Please join us in October:

- **17: Transition Pathway Taskforce**
- **23: Water Taskforce**

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Dear All,

The morning coffee fits in well with the screening of my email boxes. My to do-list gets updated in a couple of sips, without giving it too many thoughts. “Reply to it immediately, reply a bit later, reply asap”: the triage pushes the messages from one folder to the other, assorts them with a note or a flag, but also directs some of them to the ‘end of the road’ bin.

Most of the mails ending up in ‘disposal’ come from shops where I once (dared) put a foot or from a website where once upon a time I almost inadvertently gave a click, although I remember explicitly asking for no follow-up mails in both cases. Others come from flight companies offering cheap flights that won’t remain a bargain; or concern chemicals in the spotlight that are not metals! These are the easy, swift and joyful ‘delete’(s).

However, my clutter box has started to be invaded by the 2024 elections. And here I start to hesitate. What do I do for example with the direct question asking me if I have all the insights and information required to shape my strategy after the 2024 elections?

Do I?

For now, I have the feeling we are trying to feel the way the wind is blowing, we are being creative with scenarios that are or not predicting the end of the Green Deal and we are attempting to read in a crystal ball what will happen with all the preparatory work done on some key legislative initiatives.

Tempting that idea of a crystal ball..

A search with the terms ‘crystal ball’ will give you first a pragmatic definition: it is a transparent glass ball used by someone who says he/she can discover what will happen to you in the future by looking into it. The same Cambridge dictionary also mentions that in stories, the ball produces images of future events by magic.

But you will also see a reference to an Excel add-in to easily perform Monte Carlo simulations (which sounds indeed magical) or to ‘a journey to the medieval world of fantasy’ for gamers. “Crystal ball” is also shiny nail polish and a cooperative play where children must switch positions while the ball is thrown in the air (and kids are encouraged to throw the ball high enough so that their partners have time to get across). I also found that having a ball close to you makes one feel calmer, happier, and energised in all situations, enhancing the quality of life, improving focus of the mind, sucking out the negativity.

All this can somehow be connected to a 2024 strategy, right?

Hence, I ordered one on makesense.com. It came in as clear quartz, with the recommended flawless finish (i.e., highly polished and glassy with a reflective surface for ‘seeing’) and a manual. Aha..

A quick sharing with you in case you would like to give it a try:

- *Make sure your crystal ball is cleansed before you start*
- *Place it in front of you and sit at a comfortable distance*
- *Relax your body and your mind and focus on your breathing*
- *After a couple of minutes, place your hands on the ball and focus on sending your energy towards it. Keep this connection for at least a minute or two more.*
- *Ask your question - either saying it aloud and sending it out into the world or visualising it.*
- *Move your hands away.*
- *Gaze at the crystal ball but don’t hyperfocus - instead let your visions relax and allow your mind to stay clear and open.*
- *Any images that come through are messages for you, they may not be crystal clear and may be hazy or pictures in the mind.*



...

Something must have gone wrong. My question maybe?

...

What comes up are the lyrics of the Keane song: “Lines ever more unclear, I’m not sure I’m even here, The more I look the more I think that I’m starting to disappear”.

Probably time to classify this ball as a potential hazardous article. Imagine for a minute that it could really tell the truth!

Violaine Verougstraete

COMMISSION

CARACAL sub-group on information requirements: *September meeting cancelled*

The meeting of the CARACAL sub-group on information requirements (CASG IR) scheduled for 25 September was cancelled. This group, set up to advise the Commission and ECHA on how to amend the REACH Annexes as part of the revision following the Chemicals Strategy for Sustainability, met on 5 July to discuss proposals of changes to the REACH Information Requirements (IRs) for which the internal discussions within the Commission are the most advanced, and more proposals were expected for the September meeting. The meeting has not been rescheduled and thus the potential date for this meeting is not known yet (more information: Ainhoa Gonzáles Pérez).

EU AGENCIES

EUROPEAN CHEMICALS AGENCY (ECHA)

ECHA COMMITTEES

RAC-66: Plenary session

RAC met in Helsinki between 11 and 14 September to discuss PFAS... but not only! This was the first plenary meeting fully chaired by the new RAC chair Roberto Scazzola, who managed to create a nice atmosphere despite the heavy agenda. On PFAS, the Rapporteurs presented the outcomes of the RAC Restriction Working Group meeting end of August, who discussed the scope of the restriction, hazard, a case-by-case approach on emissions, the risk management measures and value of the restriction focusing on the Food Contact Materials. As the Public Consultation was still running at the time of the RAC meeting, conclusions reached were labelled as provisional, with a strong invitation to stakeholders to provide detailed data and information to refine the evaluations. By now the Consultation is over and more than 5.000 submissions were received. On the next RAC meeting's agenda: an overview of the comments received as well as a workplan for the opinion development for the different sectors. RAC will also discuss the next version of the draft opinion with a focus on uses of PFAS in consumer mixtures, cosmetics and ski wax.

RAC also adopted its opinion on the restriction of creosote and creosote compounds. The aim of the restriction is to reduce health and environmental risks associated with the reuse and secondary uses of wood treated with creosote and creosote-related substances.

RAC also discussed the new CLH endpoints, the drafting of the guidance and the interaction between RAC and the existing expert groups in ECHA on Endocrine Disruptors (EDs) and PBTs. On EDs, guidance should become available by mid-2024, which means that timelines for the drafting are tight, and RAC is being consulted on the draft prepared by ECHA's Consultation in parallel to the Partner Expert Group. From April 2023, it is possible for the Member States to propose CLH proposals for the new hazard classes and the CLP revision will introduce ED/PBT/PMT hazard classes as priority endpoints for Union level harmonisation (under Article 36). For now there seem to be no clear intentions yet in the Registry of Intentions and ECHA asked Member States to consider waiting for new Guidance to include more robust technical support).

ECHA also presented the consequences of the annulment by the European Court of Justice of the decision taken on the CTAC (upstream application) case, which will result in a huge number of Downstream Users of Cr(VI) applications that may require up to two decades of work to be processed. This would further stretch the resources of the RAC and SEAC Committees and hence Commission has discussed in the REACH Committee the possibility to shift the CrVI substances from the Annex XIV into the REACH restrictions list. A restriction would ban chromates altogether except for derogations for certain uses that could be allowed. The details still need to be discussed; the first reactions of RAC were collected. The already submitted Applications for Authorisation (AfAs) will continue to be evaluated by ECHA's scientific committees (RAC and SEAC) and approaches are further discussed to streamline the work. A number of AfAs were discussed along the week.

Finally, RAC got an update on the Drinking Water Directive (DWD) preparations (IUCLID, guidance) and Eurometaux posed again the question of a possible alternate as regular observer for Eurometaux as the DWD process requires different coordination and expertise skills. A positive reply was received on the

principle and pending final approval, Lara Van de Merckt should be the Eurometaux observer following the ECHA RAC DWD Working Group discussions (more information: Violaine Verougstraete).

SEAC-60: U-PFAS and alternative Risk Management for metal plating were highlights

SEAC is overwhelmed with Cr6+ applications for authorisation filling their workload for the next 3 years. This high number of applications is caused by the court case that annulled the upstream applications, thus leaving a legal gap for downstream users who were covered before. If REACH were to have been on time and implemented in 2025, this could have resolved the issue, but we now know that will not be the case. It was therefore no surprise that Commission informed SEAC that they were considering -for the medium term- a restriction to replace the authorisation requirement. Scope (e.g., decorative plating, only Cr or all CMR plating metals) as well as timing or conditions are not clear for the moment.

The second big scoop at SEAC was the announcement that ECHA would only (re)start the technical discussions on the U-PFAS restriction in February 2024. The high number of comments to be considered, forces them to delay their technical review. A pilot case on U-PFAS use on food contact materials was reviewed using a strength of evidence approach to define when a proposed derogation would be potentially acceptable or not. Such a derogation will be accepted for sure only when sufficient and robust evidence is presented in the dossier or during the Public Comments. When evidence is weak, not robust or not reported, claims of non-substitutability will in principle not be granted. Given the specificities of each sector, SEAC will -from 2024 on- review the U-PFAS uses sector by sector. The metals sector is included under several including energy, mining, electronics, coatings, ... (more information: Hugo Waeterschoot).

MB-71: the discussion on the strategic statement 2024-2028 launched

ECHA's Management Board met in Helsinki on 28 & 29 September. The main point of interest for industry was the launch of the discussions on the ECHA Strategic Statement for 2024-2028. This statement provides the vision and longer-term objectives for ECHA's operational activities, hence important to us. Only headlines of what would be included in the statement were made available to the MB, at this stage. Nevertheless we spotted clear differences with the past given: attention was provided for the double commitment on Chemicals Management and the promotion of the twin transition of the Green Deal and the widening of the legal mandate and new tasks (DWD, battery directive, ...). There is also more attention on ECHA's collaboration with Commission, Member States and stakeholders to deliver on actions and outcomes. Also, at this stage there is uncertainty on budget and resources which makes it unclear how and what can be realised. Industry of course welcomes this broader view recognising other aspects of the Green Deal like circularity. As Eurometaux we stressed on Cefic (who represents industry in the MB) to also raise the Strategic Autonomy as a factor to consider when drafting the longer-term objectives.

At the moment of the publication of this news we had not yet received feedback on the outcome of this MB meeting. ECHA is now working on the text of the Strategic Statement and will allow members and stakeholders to review it in writing during the second half of October. The industry MB shadow team will meet end of October to ensure appropriate and coordinated input (more information: Hugo Waeterschoot).

MSC-73: may be more challenging than expected!

The next MSC meeting is due to take place the 2nd week of October. While substance and dossier evaluation activity is presently low, the meeting will be quite important for the metals sector. Main reasons are that the long-expected Testing Proposals of the Co-sector are at the MSCA decision stage (including an oral carcinogenicity study, to test out for this pathway for classification (precedent setting!)).

ECHA-MSC will also discuss the relevancy and which learning and memory tests should be used to assess pre-natal neurotoxicity and if it can be added to the DNT test as part of the Extended One-Generation Reproductive Toxicity Study (EOGRTS). This could/would affect many metals testing plans hence a common view and position was defined together with Cefic and a technical expert on this endpoint will act as Eurometaux's technical support at MSC. ECHA will further present a review of the mutagenicity testing strategy (on germ cells) now the REACH standard information annexes have been amended.

But a real agenda point surprise was the announcement of the launch of a 12th priority list for authorisation. This is surprising because the REACH review suggested to review this and Commission recently confirmed they will/have suggest(ed) that ECHA change the prioritisation process/scoring to better recognise the input of the Downstream Users during the Candidate Listing information exchange. Therefore, it is expected to be a challenging meeting! (more information: Hugo Waeterschoot).

ECHA OTHER ACTIVITIES

Batteries: a possible Batteries Program?

On 13 September, Eurometaux discussed with ECHA the potential set up of a Batteries program to prepare for the upcoming new tasks stemming from the new Batteries Regulation.

ECHA is currently organising internally to adopt these new tasks, focusing on two work streams: i) the identification of substances of concern found in batteries or used in their manufacturing which will require a Report with a proposal for prioritisation by 2027; and ii) setting up a process for the restriction of substances whose risks are not adequately controlled, including the waste/recovery stages. These activities will require additional new expertise and optimal use of resources for ECHA.

During the meeting with Eurometaux, ECHA was favourable to set up a Batteries Working Group/program, following the precedent of the intermediates program, to bring together the different actors, discuss specific issues, and allow for generic capacity-building.

One of the key actions identified to move forward in this direction includes performing a mapping of all involved actors on the industry side as well as the organisation of a first workshop with ECHA (date TDB, potentially in Q1 2024).

A call to discuss these developments further will take place 13 October 2023, 13:00 (more information: Ainhoa González Pérez, Hugo Waeterschoot and Violaine Verougstraete).

EUROMETAUX CHEMICALS MANAGEMENT

CHEMICALS MANAGEMENT AUTUMN WEEK

Science Forum & Endocrine Disruptor Day: full days and a surrealistic tour

The first day of our CM Autumn Week began with a vivid Peter Tom Jones (from KUL Institute for Sustainable Metals and Minerals - SIM²) giving an impactful presentation on Sustainable Mining and the fact that Europe should open up to having more mines in European countries to be able to deal with the higher demand for metals in the future and dealing with this in a (more) sustainable way.

Next came Professor Štrancar (Director of Infinite Biotech (Slovenia)) who presented “New Assessment Methodologies (NAMs): *in vitro* (sub-)chronic predictive toxicity assessment for long-term material safety”. Dr Štrancar and his team are on the road towards having an *in vitro/in silico* method officially validated and proposed by ECVAM as the first official chronic animal-free alternative for inhalation studies for OECD TGs 412, 413 and 452.

Then came Martin Wieske (WVMetalle & co-chair of the Science Forum) with his much-anticipated catching-up on Occupational Exposure Limits (OELs) and the current CMRD6 wave for cobalt, but also other substances like PAHs. He highlighted some interesting developments to follow at ACSH level, i.e., the ACSH opinion on priority chemicals for OEL development to be finalised end of September and a Member State proposal to enhance the capacity and efficiency of the EU limit setting process. This was followed in a timely manner by Vanessa Viegas (Cobalt Institute), who presented us with a most interesting view of Socio-Economic Assessment (SEA) in the OEL context; how this is related to technical feasibility, its limitations & strengths, but also insisting on this socio-economic aspect which will gain importance in the coming years.

The second day was dedicated to the ongoing topic of Endocrine Disruptors (ED). We kicked off with a state of play, with the international perspective given by Claudine Albersammer (ICMM) and the European one by Stijn Baken (ICA).

This was followed by Sylvia Jacobi (SJ-Consult) who presented the knowledge mapping study undertaken under HeTAP, including the compilation of an indicative list of tests that will be deployed in the ED assessment and exploring questions related to weight-of-evidence, overlap with the repro classification etc. The industry participants were invited to share their experience with ED assessment/tests and Rodger Battersby (EBRC) launched the tour de table by presenting the Titanium Dioxide case.

The afternoon session was focused on the environment side of things, starting with Kevin Brix (EcoTox LLC), who demonstrated the complexity, challenges and recommendations in assessing potential endocrine disrupting properties of metals in aquatic organisms given real disruption, secondary effects and modulation (a natural and evolutionary mechanism) can easily be mixed up.

The round of presentations ended with Stijn Baken, as one of the members of the ECHA Partner Expert Group (PEG), giving the state of play of the drafting processes of the Guidance ECHA has committed to deliver mid-2024; how this fits in with Member States who are already proposing harmonised classifications for the new endpoints and how to deal with the challenging timelines.

David Boyle (Cobalt Institute), co-chair of the Science Forum closed the ED session with a very clear summary of what needs to be done and organised on the topic in the coming weeks.

These 2 Science Forum days, ended with our traditional fun Social Event, that both staff & members enjoy. Detailed minutes -including comments- will be sent as soon as possible (more information: Violaine Verougstraete, Hugo Waeterschoot and Lara Van de Merckt).



Regulatory Forum: *interesting presentations & panel discussions*

Day 1 of the Regulatory Forum began with a presentation by Lorenzo Zullo (Eurometaux) of the new features in the Multi-Metallic Database (MMD), a key tool to map the metals universe, and its link with the ECHA Database. The database allows to monitor and navigate the updated information on substances targeted by assessments or regulatory scrutiny by ECHA and Member States (more information in the Tools section)

This session was followed by a discussion with Roberto Scazzola, the new ECHA RAC Chair, on the role and future of RAC. Members had the chance to meet him and ask questions on the new activities and challenges stemming from the CSS implementation, and the increasing tasks that ECHA will receive, such as the chemicals management related to batteries or waste.

Next came Dr. Philippe Henry, who presented the Lead and Zinc Non-Ferrous Metals Industry from the perspective of a recycler, outlining the technical challenges as well as the opportunities in the metal recycling sector from a business perspective and in the context of the Critical Raw Materials (CRM) Act, high energy prices and increasing regulatory pressure also on waste and recycled materials. The first day was closed by Luca Ciacci from the University of Bologna, who has been collaborating with the European Commission, in particular the JRC, DG GROW and various stakeholders, on Lifecycle Assessment (LCA) and material flow analysis, including on the metals sector. The CRM Act provides an occasion to highlight the importance of quantifying flows/stocks and lifecycle impacts of metals production, use, end-of-life and recycling.

The second day kicked off with a panel discussion on Battery Materials and their Chemicals Management. This session, with the expert contributions from Clemence Siret, Raji Kaur and Maxime Castes, allowed members to discuss and raise questions on how chemicals management influences batteries and battery materials in the context of the upcoming REACH and CLP changes, as well as the Li case and the entry into force of the Batteries Regulation. ECHA will support the Commission in identifying substances of concern found in batteries or used in their manufacturing and prepare proposals to restrict substances in batteries. The session addressed questions relating on how to avoid double regulation with REACH & the Batteries regulation, or how to be ready for the upcoming challenges in terms of having the right level of expertise (on waste, recycling) from both industry and regulators.

The panel was followed by a presentation by Mike Smith on the IWCC 'Lead free brass initiative'. The IWCC has been working with its European brass rod producing members on lead regulations, with a particular focus on the impact of the Drinking Water Directive on the brass industry and other regulations (e.g., ELV and RoHS reviews).

This year's Chemicals Management week finished with a presentation by Patrick Van Sprang (ARCHE Consulting) on the Environmental Footprint of Industrial Facilities. The session focused on the newly published article by EU Joint Research Centre on the sustainability assessment (Greenhouse Gases (GHG), human & environment toxicity) of industrial sites in Europe and the methodology that will be used to perform the environmental footprint of organisations and products in the future. Based on the data from the E-PRTR database, metals (more specifically Hg, Zn, Pb, Ni, Cd) are accounting for most impact on the human health & environment footprint. Patrick highlighted the relevance of this paper in the context of these kind of foot printing approaches increasingly being incorporated in upcoming EU legislations (more information: Ainhoa Gonzáles Pérez, Lorenzo Marotti and Lara Van de Merckt).

CHEMICALS STRATEGY FOR SUSTAINABILITY

CSS: Transition Pathway for the Metals Industry

The European Commission (DG GROW) has created a sub-group of the High-level Expert Group on Energy Intensive Industries (EIIs), to facilitate discussion on the pathway amongst a range of stakeholders – academia, the investment community, industry groups, NGOs, trade unions, Member States, Commission services other than DG GROW. The first meeting of the sub-group took place on 7 September. After an introduction from Peter Handley on the background to the pathway, Eurometaux and EUROFER jointly presented their plans for the pathway, including:

- How the metals sector supports high level EU objectives through strategic metals-enabled value chains; metals specificities compared to other materials – and sector characteristics in the EU and global context.
- The proposed path forward – scope, objectives, timing, structure of the pathway, work done so far, input requested from stakeholders.
- An introduction to some of the key challenges that the sector will face going forward, to deliver the Green Deal twin transition and at the same time, improve resilience and EU strategic autonomy. To overcome these will require investments which will in turn require supportive conditions and policy framework.

The presentation was well-received and there then followed an open discussion with 60 minutes allotted. This quickly ran out of energy and the meeting finished ahead of schedule. In summary, most stakeholder groups were represented and engaged in the meeting, with the exception of the Member States. This may be due to the timing of the invitation for the meeting, which came just before the summer break. Further efforts may be needed by Eurometaux / EUROFER to encourage greater MS participation.

The drafting of the transition pathway has now started, in collaboration with Eurofer (more information: Simon Cook).

ZERO POLLUTION ACTION PLAN

ZPAP Project Group: meeting

The Zero Pollution action Plan Project Group (ZPAP PG) was originally set up by Eurometaux in response to the EU Commission's Zero Pollution Action Plan (ZPAP), which was still uncertain in terms of meaning and implementation. It is now clear that the ZPAP is an umbrella term mainly for existing environmental legislation under review and already covered by existing Taskforces/sub-groups at Eurometaux level. Therefore, the Eurometaux Secretariat proposed to reflect on the best use of the group. Both during the Zero Pollution Project Group meeting (25 September), and also in the Chemicals Management Steering Committee (31 August), the Eurometaux Secretariat proposed to create a specific Air Quality Taskforce to cover the work on the Ambient Air Quality Directive (AAQD), which was previously only carried out under the ZPAP Project Group (PG). The ZPAP PG will be maintained for the purpose of general updates, more high-level meetings (frequency once or twice a year) on the environmental dossiers covered by ZPAP and to discuss possible joint advocacy activities. This would be an opportunity to bring together members of the different working groups tackling environmental files to find links and work together on issues, whilst ensuring consistency with our advocacy work. This was agreed by members who welcomed our proposal. Updates on the AAQD, the Water Framework Directive, the Soil Directive and the Drinking Water Directive were also provided during the meeting. The advocacy strategy actions for the next steps were discussed. These will be discussed in more detail in the respective focused working groups (more information: Lara Van de Merckt, Lorenzo Marotti).

CLASSIFICATION

Li CLH Taskforce: autumn update meeting

The call started with a status update on the Li salts classification process in both the EU & the UK. The Commission has taken out the Li salts from the draft 21st ATP in view of a re-assessment of the RAC opinion. The formal mandate for this reassessment is limited to developmental toxicity but at the RAC plenary meeting early September, it was announced that the read-across to the hydroxide would also be examined. The Public Consultation will start soon and may be very short. On top of the UK HSE opinion, industry is encouraged to submit new data. The Taskforce will further reflect on how to compile a submission that may discuss more broadly the repro effects. The suggestion to UK HSE to organise a scientific round table of independent experts to discuss the Li toxicity will be further followed up.

A summary of the key contacts with Member States and Commission since the last call was provided.

The Taskforce also discussed recent developments pushing for an Environmental Quality Standards (EQS) for Li in fresh water, but for which the derivations and the data are questionable. This issue will be communicated to the EM Water Taskforce, who is closely following the EQS developments and related methodologies/specificities.

It was reported that Li compounds may be considered by the Working Party Chemicals/ACSH as a possible priority on the list of OELs to be developed by RAC.

ILiA reported on a meeting with ANSES on their regulatory Risk Management Option analysis (RMOa). ANSES indicated that they aim to finish the RMOa technical work by end 2023 of the year. This publication will be followed by a political finalisation step and then be subject to a Public Consultation (at French level). The final outcome will be shared with ECHA and published openly. With regard to the Industry RMOa (I-RMOa), all necessary background info has been provided; and most interviews with manufacturers have taken place. The next step is the development of the questionnaires.

The meeting ended with Eurometaux reporting briefly on exchanges had with the Commission on the possibility of bringing in the consideration of criticality in REACH (as the Critical Raw Materials (CRM) Act does not explicitly refer to coherent chemicals management). There is a [debate](#) organised on 17 October, co-organised by EPMF and Eurometaux with DG ENV, BE Perm Rep, ClientEarth, Industry, with the idea of making some concrete proposals. In parallel Eurometaux will raise the issue of coherence in the Transition Pathway for metals work, and finally some background work has also started to set up a Batteries program with ECHA to prepare the restrictions under Batteries Regulations and hopefully address coherence (more information: Francesco Gattiglio, Roland Chavasse, Chris Heron, Ailsa Lee and Violaine Verougstraete).

RISK MANAGEMENT

Risk Management Taskforce: an update on U-PFAS and interesting precedent setting RM aspects from the ECHA committees, while waiting for the REACH reform

The original intention of the RMTF autumn meeting was to review the REACH 2.0 new risk management recommendations of the draft legal text. However, the delay in the publication (which may even extend to Q1 2024) did not allow for that so the Taskforce was only able to focus on ongoing Risk Management activities. Attendees were briefed on how SEAC was handling the U-PFAS restriction case (see reporting on SEAC) confirming that Eurometaux would remain focussed on assessment methodology, concepts and generic impact for the metals sector, but refrain from a (PFAS) substance defence, which is left to Cefic. The short discussions confirmed that many metal sectors and companies use U-PFAS, often without having been informed by suppliers in the past, hence creating an uncertainty if relevant and suitable alternatives would be available in a timely manner. ECHA recently published a pre-feasibility study to check for the need, relevance and scope of a restriction on Coal Tar Pitch High Temperature (CTP-HT), given a review of REACH registrations and publications on emissions and exposures revealed many non-regulated releases. The findings concluded that a complementary restriction with focus on the use of CTP in articles, releases of PAH (independently from the type of CTPs), and environmental releases would make sense. Commission will now have to decide if a restriction proposal should be developed and with what scope. This may be an important issue given the metal sector is consuming > 50 % of the CTP-HT used while some uses can be articles, hence potentially covered by this restriction. The timing is unsure and not reported in the restriction roadmap (Commission will soon publish an update). The RMTF took note of new and running RMOas (Li and Mineral fibres) and agreed to consider how the 4th C dimension (criticality or better essential use) can be integrated in its RMOa guidance (more information: France Capon, Klaus Kamps and Hugo Waeterschoot).

INDUSTRIAL EMISSIONS

Ambient Air Quality Directive

On 12 September, the European Parliament held a plenary debate on the Ambient Air Quality Directive Proposal (Rapporteur: Javi López, S&D, ES). During the debate, MEPs emphasised clean air as a fundamental right and the severe health impact of air pollution, including 300.000 annual premature deaths and its disproportionate effect on vulnerable populations. Diverse views emerged on the ENVI proposal, with some stressing the need for realistic measures and regional considerations leading them to support the Commission's proposal instead, while others called for stronger action and support for the ENVI report.

On 13 September, the European Parliament adopted the report with 363 votes in favour, 226 against and 46 abstentions. The ENVI report proposed reducing values for metals to levels close to natural background concentrations. Ahead of the European Parliament plenary vote, Eurometaux reached out to MEPs to have an amendment tabled addressing this issue. In a joint and coordinated advocacy action with members, Eurometaux sent a letter and pushed MEPs to eventually adopt this amendment to bring back the values for metals to those originally proposed by the Commission in their AAQD Proposal (i.e., As from 0.66 ng/m³, to 6 ng/m³; Ni from 2.5 ng/m³ to 20 ng/m³). Against all odds, on this very emotional and sensitive file, we ensured that our technical and fact-based argumentations prevailed. This would have not been possible without the support of Eurometaux's members.

Next steps: The Council General Approach is tentatively scheduled for 18 December 2023. Eurometaux AAQD Taskforce will sit to discuss and align on the next advocacy actions ahead of the Council General Approach (more information: Lorenzo Marotti).

Industrial Emissions Directive: *update*

On 1 September, the Council Working Party on the Environment had a meeting to examine the amendments from the European Parliament.

On 4 September, the Eurometaux Industrial Emissions Taskforce had a meeting mainly to update members on the status of the IED review and the tentative timeline of the trilogues. Eurometaux's secretariat proposed to have shorter and more frequent "update calls" to keep up with any relevant development and share information on trilogue discussions. Members agreed on this way forward. The next update call of the Industrial Emissions Taskforce will be on 13 October.

On 6-7-8 September, a series of technical meetings took place to discuss outstanding issues on the IED Proposal in a cluster/topic approach (e.g., permitting, public participation, extension of scope, etc.).

On 25 September, technical trilogues followed, while on 27 September, the Council Working Party on the Environment examined the Presidency compromise text based on a Steering Note from the Presidency.

Next steps:

The Eurometaux Industrial Emissions Taskforce will have a call in October for an update on the content of the trilogues discussions (more information: Lorenzo Marotti).

LVIC BREF Review

In September, the EIPPCB communicated that it will issue a third draft questionnaire for the LVIC BREF data collection at the beginning of October and will organise a web-based workshop to finalise it on 18 and 19 October (TBC). After a final round of comments, the data collection will start at the beginning of December 2023. Eurometaux LVIC Working Group will meet on 9 October 2023 to discuss the third draft LVIC BREF Questionnaire for the data collection, the preparation for the EIPPCB Workshop on the third draft questionnaire, the update to LVIC BREF descriptive part and site visits.

Next Steps: Eurometaux will participate in the site visits organised by Essenscia (the Federation of the Chemical Industry in Belgium) taking place on 24 and 25 October in Belgium. Among others, the site visits will cover the industrial installations of Molymet (NMF-installation with production of sulphuric acid) in Gent and Umicore (production of sulphuric acid & nitric acid) in Antwerp (more information: Lighea Speziale, Lorenzo Ceccherini and Lorenzo Marotti).

WATER

Drinking Water Directive and its EU positive list: *update*

As a reminder, ECHA is responsible for **several tasks** under Article 11 of the new Drinking Water Directive (DWD). These include:

- the establishment of the EU positive list
- the risk assessment methodologies and information requirements for the review of the substances on this positive list
- the compositions and constituents that could be added to the positive lists
- the administrative procedures for updating the positive lists and keeping them up to date.

The guidance on the process, review and application to the EU positive list is to be finalised by January 2024.

ECHA set up a RAC working group (RAC 67 DWD) to provide opinion on the guidance and on future applications. Two sub-groups were also created:

- **The Guidance User Group:** to support the development of the guidance documents for the Drinking Water Directive applications process.
- **The IT Tools User Group:** focuses on testing and providing feedback to ECHA on the ICULID-DWD section that applicants will need to use to prepare their applications.

There are Eurometaux representatives in all these groups. The different EM representatives are supported by a shadow group within Eurometaux.

The next **RAC 67 DWD** meeting is scheduled for Wednesday **4 October**. The latest version of the guidance prepared by ECHA will be discussed, amongst other issues. The first meeting of the **Guidance User Group** will take place on **9 October**. This introductory meeting will outline how the guidance has been developed so far and what input is required from this group. The Guidance (which is a two-volume document) will then be shared with the Guidance User Group around **15 October and a one-month review period** will be given to provide comments. The IT Tools User Group met once before the summer, it was mainly an introduction to IUCLID and the task ahead. In the new version of IUCLID, a dedicated section for DWD was added and is currently being tested by the group (more information: Lara Van de Merckt).

The Water Framework Directive

1) *The revision of the Water Framework Directive (WFD), Environmental Quality Standard Directive (EQSD) and Groundwater Directive (GWD)*

Following the publication of the European [Commission's proposal](#) to revise the WFD/EQSD and GWD, the European Parliament (EP) voted on the report prepared by the Committee on the Environment, Public Health and Food Safety (ENVI Committee). In parallel, the European Commission's (EC) proposal will also be discussed by the Working Party on the environment of the EU Council. We expect the following trilogues to take place in 2024:

- **European Parliament:**

The European parliament voted in plenary on their [package of amendments](#) to the European Commission proposal for the revision of the WFD/EQSD/GWD on September 12.

Two new amendments (n°29 and 81) were submitted to vote at that session in addition to the general opinion. All three were adopted. The general opinion was adopted with **495 votes in favour, 12 against and 124 abstentions** (to see which MEP voted and how, see the document [here](#) page 16).

- **EU Council:**

A first meeting to discuss this file was held on 12 June under the Swedish Presidency. The Working Party on the environment of the EU Council had a first [meeting](#) under the Spanish Presidency on 27 September. Together with the Water Advocacy sub-group, we have finalised an 'information package' targeted at the EU Council to be sent along with request for meetings later this week.

2) *The 5th Watch List, the next Working Group (WG) Chemicals and Strategic Coordination Group (SCG)*

- The draft report for the 5th Watch List (WL 5) was shared by the EU Commission. It proposes a total of 14 substances: 7 new substances and 7 substances from the previous exercise. These are mainly PPPs and pharmaceuticals. Free cyanide is mentioned as a suitable candidate for the 5th WL. However, the JRC is awaiting feedback from Member States on whether to include it or not.

- The next WG Chemicals meeting will take place on 17-18 October, in a hybrid format.
- The next SCG meeting is to be held on Friday 13 October 2023, in a hybrid format.

Finally, the next Water taskforce meeting will be held on 23 October (more information: Lara Van de Merckt)

SOIL

Update

As a reminder, The European Commission (EC) adopted [its proposal](#) for a Directive of the European Parliament and of the Council on soil monitoring and resilience (Soil Monitoring Law) beginning of July (5/07/2023).

This adopted act is open for feedback through [an open consultation](#) on the "Have your say" portal until 3 November 2023. This proposal for a directive on soil monitoring and resilience is going through the ordinary legislative procedure at the level of the European Parliament and the EU Council.

- **EU Council:**

A discussion on the proposal is planned in the upcoming Working Party meeting on the 6 October. Following that, the Working Party is expected to hold an exchange of views. A policy debate of the Environment Council on the Commission's proposal is scheduled for 18 December.

- **EU Parliament:**

The Committee on the Environment, Public Health and Food Safety (ENVI) is in charge of the file. The Rapporteur (Martin Hojsík - RENEW) and Shadow Rapporteurs were appointed in September. The Committee on agriculture (AGRI) will give an opinion.

We will submit Eurometaux's feedback to the open consultation and discuss together with the EM dedicated soil sub-group the next steps in our advocacy (more information: Lara Van de Merckt).

TOOLS

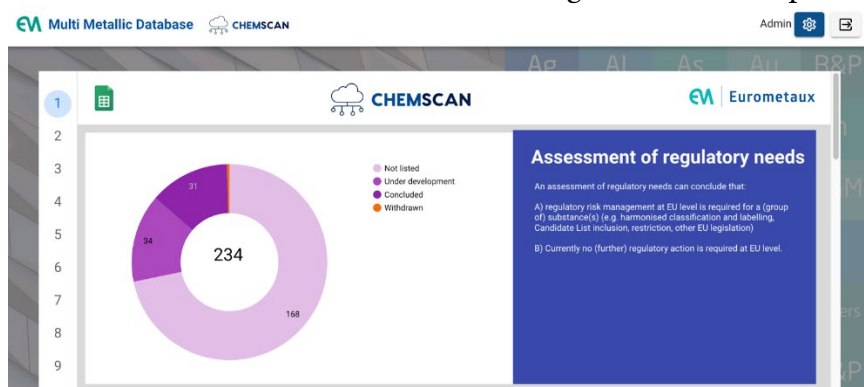
Multi Metallic Database: Exciting update: *introducing the new dashboard to map metals in the regulatory spotlight.*

Eurometaux is delighted to announce the integration of a new functionality in the [Multi-Metallic Database \(MMD\)](#) to map metals in the regulatory spotlight. We have integrated a [ChemScan dashboard](#), which expands the functionality of the database to provide even more valuable insights.

[Multimetallic Database - Login - dbms](#)

Multimetallic Database - Substance page - dbms
mmdb.chemycal.com

The MMD was initially designed to focus on information about the properties and ecotoxicological data of metals and metal compounds. With the integration of the ChemScan dashboard, the MMD allows you to monitor and also navigate information on assessments or regulatory scrutiny conducted by the European Chemical Agency (ECHA) and EU Member States. The ChemScan dashboard is updated on a weekly basis, ensuring that you have access to the most current data and insights. Here's a snapshot:



This new dashboard is currently being tested by Eurometaux and is planned to be deployed to all users by the end of this week. If you haven't already gained access to the Multi-Metallic Database, we encourage you to contact Eurometaux to request access via email at diana@eurometaux.be (more info: Lorenzo Zullo and Federica Iaccino).

METALS ENVIRONMENT EXPOSURE DATA PROGRAM (MEED)

MEED program and financial update: *sponsors opinions on prolongation solicited*

The extensive MEED program consisting of 6 related projects has made excellent progress since it started 1.5 years ago.

Mid-August, sponsors were updated on the most recent progress and this was further discussed at the Ghent workshop on 30 August. During this workshop were debated the unforeseen inflation and its impact on the program, as well as the more extensive data sets that were found during the literature data search, and the fact that the mesocosm validation testing would require more time. Hence sponsors were informed that according to Belgian law the inflation costs would be collectively shared, and opinions were solicited on extending the project for 6 months in 2025 to ensure the validation mesocosm testing could be conducted with due care and quality. The additional costs for the expanded literature base and preliminary tests would then be collected in 2025 as a small contribution. So far, an overwhelming majority of sponsors have already confirmed the validity of this extension in order to ensure quality and relevance, whilst some individual consortia have raised questions. Eurometaux will address all the inquires by reaching out to provide additional information and address any remaining concerns. A further update of the projects which will include the latest status of the reports is scheduled for October (more information: Diana Dobre and Hugo Waeterschoot).

COMMUNICATION

Eurometaux's participation: *to the Zinc and Lead Expert Group and site visit to the KCM Plant in Plovdiv, Bulgaria.*

From 30 August to 1 September, Eurometaux attended in Plovdiv, Bulgaria, the 71st International Meeting of Zinc and Lead Experts, organised by GDMB (Society of Metallurgists and Miners in Germany) and hosted by KCM – an international forum for technical-scientific exchange of experience between industry, science and public authorities and an important part of the international network in the field of extraction of raw materials and non-ferrous metallurgy. The topics, discussed by over 100 experts from 18 countries, were decarbonisation, recycling, circular economy and modern environmental technologies in metallurgy. During the third day of the program, the delegates visited the Lead and Zinc Plant of KCM, where they had the opportunity to learn about the company's achievements, innovative technologies and successful projects for sustainable development and environmental protection (more information: Lorenzo Marotti).

Eurometaux invited to the Mn REACH Conference: *short and medium-term challenges*

Eurometaux participated in the conference organised by the Manganese REACH Administration, which involved speakers from the manganese industry and other metal consortia, European Metal Associations and ECHA. The debates covered a range of issues, from registration to the Assessment of Regulatory Needs, the status of Mn slags, endpoints like neurotoxicity and endocrine disrupting properties, CBAM and evaluation aspects of EU REACH. Eurometaux delivered two presentations, on the Restriction Roadmap and REACH 2.0 (more information: Hugo Waeterschoot and Violaine Verougstraete).

EXIMIOUS symposium: *risk assessment of mixed exposures: particles, carcinogens, and EU policies*

Eximious is a 5-year Research and Innovation Action funded by the European Union's Horizon 2020 programme. The overall objective is to bring about a new way of assessing the human exposome by combining innovative ways of characterising and quantifying multiple environmental exposures (exposomics) and mapping exposure-induced immune effects (immunomics).

The symposium brought together Professor Ulla Vogel (National Research Centre for the Working Environment, Denmark) who made a presentation on particle-induced acute phase response: a causal link

between inhalation of particles and cardiovascular disease; Professor Tiina Santonen (Finnish Institute of Occupational Health) who presented the risk assessment of combined occupational exposure to carcinogens using the example of hexavalent chromium, nickel and PAHs and Violaine Verougstraete who discussed whether REACH 2.0 can tackle the toxicological challenge of combined exposure with a MAF? (more information: <https://www.eximious-h2020.eu/2023/05/24/registration-is-open-for-the-5th-eximious-symposium/>)

Erratum

A reader kindly pointed out that in our last edition's Game 2, there was a mistake, thus our apologies for this. 3. Iron – Hematite is not Iron III Sulfide **BUT Iron III Oxide (Fe₂O₃)**

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](#)

- 05/10: Industrial Alliance Working Group
- 09-13/10: RAC-67 AfA Working Group
- 09-13/10: MSC-83 (Tentative)
- [17/10: Transition Pathway Taskforce](#)
- [23/10: Water Taskforce](#)
- 23-27/10: RAC-67 CLH Working Group
- 07-09/11: RAC-67 REST Working Group
- 27/11 - 01/12: RAC-67 (Plenary) + SEAC-61
- 04-08/12: SEAC-61
- 14-15/12: ECHA Management Board
- 11-15/12: MSC-84 (Tentative)
- [19/12: Risk Management Taskforce](#)
- [20/12: Chemicals Management Steering Committee](#)

GENERAL INFORMATION & ACRONYMS

Follow the logo and check out our Metals Gateway website.



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

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