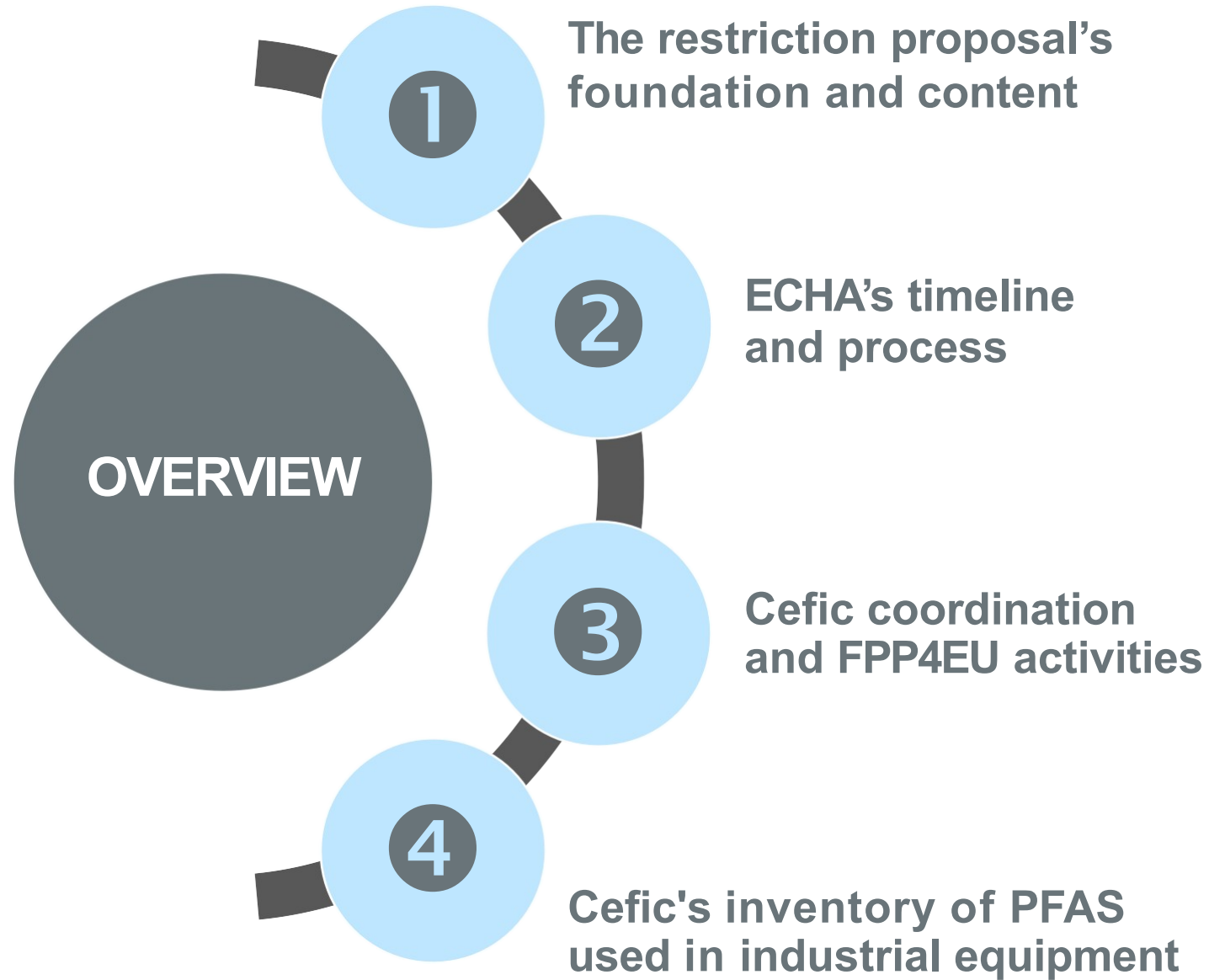


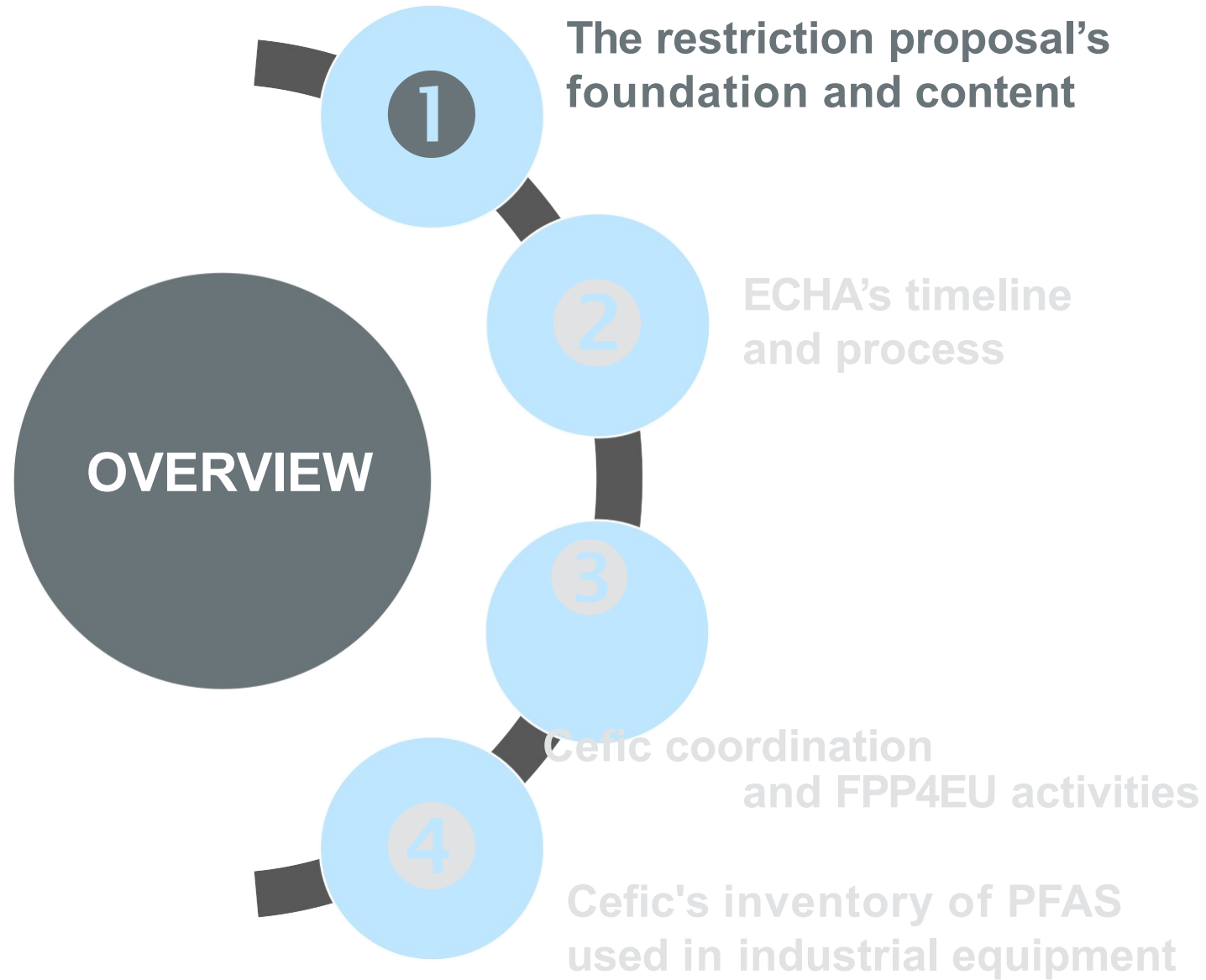
Proposal for a Universal PFAS restriction under REACH

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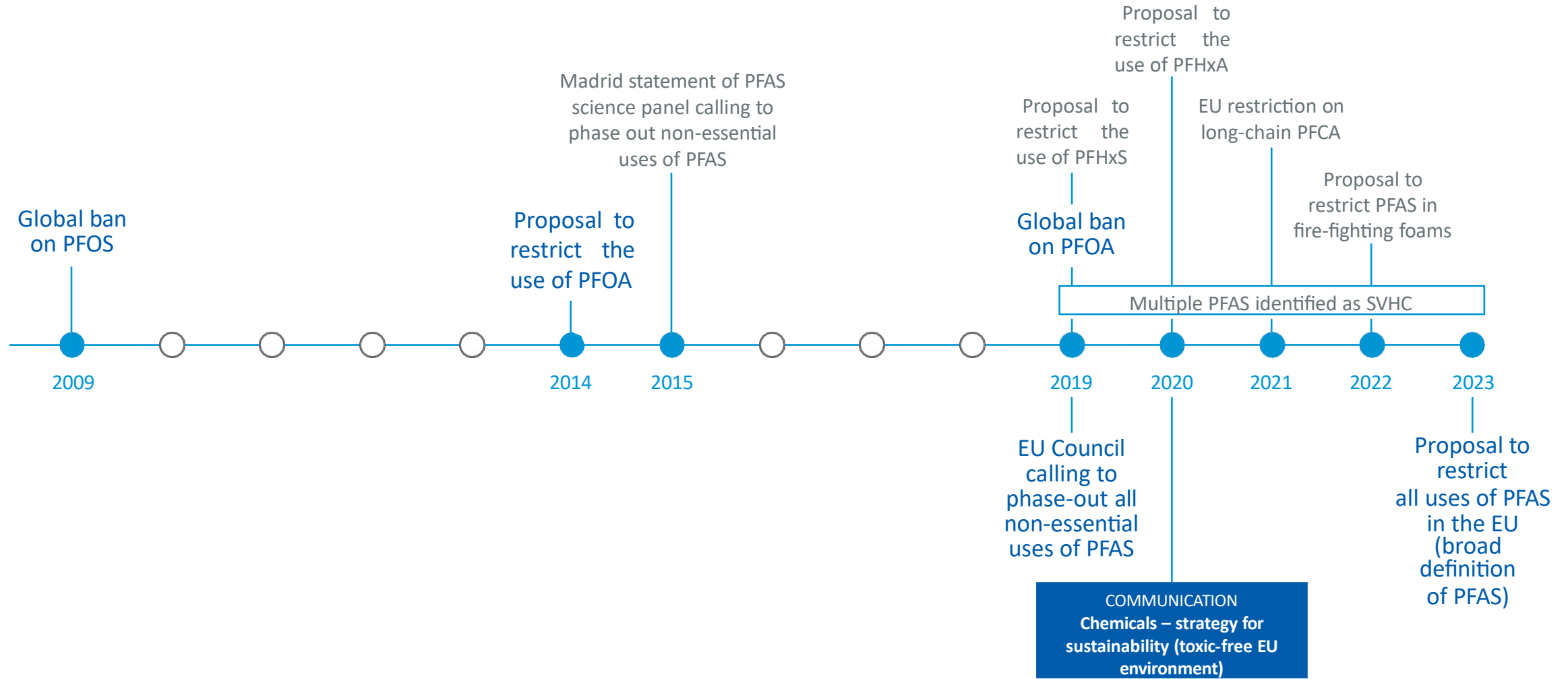
Executive Director Halogens Industry Sector







Foundation of the universal PFAS restriction



5 Competent Authorities kicked off the preparation of a universal PFAS restriction



 The Netherlands <ul style="list-style-type: none"> • medical devices and pharma • food contact material • production of fluoropolymers • waste and recycling 	 Germany <ul style="list-style-type: none"> • chrome plating • consumer mixtures • transport 	 Sweden <ul style="list-style-type: none"> • textiles, leather, apparel • cosmetics and personal care products 	 Norway <ul style="list-style-type: none"> • F-gases • ski waxes • applications within oil, gas and mining 	 Denmark <ul style="list-style-type: none"> • lubricants • construction products
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Foundation of the universal PFAS restriction

Factual communication on PFAS to date due to some drivers behind the restriction

1. Media attention (and all information public)
2. PFAS are omnipresent in the environment
3. The number of sites potentially emitting PFAS has been estimated to be approximately 100 000 in Europe*
4. The annual health-related costs related to PFAS are estimated to 52-84 billion EUR for all Europe*
5. Societal pressure



90% Europeans are worried about the impact of chemicals on the environment*



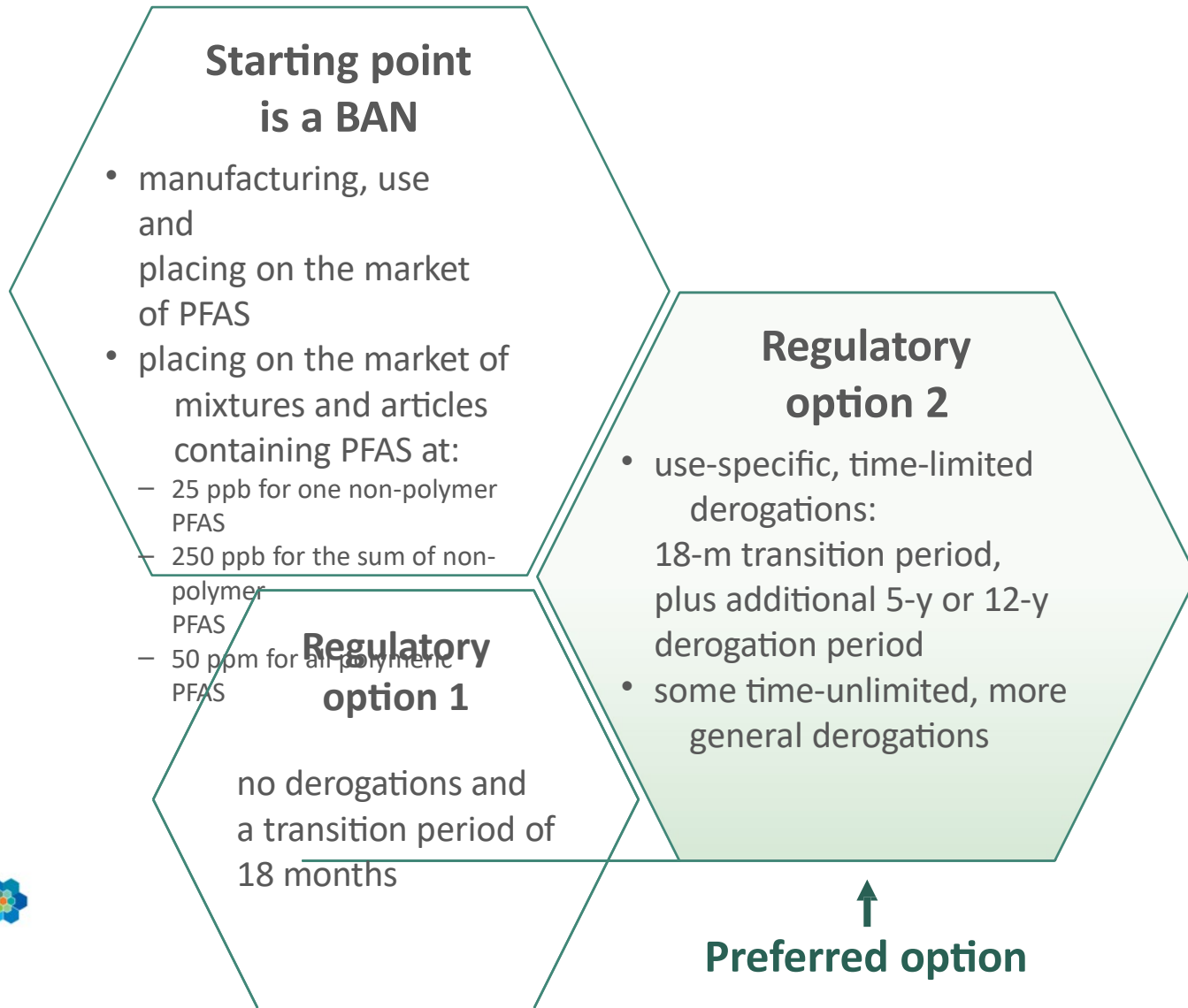

84% Europeans are worried about the impact of chemicals present in everyday products on their health*



* Estimations by the Nordic Council of Ministers. Source: https://ec.europa.eu/environment/pdf/chemicals/2020/10/SWD_PFAS.pdf

The restriction proposal seeking to restrict all PFAS

Choice between two regulatory options

ANNEX XV RESTRICTION REPORT

PROPOSAL FOR A RESTRICTION

SUBSTANCE NAME(S): Per- and polyfluoroalkyl substances (PFASs)

IUPAC NAME(S): n.a.

EC NUMBER(S): n.a.

CAS NUMBER(S): n.a.

CONTACT DETAILS OF THE DOSSIER SUBMITTERS:

BAuA
Federal Institute for Occupational Safety and Health
Division 5 - Federal Office for Chemicals
Friedrich-Henkel-Weg 1-25
D-44149 Dortmund, Germany

Bureau REACH, National Institute for Public Health and the Environment (RIVM)
Antonie van Leeuwenhoeklaan 9
3721 MA Bilthoven, The Netherlands

Swedish Chemicals Agency (KEMI)
PO Box 2,
SE-172 13 Sundbyberg, Sweden

Norwegian Environment Agency
P.O. Box 5672 Torgarden
N-7485 Trondheim, Norway

The Danish Environmental Protection Agency
Tolderundsvej 5
5000 Odense C, Denmark

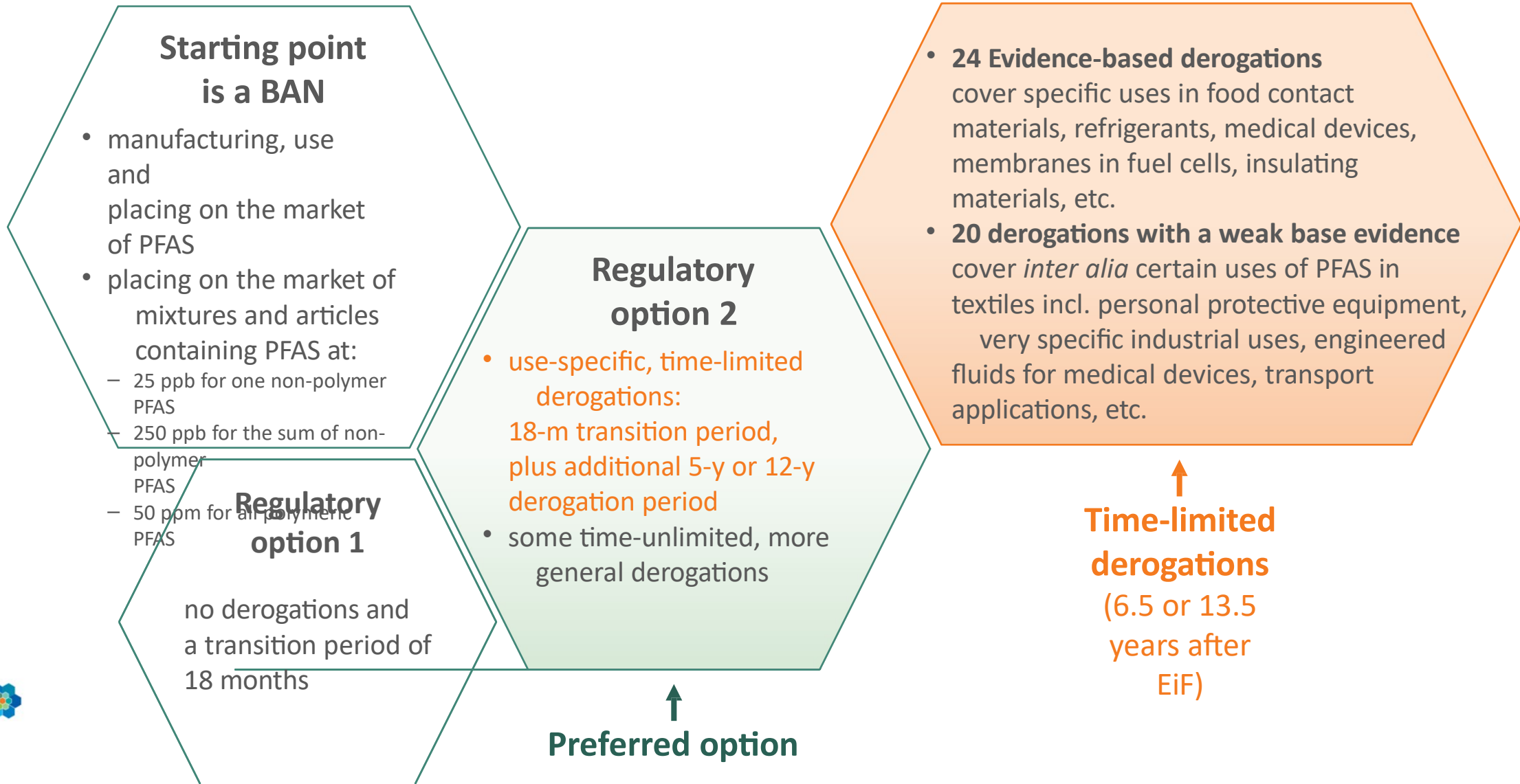
VERSION NUMBER: 2

DATE: 22.03.2023

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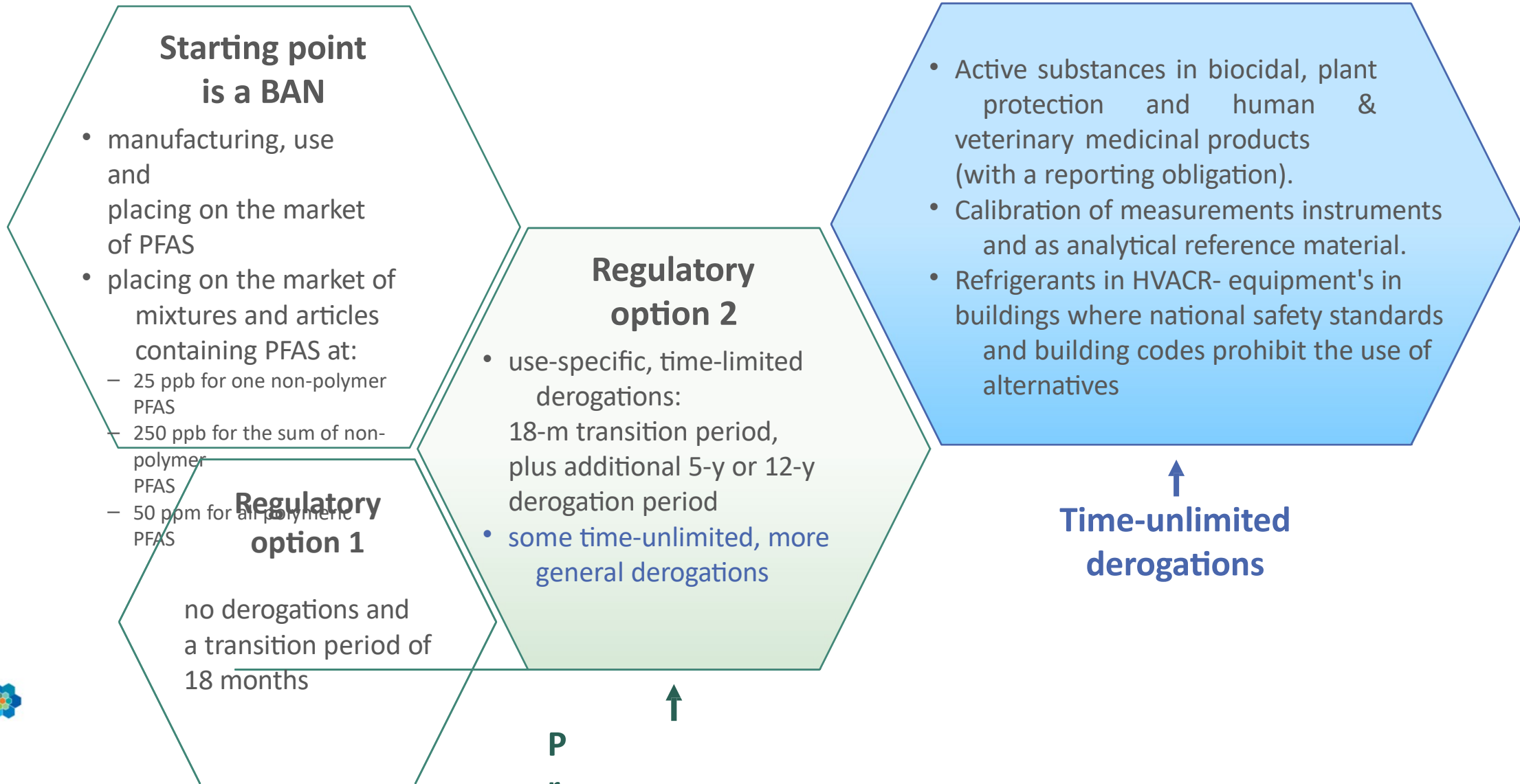
The restriction proposal seeking to restrict all PFAS

Choice between two regulatory options



The restriction proposal seeking to restrict all PFAS

Choice between two regulatory options

















Some key features of the restriction proposal

- **Scope is very broad**
 - ✓ Captures all chemicals with a $\text{-CF}_2\text{-}$ or -CF_3 moiety (± 10.000 chemicals), incl. fluoropolymers and F-gases
- **Persistence is key for justifying the restriction in terms of risk**
 - ✓ Supporting concerns (mobility, toxicity, ...) vary among PFAS
 - ✓ Any emission is considered as problematic
- **Derogations are use-specific, and driven by**
 - ✓ Availability of technically and economically feasible alternatives
 - ✓ Costs (financial & welfare)
- **Essential uses concept is not applied, but the logic is appearing**
- **No derogation means a ban 18m after Entry into Force (EiF)**
 - ✓ Availability of technically and economically feasible alternatives
 - ✓ Costs (financial & welfare)
- **Mandatory reporting in relation to the majority of derogations**
 - ✓ Description of use and identity and quantity of the substance
- **Requirement for a site-specific management plan in certain cases**



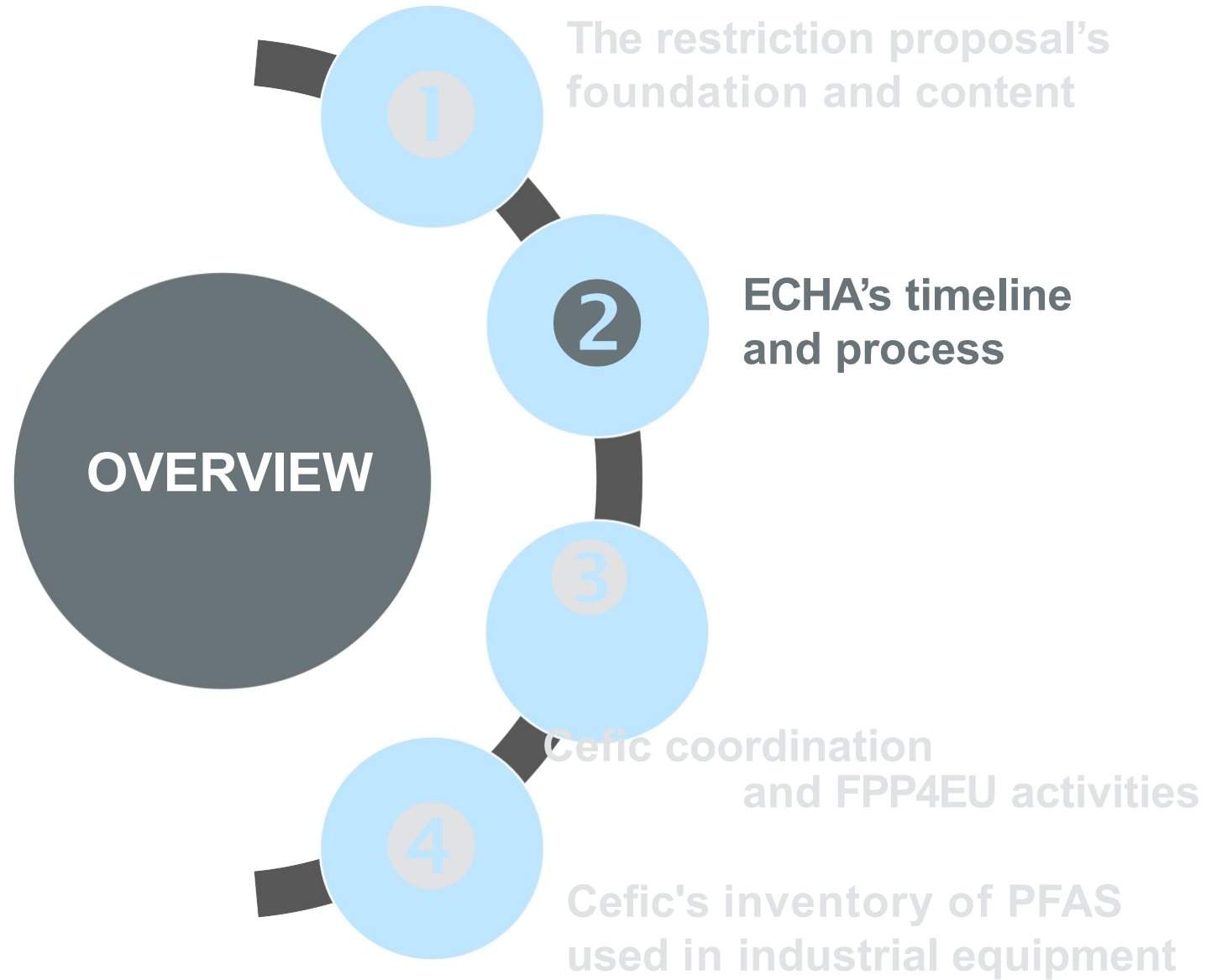
The restriction proposal on the ECHA website

< Substance Details

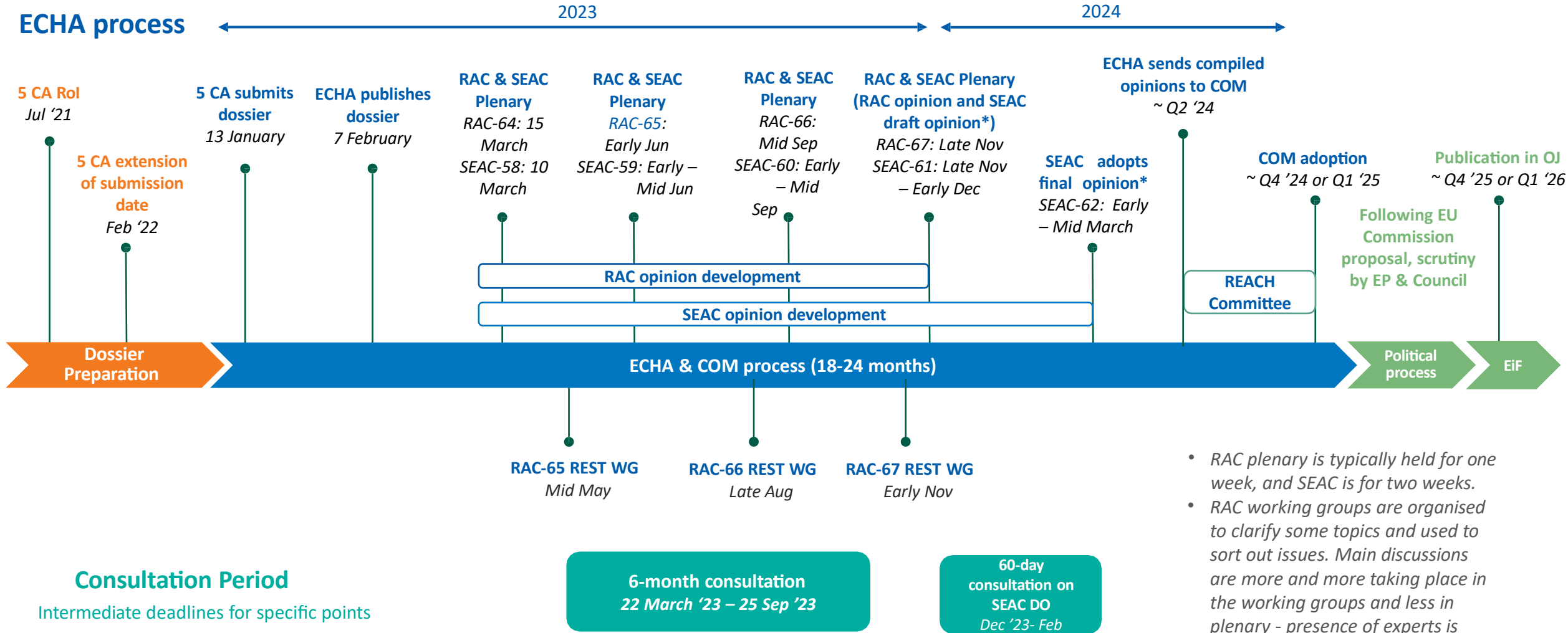
Name	Per- and polyfluoroalkyl substances (PFAS)
EC Number	-
CAS Number	-
Submitted by	Germany
Scope	Restriction on the manufacture, placing on the market and use of PFASs.
Information note on restriction report	
Restriction report	 Annex XV report
Restriction report annexes	 Annex A  Annex B  Annex C  Annex D  Annex E  Annex F  Annex G  Appendix E4  Appendix G1  Appendix G2  Appendix E2
Consultation on restriction report	Give Comments
Start of consultation on Annex XV report	22/03/2023
1st deadline for comments on Annex XV report	
End of consultation on Annex XV report	25/09/2023
Comments submitted to date on restriction report	
Response to comments on the restriction report	
Information note on draft opinion of SEAC	
Draft opinion of SEAC	
RAC & SEAC (draft) Background document	
RAC & SEAC (draft) Background document appendix	
Consultation on SEAC draft opinion	
Start of consultation on SEAC draft opinion	
End of consultation on SEAC draft opinion	
Comments submitted to date on SEAC draft opinion	

For the PFAS restriction proposal
<https://echa.europa.eu/restrictions-under-consideration/-/substance-rev/72301/term>





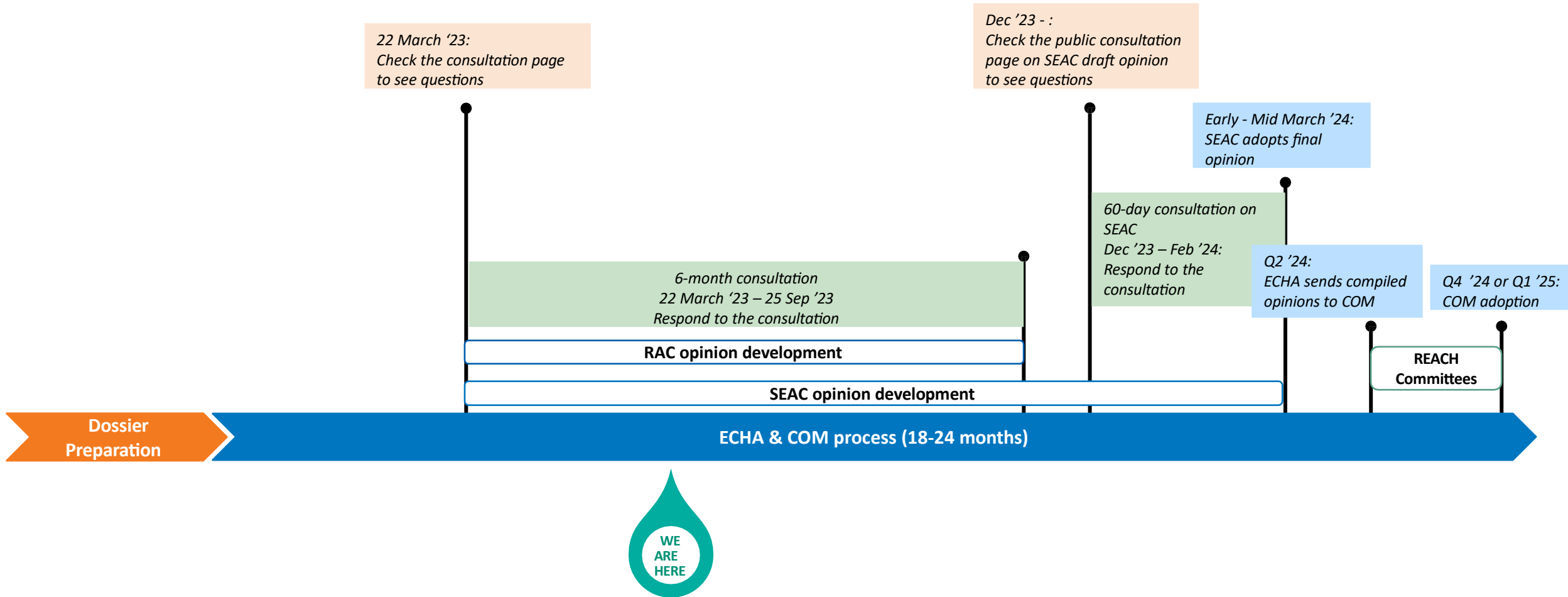
The restriction proposal's indicative timeline

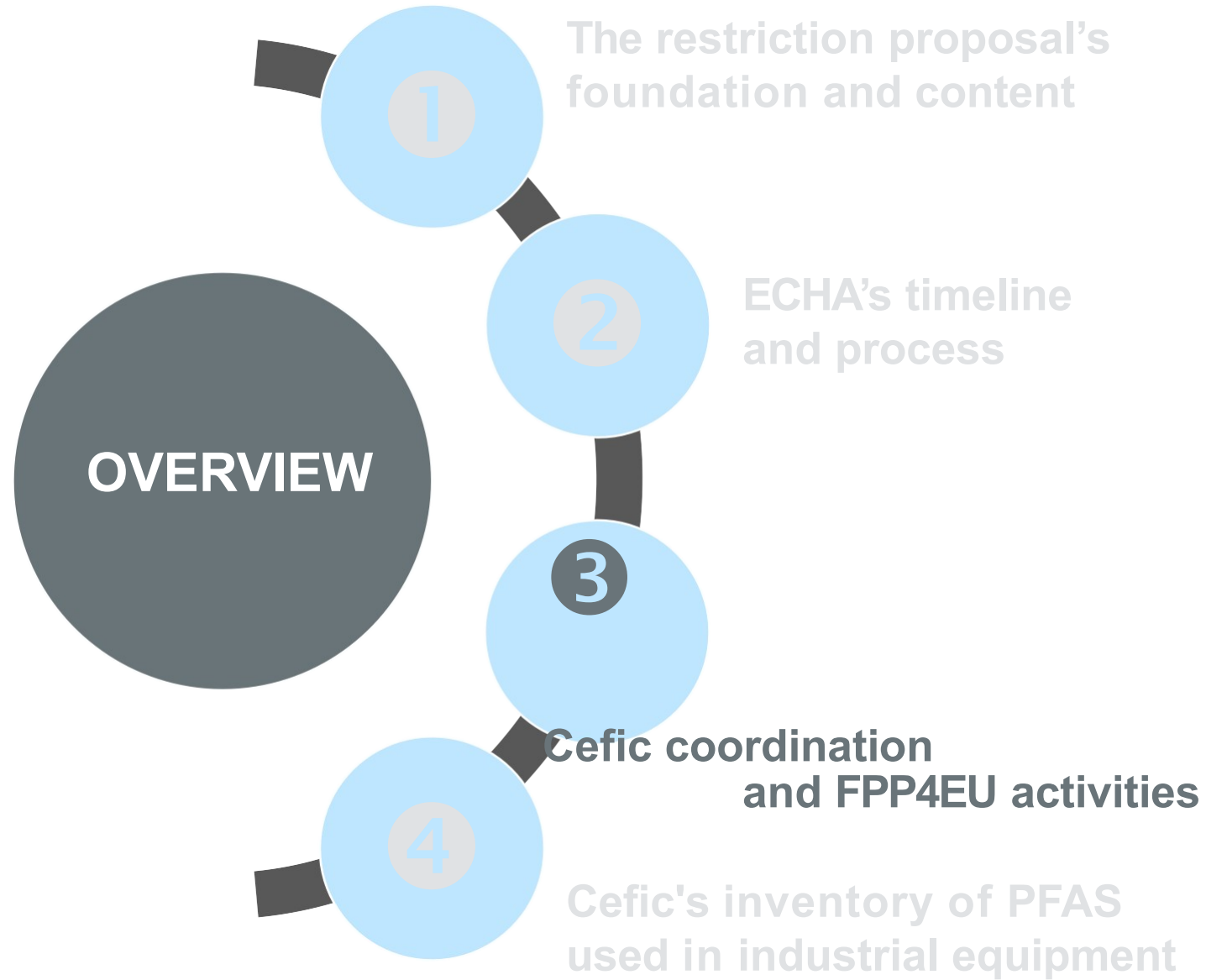


- RAC plenary is typically held for one week, and SEAC is for two weeks.
- RAC working groups are organised to clarify some topics and used to sort out issues. Main discussions are more and more taking place in the working groups and less in plenary - presence of experts is recommended.

* Assuming the earliest possible timeline.

The restriction proposal – **key consultation deadline 25/09**

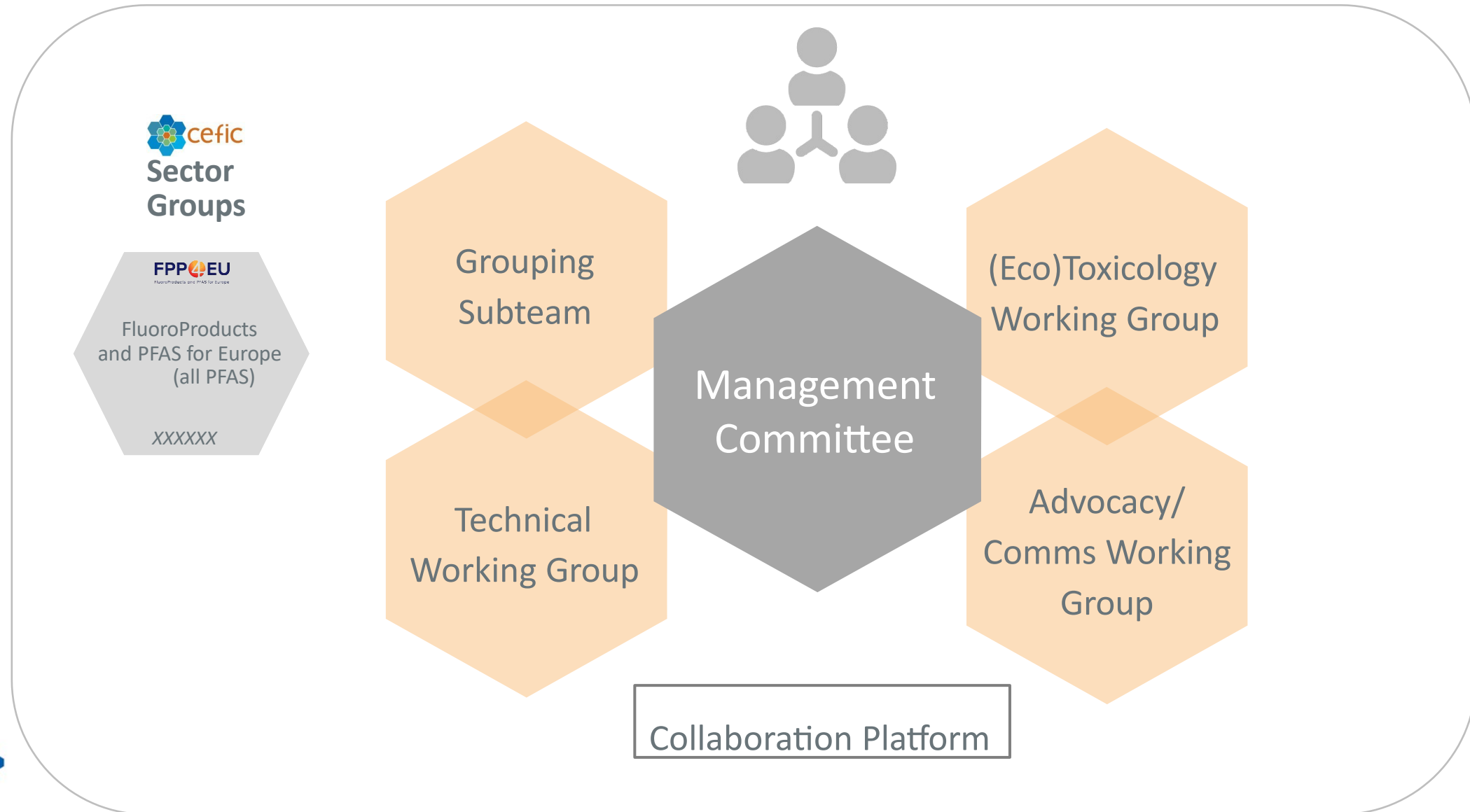




Coordination of Cefic activities on PFAS



The FluoroProducts and PFAS for Europe Sector Group



The FluoroProducts and PFAS for Europe Sector Group

 **cefic**
Sector
Groups

FPP4EU
FluoroProducts and PFAS for Europe

FluoroProducts
and PFAS for Europe
(all PFAS)

XXXXX

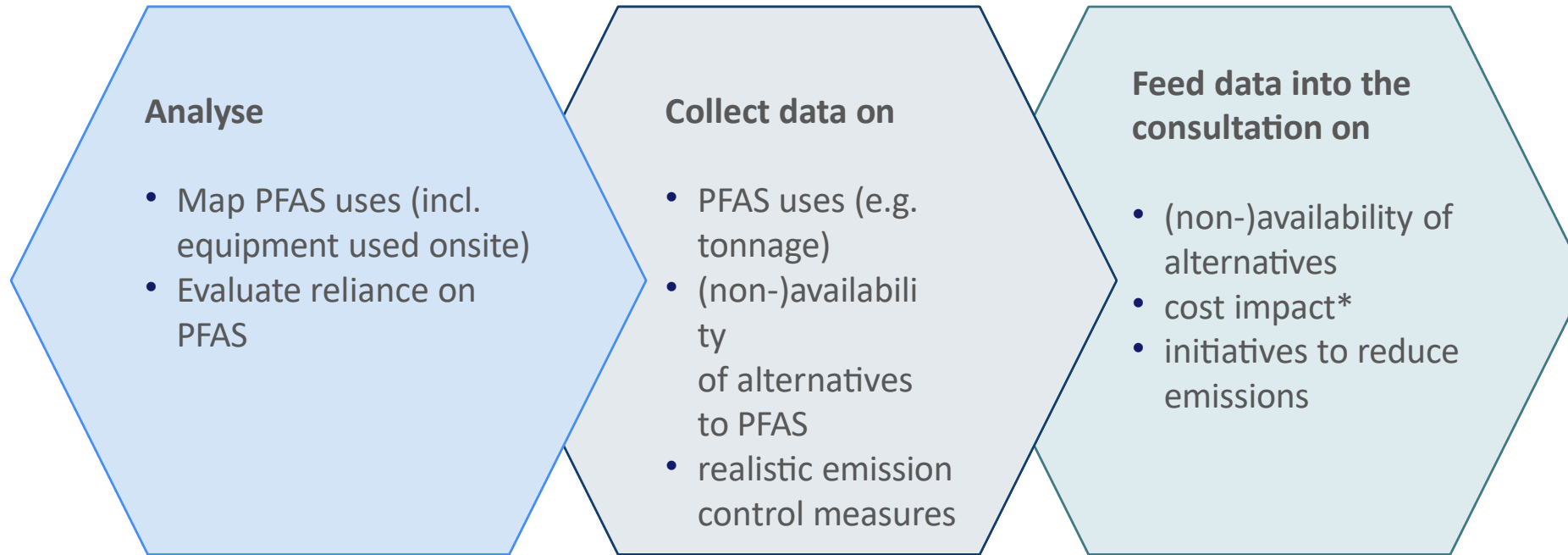


Collaboration Platform

- 130 members and observers
- Share data gaps; identify missing uses
- Assist downstream users who are not used to participate in a REACH restriction process



To contribute to the consultation, FPP4EU invited all to...



*** Cost impact typically includes**

- producer surplus losses
- employment losses
- consumer surplus losses
- welfare losses



How to effectively contribute to the consultation

DOs

- ✔ **GIVE BACKGROUND** – provide an overview of your sector (what is this substance, how it is used and what are the measures already in place to manage possible risks and hazards). You want to paint a comprehensive and clear picture with specific examples.
- ✔ **ACKNOWLEDGE THE PUBLIC INTEREST CONCERN** – make sure you demonstrate that you understand the problem that authorities are aiming to address and are ready to cooperate.
- ✔ **INPUT DATA*** – make sure to provide a representative dataset with quantitative data (scientific, monitoring, socio-economic, and regulatory studies are preferred). Qualitative data with multiple sources can also be useful. Specific questions are usually provided. If needed, it is possible to mark your submission as *confidential*; this will ensure that access will be granted only to RAC and SEAC members (subject to Reg 1049/2001)
- ✔ **MEET THE DEADLINES** – restriction consultations last 6 months from opening, with a first deadline already after 2 months. Submit preliminary data by this first deadline and inform of any ongoing study. Ensure relevant data are made available on due time to contribute to the next committee discussion.

DON'Ts

- ✘ **AVOID EMOTIONS** – do not include emotional statements; only rely on data-driven comments.
- ✘ **NO POSITION PAPERS** – avoid submitting position papers that do not contain objective data to support the statements in the document.
- ✘ **DO NOT CONTACT COMMITTEE MEMBERS** – it is prohibited to contact directly the members of the ECHA Committees. Make sure to input the relevant information in the consultation.

* What kind of data? Scientific committees need facts and figures, no advocacy statements.

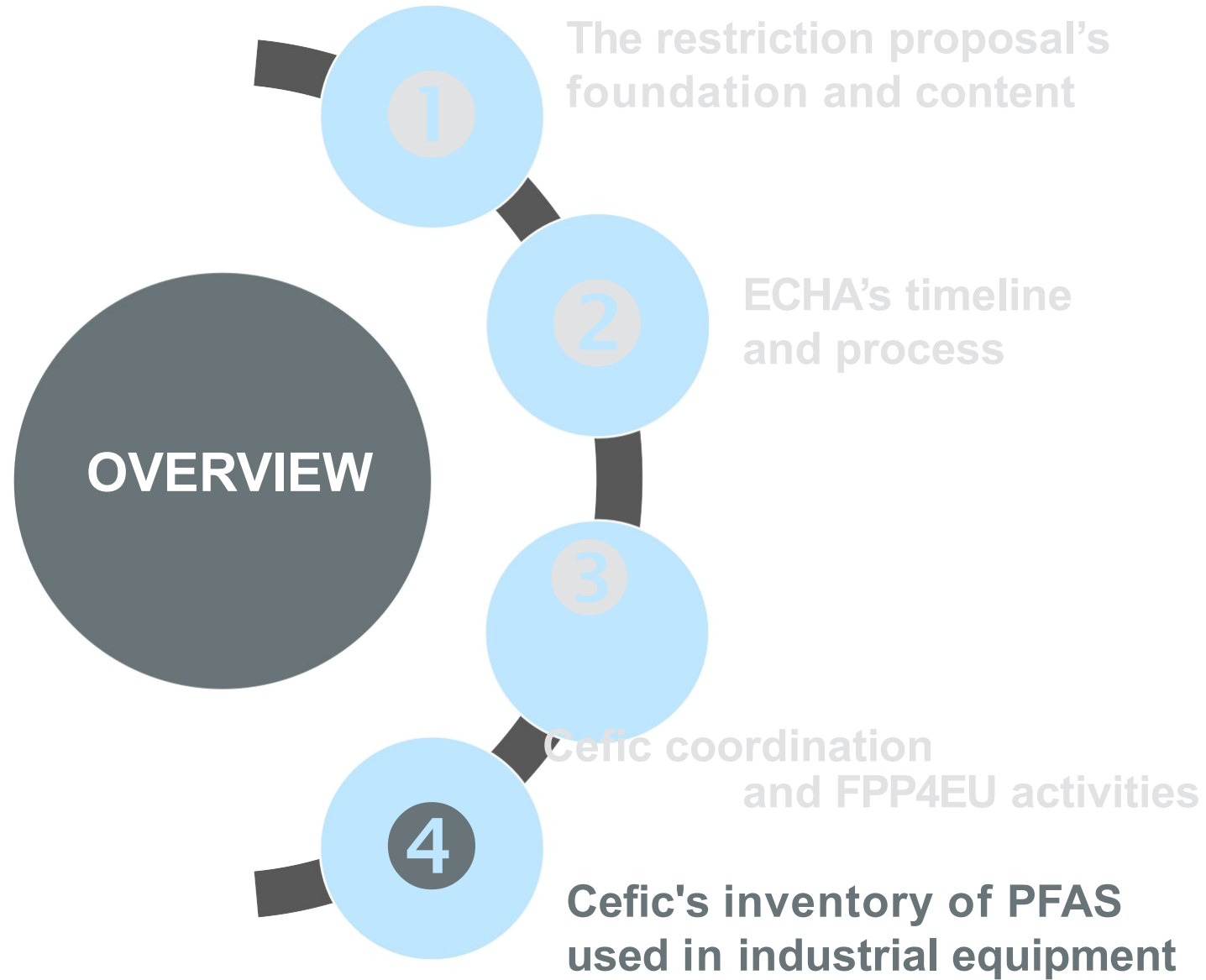
RAC – data on e.g.:

- **Risks and hazards** of the substance(s) = Operational Conditions/Risk Management Measures
- **Emissions/Releases** (incl. control measures) - monitoring
- **Available alternatives solutions (with less risks)**
- **Analytical methods**

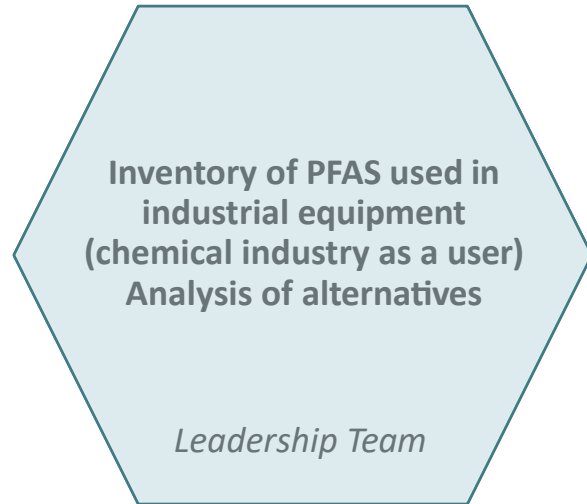
SEAC – **Potential derogations / longer transition periods requests** based on data on:

- **Uses**
- **Availability of alternatives**
- **Cost/benefit of implementation**
- **Impact of proposed restriction** (jobs, business, society) – order of magnitude
- **Enforceability**





Ongoing Cefic activity: the 'PFAS inventory study'



Inventorisation, with questions related to

- In which (critical) pieces of equipment PFAS are used, and why
- Where alternatives are in place and how long replacement took/takes
- Initiatives on emission reduction (if appropriate)
- Waste management and end-of-life of PFAS-containing equipment

→ **Study on 'PFAS mentioned in standards' running in parallel**



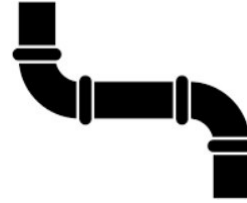
Ongoing Cefic activity: the 'PFAS inventory study'

Inventory of PFAS used in
industrial equipment
(chemical industry as a user)
Analysis of alternatives

Leadership Team



Gaskets



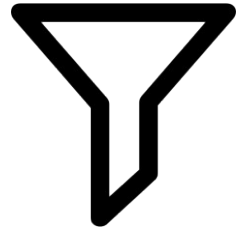
Coatings
on piping



Refrigerants



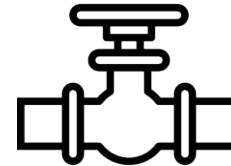
Foams



Filter materials



Personal Protective
Equipment/ Clothing



Coatings
on valves



Membranes



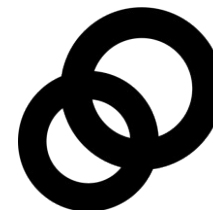
Sealants



Greases/
Lubricants



Columns/
Internals



O-rings



Conveyor Belts



Diaphragms



Proposal for a Universal PFAS restriction under REACH

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Executive Director Halogens Industry Sector

Thank you!

