



PMC SVHC Roadmap WG

Draft minutes, Brussels, 23 March 2017

Chair: Mike Shepherd (Vale, UK)

Actions	Who?	When?	Status
RCFs – contact ECFIA to coordinate further activities and contribute to ECHA WS on substance/article boundaries	FC	March 2017	
Follow discussions on RAC/SCOEL responsibilities	FC	Ongoing	
PbO – confirm to Eurometaux willingness to launch a legal analysis on article 58(2)	FC	March 2017	DONE
Draft an overview of all the ongoing lists in the Authorisation process (including on hold substances)	FC/EM	April 2017	
DG Grow impact assessment on Authorisation – send the link and the presentation to the members	FC	24 March 2017	DONE
DG Grow impact assessment on Authorisation – send to the consultants the list of SVHC WG	FC	24 March 2017	DONE
Monitoring of SVHC roadmap – review different tools (including Chemycal) and send to the group a proposal	FC	April 2017	
Monitoring of SVHC roadmap – check with IPA the intention to use Chemycal	FC	April 2017	
Monitoring of SVHC roadmap – send to the Secretariat a list of substances of interest mentioning clearly the confidentiality (if any)	PMC members	May 2017	

1. Welcome and Introduction

Mike Shepherd welcomed the participants reminding the confidentiality and competition law. The meeting started by a tour de table. The agenda has been approved. The minutes of the previous meeting (5 October 2016) have been approved. The actions have been reviewed and most of them have been conducted despite the recent changes in the staff. Some actions related to RCFs have been put on hold due to the new proposal of ECHA to extend the scope of the project related to 'intermediate'



interpretation, to the discussion on boundaries between substances and articles. The SVHC Roadmap WG agreed to coordinate with ECFIA to assess the possibility to contribute to the ECHA workshop in May 2017 (candidatures are expected by end of April and outcome is foreseen by end of 2017).

ACTION: FC - To contact ECFIA to check the interest to collaborate and contribute to the ECHA WS.

France Capon highlighted also the following news related to important issues for PMC:

- **OEL versus DNELs:** the latest information is not very encouraging since the trends goes into the direction to have RAC deriving OELs instead of SCOEL. Many hurdles have been identified: availability of resources at RAC level, methodology to be used, legislative process afterwards. This issue is very important for PMC members and must be followed closely by the Secretariat.
- **Skin sensitization:** the Human Health WG of the SVHC Roadmap drafted a recommendation to CARACAL to reconsider the relevancy of having skin sensitizers considered as “substances of equivalent concerns”. Indeed, no skin sensitizer has been qualified so far as SVHC. Based on the only one suggested and the rejection of the proposal by the Commission, it is unlikely that a skin sensitizer could be qualified as relevant SVHC due to the difficulty to demonstrate “severe and permanent effects”. The main reason is that there are no clear criteria agreed yet. The Human Health WG suggests therefore to remove skin sensitizers from SVHC Roadmap and to assess what would be the best RMO for this type of substances. If CARACAL does agree, there is a need to better define the criteria to demonstrate “severe and permanent effects”. This is an important issue for PMC to be followed up.
- **Respiratory sensitizers:** The European Court of Justice (ECJ) has dismissed two respiratory sensitizers HHPA (not PMC platinum compound!) and MHPA from being included in the REACH candidate list as SVHCs. The ruling had opened the door for including in the candidate list of SVHC highly potent respiratory sensitizers for which there is scientific evidence of probable serious health or environmental effects. This sets an important precedent for PMC substances and especially for the Chloroplatinates.

2. REACH Authorisation PMC

a. ECHA's 7th list

France Capon presented the status of the 7th list (see presentation slides 7-15). The timing remains unclear and there is still a chance that there will be no qualified majority at REACH Committee level on the listing of Pb compounds in Annex XIV. In the case of PbO uses in PM, the main issues remain for PbO used in fire assaying above 1 t/y and the use of PbO in PM refining. ECHA extended the interpretation of article 58(2) including the notion of substitution, which precludes the possibility to rely on the existing binding OELs of Pb to get an exemption. Eurometaux suggested to launch a legal review of the article 58(2) to demonstrate that ECHA is misinterpreting the text and avoid setting a precedent for the next prioritization process. The PMC SVHC Roadmap WG agreed to join forces with other commodities to conduct this legal analysis.

ACTION: FC will confirm to EM the willingness to contribute to the legal analysis of the article 58(2).



b. ECHA's 8th list

France Capon presented the status of the 8th list (see presentation slides 16-18). So far, no critical substances for PMC have been selected. ECHA strategy is to limit the number of substances to be proposed to the Commission to push Commission to make a decision on the substances put on hold from previous proposals (e.g.: Co compounds, B and RCFs). This means that the 8th list could still have an impact on PMC.

3. How to get organized for Authorisation: outcome of the EM brainstorming

In 2016, the number of questions and challenges faced by Consortia and companies related to Authorisation increased. In this context, Eurometaux started to reflect on how to build the relevant expertise in the most cost and resources efficient way. A workshop has been organized in February 2017 (see presentation slides 20-25). The main conclusions are that:

- All (companies and consortia) faced with need for (potential) AfA's and recognised **need for expertise**
- Clear request from mainly companies and downstream user **to avoid building repetitive expertise**
- Suggest **building an AfA expertise center** for the metals and inorganics sector:
 - Composed of experts from Consultants, companies, Consortia and Eurometaux
 - From which companies, Consortia or Downstream Users can sample expertise.

Eurometaux has been tasked to develop a thought starter for such an AfA expertise Center.

The PMC SVHC roadmap WG fully supports this approach.

4. DG Grow project: Impact of Authorisation (Hiram Moerman and Richard Dubourg)

Richard Dubourg and Hiram Moerman are part of the consortium of consultants appointed by DG Grow to assess the Impact of Authorisation. They presented the aim, methodology and needs related to this project (see attached presentation from R. Dubourg). The members of PMC SVHC Roadmap WG are invited to contribute to the survey.

ACTIONS: FC will send the link to the group and the list of members to the consultants to ensure an appropriate follow-up.



5. SVHC Roadmap Monitoring - Presentation of the Chemycal tool (Lorenzo Zullo)

In 2016, the regulatory monitoring of the substances used by the PM industry has demonstrated its limits. Indeed, this exercise was quite time and resources consuming for the secretariat and companies, and was not of benefit for all the members since only a few contributed. Based on this, the Secretariat reflected on a most efficient way to continue this regulatory monitoring. The proposal is to start from a list of critical substances identified by the companies and to use this list as a reference for the monitoring through an automated tool. Lorenzo Zullo presented Chemycal which could be one of the options to be considered (see presentation slides 29-50). Other options have to be investigated (e.g.: the reachcenter). It is worth to highlight that sometimes companies have difficulties to identify the adequate substances (e.g.: RCFs). Therefore, it is still important to keep an eye on the different lists published via the Eurometaux network.

ACTIONS:

- **FC to collect different options to select a tool to support the monitoring and send a proposal to the group**
- **Companies are invited to send to the Secretariat a list of substances to be monitored (clarifying potential confidentiality issues)**

6. Workplan and budget

Taking into account the ongoing discussions on expertise building and the improvement of the monitoring process, the Secretariat recommends to include in 2018 0,2 FTE for the SVHC Roadmap project and no specific budget at this stage.

The SVHC Roadmap WG agreed with this proposal.

7. AOB, next meeting, closing remarks

The next meeting will be organized on 17th October 2017 (PM).

The chair closed the meeting summarizing the agreed actions (see above summary list).



Annex 1: Participants

Angela ALDERMAN, Johnson Matthey (United Kingdom) – *via conference call*

Bodo BERKNER, Ferro (Germany)

Francisco BOO, Metalor (Switzerland)

Roland BRASCH, Heraeus (Germany)

Arno BUTHE, Heraeus (Germany)

France CAPON, EPMF (Belgium)

Daniela CHOLAKOVA, Aurubis (Belgium)

Richard DUBOURG, The Economics Interface (United Kingdom)

Herbert FUCHS, Heraeus (Germany)

Alexandra LEVESQUE, PX Group (Switzerland) – *via conference call*

Jelle MERTENS, EPMF (Belgium)

Hiram MOERMAN, Apeiron (Belgium) – *via conference call*

Nissanka RAJAPAKSE, Johnson Matthey (UK)

Christoph RÖHLICH, Heraeus (Germany)

Michael SHEPHERD, Vale (United Kingdom)

Clémence SIRET, SAFT (France)

Hege STUBBERUD, Glencore (Norway)

Michael THIEL, BASF (Germany)

Mika TOIVOLA, Boliden (Finland)

Adam TROLL, DuPont (United Kingdom) – *via conference call*

Brenda TSANG, CRI/Criterion (United Kingdom) – *via conference call*

Steven VERBERCKMOES, Umicore (Belgium)

Lorenzo ZULLO, Eurometaux (Belgium)