



EUROMETAUX REACH PROGRAMME

Dear REACH Forum member,

Who hasn't dreamt of being Indiana Jones for a moment? That guy with a hat who wisely juggles with knowledge and adventure in his quest of the Holy Grail, who just raises an eyebrow in front of danger and gets out of nearly all tricky situations thanks to a well-dosed blend of romanticism and cynicism. Cleverly combined with the stories' beautiful settings, Indy- the-lone-wolf's phlegm and humour, but also his imperfections, make us emerge from the movies with the feeling that with a little more exercise and courage, we could be just like him, exploring jungles and old temples to add in fine a treasure to our humanity.

Now, one should remember that the lone hunter was actually not so lonesome whilst he was trying to find out the truth behind the myths: he was usually accompanied by a couple of characters serving as wingmen, who got dirty, were knocked out, screamed at snakes, were taken hostage at inopportune times and saved Indy from a certain death on multiple occasions. Also, when Indy finally dropped his hat and whip, he could once again comfortably endorse his archaeologist's suit at college and communicate his passion to eager students.

In these "end of summer times" that rime with projects- and budget designs, it is tempting to pluck the essentials from the pitch above to take up the challenges that will be ours in 2016: investigating worrisome and unfamiliar areas to assess the relevance behind the trend, add "new" on "old" knowledge, increase our understanding of a regulatory development and its ramifications, whilst hanging on to a reliable tag when lost in darker places. How to translate these essentials in robust (rather than adventurous) REACH Forum 'missions and deliverables' will be further discussed by the REACH Forum on the 23rd of September.

"I think it's time to ask yourself; what do you believe in?" (Indiana Jones in 'Indiana Jones and the Last Crusade')

Violaine Verougstraete, EHS director Eurometaux

ECHA REACH activities: hot topics

ECHA MEETINGS

Meeting on Registration process update (Helsinki, 15-16 September): *Opportunity for Industry to share views and practical experience*

A number of changes will be implemented in IUCLID as well as in REACH-IT as from 2016. Some of these changes may have considerable impacts on industry and ECHA has hence organised a dedicated meeting on 15 and 16 September, aiming at collecting views and experience from industry on the upcoming changes. The draft agenda foresees presentations and discussions on the new structures and features in IUCLID, as well as migration considerations. Maxime Eliat (ARCHE), IUCLID expert, will participate in person on behalf of Eurometaux. Another item of the draft agenda foresees a couple of hours to discuss the implementation of the OSOR principle in REACH IT. Because the meeting room does not enable participation by conference call for this smaller item, we have offered to discuss some of the comments - that were submitted on ECHA's paper on this topic to CARACAL - with ECHA in a dedicated call, before or after the ECHA meeting. Key conclusions of the meeting will be presented at the next REACH Forum meeting (more information: Maxime Eliat and Caroline Braibant).

MSC-43 compliance check on Slimes and Sludges from the steel sector: *Eurometaux promotes the metals UVCB approach to be used*

MSC-43 will review in September an ECHA draft decision requesting a registrant from the steel sector higher tier to conduct higher tier testing (Annex IX and X) for “*Slimes and Sludges from Blast Furnace from steelmaking*”. Eurometaux was in contact with the Lead Registrant providing support to promote the metals-UVCB approach. It is beyond discussion that this case may set precedence for metal-UVCB assessments whereby Eurometaux aims to ensure the metals-UVCB approach would remain the preferred solution independent of the decision MSC would agree upon. Indeed MSC may have limited flexibility at this late stage of the decision-making process due to the Registrants’ earlier reactions on the Draft Decision and Member States’ lack of attention concerning the metals approach during the MSCA consultation period (more information: Hugo Waeterschoot).

AUTHORISATION

Informal Workshop on Clarifying Intermediate status in Complex Specific Cases: *follow-up actions*

Early July, Eurometaux organised together with metals DU sectors a very successful informal workshop on clarifying intermediate status for Annex XIV materials in complex substances. The informal discussions with ECHA allowed to better align the boundaries of intermediate status for uses as well as on how to improve the motivation. As second step, DU sectors in collaboration with commodities are encouraged to develop briefing notes documenting the intermediate status of SVHCs in such complex materials aiming for a clear and transparent motivation that can be used by users at the site to help in deciding the relevance of submitting an authorisation or claiming intermediate status. Ideally such briefing notes are accompanied by clear examples. The Aluminium sector already developed such a draft briefing note - which was reviewed by EM - and is invited to present its experience at the upcoming A&R meeting. EM would encourage other DU sectors to develop such briefing notes in the weeks to come so that the third step (a communication with ECHA) can be launched in the autumn (more information: Sandro Starita and Hugo Waeterschoot).

Applications for Authorisation for “Process chemical” uses. Ensuring fit-for-purpose applications: *preparatory work*

In line with the trend set by the activity for a first implementation act to simplify the Application for Authorisation submissions for “low volume” and “legacy spare parts”, Cefic, BAuA and ECHA invited Eurometaux to participate in the organisation of a workshop on “process chemicals” to provide input for the next wave of “AFA simplification” proposals. The original idea of BAuA and the chemical sector was to focus on *solvents used under strictly controlled conditions (SCC)* as a key example of process chemicals. This focus is in the view of Eurometaux too narrow to capture the problematics of simplifying the AFA requirements for process chemicals. Moreover, Eurometaux (EM) is of the opinion that exposure control like SCC is not a typical aspect of process chemicals which can be used at the workplace under any form of operational condition (from SCC to open). Alternatively, EM developed a paper on a building-block approach to simplify authorisations whereby fit-for-purpose solutions should be developed for different exposure conditions independent of the fact if the substance is a process chemical or not. EM further suggested to present the inorganics experience with process chemicals at the workshop scheduled for 23 September based on the As₂O₃ experience. The EM paper will be discussed at the A&R platform of 3 September while EM would encourage members that attend the workshop to support the idea expressed in the paper (more information: France Capon and Hugo Waeterschoot).

OTHERS

REACH Enforcement: *Inspections around compliance with restrictions on Cd, Ni, Cr VI, and Pb metals and compounds in articles will commence in 2016.*

National inspections related to the fourth coordinated enforcement project (REF-4) prepared by the ECHA Forum will commence in 2016. Fourteen Specific Restrictions are in the focus of these inspections; they include restrictions on the use of Cadmium and its compounds, Nickel and its compounds, Chromium VI compounds, and Lead and its compounds in articles. The full list is available on: http://echa.europa.eu/documents/10162/21774240/Annex_Forum_21.pdf

While all Member States agreed to participate in REF-4, they are free to choose which restrictions they wish to inspect for compliance, according to their national priorities and market situation. The fifth coordinated REACH Enforcement Forum project that will be implemented in 2017 focusses on obligations related to extended safety data sheets (e-SDSs), exposure scenarios, risk management measures and operational conditions.

More information on enforcement projects can be found at: <http://echa.europa.eu/web/guest/about-us/who-we-are/enforcement-forum> (more information: Caroline Braibant and with Hugo Waeterschoot).

COMMISSION REACH activities: hot topics/issues

CARACAL

Remaining comment and follow-up of comments submitted on CARACAL 18 documents: *No further news on the Implementing Act on Data-Sharing, and elaborated comment on implementation of OSOR in REACH-IT submitted*

As introduced in our last edition, the last CARACAL 18 document that was open for comment in August was the one on the implementation of the One Substance, One Registration (OSOR) principle in REACH-IT, prepared by ECHA. This paper outlined the thinking and practical changes under development at ECHA to strengthen registrants' compliance with the OSOR principle. ECHA's aim is to prevent the submission of separate registration dossiers for the same substance as from 2016. Many very useful comments were provided by several REACH Forum and REACH Alliance members, which were compiled into a standalone comment and sent to CARACAL. Eurometaux expressed its support towards ECHA and outlined a number of practical considerations to be included in ECHA's implementation work. Unlike for the comment on the Implementing Act on Data-Sharing, no joint comment was prepared with CEFIC and Concawe, mainly due to the different experiences each sector has had with separate registrations. Eurometaux hopes to elaborate with ECHA directly, at the next opportunity, on the concerns and questions mentioned in its comment to CARACAL, and to actively support ECHA in testing the implementation of the principle in REACH-IT (more information: Caroline Braibant).

AUTHORISATION

Workshop on Streamlining Applications for Authorisation - Brussels, 17 November 2015: *further paving the way to better Authorisation applications*

The Commission and ECHA are jointly organising a follow-up to the 'Lessons Learned' conference on applications for Authorisation in which Eurometaux participated on 10-11 February 2015. The workshop announcement indicates that the aim of the 17 November workshop is to focus on two aspects: how to make 'fit-for-purpose' applications in general, and how to fulfil the information requirements for 'upstream' applications. Eurometaux is particularly interested in the first aspect, as it opens the door to discuss and progress on the simplification of Authorisation applications for e.g. process chemicals, and on the streamlining of Authorisation applications for uses of relevance to the recycling industry. As such, Hugo Waeterschoot will represent Eurometaux in the workshop, and we recommend those of you who are already or about to submit applications for Authorisation to register or follow the workshop via web streaming (more information: Caroline Braibant and Hugo Waeterschoot).

EUROMETAUX REACH activities: hot topics/issues

Pb SCL

Advocacy meeting on 12 August: *the sector agreed on tactics and actions to be taken*

The Pb SCL Taskforce came together on 12 August to get an overview of the latest regulatory developments, to define and agree on how to achieve the best outcome at the next REACH Committee where the Commission's proposal on Pb metal will be voted and to ensure advocacy on the Pb SCL issue remains active, focused and streamlined. At the time of the meeting, the Commission's proposed entry for Pb metal was not known but it has been suggested that it would be a "stepwise approach". Three strategic aims were agreed on with the participants: a) avoid the worst case, i.e. the application of the same SCL for massive and powder with rejection of article 12(b), gain time to increase the recognition for the bioelution approach and avoid a "dead end road" issue (e.g. the adoption of a SCL of 0.3% for massive without any further delay and with no possibility to review it once the bioelution guidance has been developed. A four-pager was circulated in follow-up of the meeting to summarise the agreements and possible actions. These will be further refined when the actual 9th ATP proposal is issued (more information: Steve Binks, Hugo Waeterschoot, Caroline Braibant and Violaine Verougstraete).

METAL-SPECIFIC REACH APPLICATION TOOLS AND CONCEPTS

Ongoing actions on bioelution: *preparations for 5 October*

The participants of the bioelution brainstorming of 14 July agreed to work towards regulatory acceptance of the "bioelution concept" by actively preparing the submission of a project template for an OECD guidance note, while in parallel getting ready for a follow-up discussion with the EU Member States and Commission on CLP article 12(b) and bioavailability. This follow-up

discussion has now been scheduled for 5 October and “preparatory material” should be sent around mid-September. We would like to thank the kind volunteers who have invested time and resources during the summer break to compile available information and reflect on technical issues like conservatism of the approach, test protocols, enforceability etc. (more information: Federica Iaccino and Violaine Verougstraete).

Workshop on mixture toxicity: preparations of 20 October

Eurometaux is organising a one-day workshop with representatives from academia, authorities and industry to discuss on how to respond to the increasing concern on the combined toxicity assessment of complex materials (and mixtures). It would also allow progressing towards pragmatic updating of the iUVCB dossiers registered in 2014, where we included a placeholder, as agreed with ECHA. Currently, most of the available approaches yield to over-conservative results (i.e. risk scenarios already at background concentrations) because of the need to account for the presence of several metals within the same substance. The final goal of the workshop is to define a generic tiered approach that would allow assessing complex materials and that would work for any combination of metals and to all organisms within an environmental compartment. The workshop will take place on 20 October (more information: Koen Oorts, Federica Iaccino, Hugo Waeterschoot and Violaine Verougstraete).

Study on Recycling and Authorisation: site visits and case identification ongoing

The important and strategic project to identify the potential business impact of authorisation on recycling and the identification of potential mitigation measures, entered a new phase last July and August with site visits to the selected companies. Three out of the four scheduled site visits have been finalised (Metallo Chimique, Affilips and Aurubis) with Umicore still to come in September. The sites selected covered the input, processing and output of secondary smelters and allowed for defining business cases that would best demonstrate where and how authorisation could potentially impact recycling. Based on the visits, the companies will receive a questionnaire in September allowing to define the data that could demonstrate the potential impact. Eurometaux is working in parallel on the legal interpretation of the cases and started defining potential mitigation measures within the REACH legal framework to reduce the impact or prevent authorisation being applicable. A progress report will be provided to the Authorisation & Restriction platform on 3 September (more info: Michel Vander Straeten or Hugo Waeterschoot).

COMMUNICATION ACTIVITIES

ICMM CMWG: contributions

Eurometaux attended ICMM’s Chemical Management Working Group meeting organised in Antwerp on 19-20 August, which is always a very appreciated opportunity to discuss relevant international issues with commodities & companies. Several of those issues are linked to or driven by EU regulatory developments (e.g. guidance on sediments’ assessment, bioelution and Pb metal classification, fate modelling and use of the Unit World Model for classification etc.). Eurometaux contributed by making several presentations, on technical aspects or on relevant issues currently followed up by OECD taskforces (e.g. OECD substitution toolbox, GHS Pilot Case, PRTR, Emission Scenario Documents, data exchanges etc.), requiring close follow-up (more information: Ben Davies, Hugo Waeterschoot and Violaine Verougstraete).

ETAP: Eurometaux attended as an observer

The Environmental Toxicological Advisory Panel, an initiative from the main metal commodities, met this year in Antwerp from 17-19 August. The Panel is composed of scientists from all over the globe to help the metals sector identify emerging issues and resolve complicated scientific challenges related to environmental toxicology. Eurometaux was allowed to attend the session in Antwerp as an observer and interact with the panel, in particular the scientific challenges of combined toxicity and how to assess the rapid degradation in water. Eurometaux and the sponsoring commodities will certainly take these recommendations forward in their respective programmes dealing with the hazard and risk assessment of UVCBs and the environmental classification under CLP and GHS. Toxicogenomics was one of the emerging issues the ETAP panel considered as quite important to follow to ensure the specificities of metals are taken into account (more information: Ilse Schoeters and Hugo Waeterschoot).

Calendar

- **3 September:** Authorisation & Restriction Platform – MCC (Brussels)
- **7-11 September:** RAC 34 – ECHA (Helsinki)
- **7-11 September:** SEAC 28 – ECHA (Helsinki)
- **14-18 September:** MSC 43 – ECHA (Helsinki)
- **15-16 September:** Meeting on Registration process update – ECHA (Helsinki)
- **23 September:** REACH Forum – MCC (Brussels)
- **23 September:** ECHA/Cefic/BAuA/EM Workshop on Applications for Authorisation – Sheraton (Brussels)
- **23-24 September:** Nordic REACH Conference (Copenhagen)
- **24-25 September:** ECHA Management Board 39 – (Luxembourg)
- **30 September-1 October:** ASIAN CHEMWATCH summit on Chemicals Management
- **7-8 October:** ECHA/EFSA Topical Scientific Workshop on Soil Risk Assessment – ECHA (Helsinki)
- **20 October:** WS on the Combined Toxicity of Metals in the Environment - MCC (Brussels)
- **26-30 October:** MSC 44 – ECHA (Helsinki)
- **2-6 November:** WPNM Meeting – OECD (Paris)
- **17 November:** WS on AfA simplification – ECHA/Commission (Brussels)
- **23-24 November:** PRTR Meeting (Madrid)
- **23-27 November:** RAC 35a – ECHA (Helsinki)
- **30 November – 4 December:** RAC 35b – ECHA (Helsinki)
- **30 November – 4 December:** SEAC 29 – ECHA (Helsinki)
- **Tbc November:** ECHA WS on improving the Substance Evaluation Process - ECHA (Helsinki)
- **7-11 December:** MSC 45 – ECHA (Helsinki)
- **15 December:** Evaluation Platform – MCC (Brussels)
- **16 December:** Authorisation & Restriction Platform – MCC (Brussels)
- **17 December:** REACH Forum – MCC (Brussels)
- **18 May 2016:** MeCLAS Training for new EU countries – (Prague)

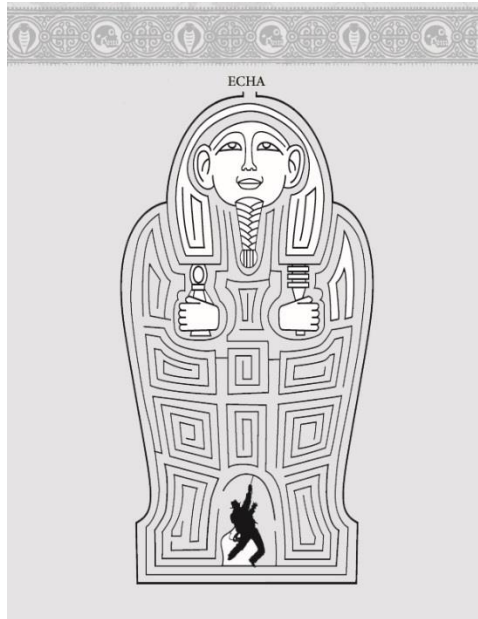
Acronyms

AfA: Application for Authorisation	MeCLAS: Metals Classification Tool
CARACAL: Competent Authorities for REACH & CLP	MSC: ECHA Member States Committee
CLP: Classification, Labelling and Packaging Regulation	OECD: Organisation of Economic Cooperation and Development
CMWG: Chemical Management Working Group	OSOR: One Substance One Regulation
DU: Downstream User	PRTR: Pollutants release and Transfer Register
eSDS: extended Safety Data Sheets	RAC: ECHA Risk Assessment Committee
ETAP: Environmental Toxicological	SCC: Strictly Controlled Conditions
GHS: Global Harmonised System of classification and labelling of chemicals	SCL: Specific Concentration Limit
IUCLID: International Uniform Chemicals Information Database	SEAC: ECHA Socio-Economic Assessment Committee
iUVCB: inorganic Unknown or Variable Composition, Complex Reaction Products and Biological Materials	SVHC: Substance of Very-High Concern

And the final REACH on the BEACH for 2015

SOME LAST VITAMINS...

Help Indiana Jones find his way to ECHA ...



Transform your REACH consultant in Indiana Jones: give him a hat, a bag and shoes...:

