



EUROMETAUX CHEMICALS MANAGEMENT NEWS



The Chemicals Strategy for ZENITUDE is back 😊

First enjoy your summer and then please join us in August:

- 31: Chemicals Management Steering Committee

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Dear All,

Most probably, we have all experienced having a confrontation with an individual who gives us the feeling of hitting a wall, being lost in a dead end of convictions. Someone who refuses to listen or consider, rejects all proposals (or simply everything including you), boycotts solutions, wastes your time, budgets and energy. It is irritating, hurtful even and some uncontrolled slang might hang on the tip of your tongue.

You may meet such a person in all types of places or forums, even those claiming to be populated by intelligence(s). He/she will resist, be obstinate, oppose ways forward (even those that can improve his/her own situation). She/he will react to your efforts with vigorous obstruction, she/he will inundate your arguments with counter ones, destroy your goodwill with threats, annihilate your kindness by violence. It is a force in front of you that renders it senseless to plea for tolerance against intolerance, open-mindedness vs. prejudice.

It is often, structurally, impossible to reconcile with such an individual, you will need to 'go with the flow'.

How? What is at stake?

Let's start by making two (generous) assumptions: 1. we need to make a distinction between what the person 'is' and his/her behaviour in a specific situation, 2. all human beings (overall) tend towards accomplishment, humanity with big H.

The key issue is this kind of confrontation with...the individual (still no argot!) makes you feel your own limitations in this situation, and that is painful. The person puts up a barrier beyond which it is difficult to understand, love, let go.

The philosopher Maxime Rovere (Champs, 2020) analyses it as following: presuming we are all progressing on a moral scale towards the realisation of our humanity, we will place -because of a behaviour we estimate inadequate- our "fellow human being" (individual referred to above) on a lower level of the scale, and as such the whole humankind will seem to manage less well the strive towards accomplishment. A kind of weakness will appear through the "differential" between your -estimated- position on the scale and where you have placed your interlocutor due to the conduct.

And if you were to pause and analyse your feelings at the exact second you note this differential, you may recognise a minute feeling of repulsion and contempt... which will actually alter your own force and position on the scale. Indeed, due to your exasperation, you will already have been caught in a turmoil of emotions, and those may have pushed you to utter some first reflex replies or show your impatience. And moving forward, nearly unavoidably (unless you are a saint, which I will not exclude), you will lose your tendency towards empathy, your gentleness & inner calm, and instead lose your temper...and hence recede from your own ideal humanity.

Hence, the philosopher describes this kind of confrontation as quicksand, which drags you, your neutrality and analysis skills to a lower place and as you comprehend this 'fall', you will feel hurt and negative. Trust is broken as much as the possibility to communicate.

How to emerge?

You may immediately put a halt to the story by accepting the roadblock and turn your back.

You may be tempted to restore the lost contact by referring to authority (science, moral, law, slang), which is actually a more aggressive way to obtain that your views prevail (not bringing you higher on the scale).

You may also -but that's a harder way- recognise the forces at stake, face the challenge and look for means to 'walk over it', i.e., find ways to solve the differential. In fact, it will mainly mean improving yourself as your interlocutor may still not be keen to follow your suggestions. The positive aspect is that by identifying the differential and the need to address it, you will retrieve some control of the situation (assumption 1. still holds). However, that would require moving from the state of sideration in which some of the allegations have thrown you, removing your attention from the negativity of the interaction, renouncing the feat of putting a square in a hole and pushing forward with your preferences rather than your frustrations.

You will need to improvise with craft and constructions when facing the chaos, place yourself once again in the position of learning, take the time to ultimately reach one of these scenarios: negotiation (if the interlocutor is able to), evolution (if the interlocutor allows it) or let him/she be (if he/she refuses the other scenarios).



Or most probably, a mix of these three scenarios, over time, as you will meet again... As these confrontations also highlight the existential and unavoidable interrelations between human beings. Interlinks we wake up with and work on (or not) during the day, continuously balancing between a common and an individual desire. With the latter sometimes pushing us into a confrontation that does not necessarily makes sense but that creates “a bit of a discontinuity of the joint effort”: maybe playing the moron for once? 😊

Violaine Verougstraete

EU AGENCIES

EUROPEAN CHEMICALS AGENCY (ECHA)

ECHA COMMITTEES

RAC-65: plenary session

ECHA's new Executive Director, Dr Sharon McGuinness made the opening statement, stressing the importance RAC's work and its breadth. She stressed that the value of a committee strongly relates to the individuals, their commitment and expertise, and hence that keeping that expertise at a very high level across the EU is key in achieving safer chemicals. RAC has been named on several future (additional) tasks in the context of the CSS, and ECHA wants to ensure RAC can continue to function well. She is doing a tour of the Member States to find additional support to reinforce the RAC's composition.

The list of these new tasks for RAC was presented. They range from the reform of risk management (including the Generic Approach to Risk Management (GRA) for example), new endpoints to assess under CLP, but also involvement in the revised Batteries and RoHS, cosmetics and toys, Water/EQS (Environmental Quality Standard), ELV (End-of-Life Vehicles) and POPs (Persistent Organic Pollutants) in waste Directives/Regulations. RAC has already started working on the Drinking Water Directive (DWD) (see below). How all this will be organised, with enough resources and expertise, is a crucial question. The ECHA Basic (Founding) Regulation proposal should provide a view on the structure and functioning of the agency and its committees. Eurometaux has commented that it would be important to make a clear distinction between the technical-scientific tasks and the policy ones in these upcoming requests to RAC to guarantee it functions as a scientific body. These changes in ECHA's tasks should be carefully monitored but also considered in the industry representation at RAC level, as a range of expertise will be needed.

To allow RAC to become familiarised with cosmetics, a joint seminar was organised with the Scientific Committee for Consumer Safety (SCCS). Presentations were made by ECHA on substance grouping (Assessment of Regulatory Needs (ARN), classification), grouping for restrictions; by ECHA and SCCS on the increasing role of non-animal methods in risk assessment (with a report on the 31 May on the New Approach Methodologies (NAMs) workshop and the importance of NAMs for the safety assessment of cosmetic ingredients) and the acceptability of cancer risk. The latter was presented by Tim Bowmer, based on his experience with restrictions and Occupational Exposure Limits (OELs) over the last decade.

RAC-65 was Tim's last meeting as active chair, therefore the introduction of the new RAC chair (Roberto Scazzola) took place along the debates but also the formal dinner and receptions.

Another key item for RAC-65 was the discussion on the universal restriction on PFAS (Per- and polyfluoroalkyl Substances): at this meeting, a number of selected stakeholders (industry, NGOs) were allowed to make 3-minute statements. This was followed by the presentation by the Rapporteurs of their recommendations to improve the Annex XV dossier. On this part, no comments were expected from stakeholders. The recommendations covered all aspects of the restriction (scope, definitions, emissions, concentration limits, reporting obligations, alternatives etc.). Industry stakeholders raised the wide scope of the restriction and the limited number of seats for industry experts in RAC but also specific questions on persistence and overlap with other regulations. The next discussion is planned for August (RAC Restrictions Working Group) during which a first RAC opinion will be discussed to cover hazards and initial thoughts on emissions, risk characterisation and restriction options specifically addressing Food Contact Materials. This sector has indeed enough data to go for conclusions. Another key message that was repeated several times is that to apply for derogations, risk data need to be provided. The Public Consultation is running until 25 September.

Other items triggered some fundamental discussions: e.g., can RAC issue a negative opinion on an application for authorisation alone (without SEAC) if e.g., it has serious concerns that the proposed Operational Conditions (OCs)/Risk Management Measures (RMMs) are not appropriate and effective in limiting the risks, and RAC is not in a position to recommend hard conditions to be implemented within a certain deadline or if RAC estimates risks are too high? This debate takes place in the context of the chromates applications, as there is no acceptable threshold available (more information: Violaine Verougstraete).

RAC-65: DWD Working Group: an in-depth information session for Member State experts and regular STOs

ECHA is responsible for carrying out several tasks under the recast Drinking Water Directive (DWD), including the development of the list of substances and materials that are safe to use for drinking water supply, as well as drafting guidance and preparing adapted IT tools. The list of “safe materials” including a series of metals, alloys (Ni-, Cu-, Al-, Ag- and their alloys, as well as group entries like brasses) and enamels will be expiring in January 2028. By that time industry will have to re-apply, providing relevant risk-based information (e.g., on chemical identity and leaching) that will be evaluated by a new RAC Working Group (RAC DWD Working Group) who will issue opinions on the safety of the use. This registration will be preceded by a pre-notification in 2026. The information required for the applications, the assessment criteria as well as the modalities of the submission and evaluation processes will be outlined in the 6 guidance documents drafted by the ECHA secretariat.

The consultation of RAC, followed by a broader consultation on these guidance documents, is foreseen to start over the summer and finish early December, as the formal deadline for the publication of these documents set by Commission is end January 2024. The guidance will contain specific sections for the assessment of metals and enamel materials, which are both relevant for the sector. IUCLID will be updated to allow the submission of the DWD applications and pilot cases will be searched for in 2024.

On 1-2 June, the participants of the RAC DWD (composed of RAC members but also competent authorities who have been working on the DWD until now) were briefed on the ECHA activities and roles in the context of the DWD recast and were updated on the status of the guidance documents and processes. Eurometaux can attend the RAC DWD WG thanks to its regular stakeholder status and may further invite a supporting technical expert. Eurometaux is closely following the generic aspects (IUCLID, application process and guidance development, with nominations of experts) and has set up a DWD sub-group under the Water Taskforce (more information: Lara Van de Merckt, Federica Iaccino and Hugo Waeterschoot)

SEAC-59: SEAC opinion on PFAS in firefighting foams recognises the need for more time for Seveso plants and the discussion on the Universal-PFAS restriction started

SEAC held its 2 week pre-summer session as a combined one week in person and a shorter second week in a remote session. Comments received on the restriction of PFAS in firefighting foams during the 2nd Public Consultation were reviewed. SEAC suggested that Commission could consider a longer transition period for the use of such firefighting foams at Seveso sites in view of the high safety risk in case of incidents at such sites.

SEAC also reviewed the key issues of the Universal-PFAS restriction proposal as submitted by a group of five Member States. A long series of industry sectors were allowed to make short statements whereby the chair repeated that the comments received were welcomed and invited all to provide substantiation and evidence during the running Consultation (ending on 25 September). Most interventions challenged the too broad scope that includes PFAS substances with a lower toxicity or persistence profile and even polymers, for which the registration discussion is still ongoing under the REACH 2.0 planning. SEAC Rapporteurs confirmed the unclear situation in respect to scope and sectors/materials covered, which would make it very difficult to define the impacts and benefits. SEAC as well as RAC will begin their content deliberations in September, starting with a ‘pilot case’ on food contact. The Eurometaux Risk Management Taskforce has invited metal companies to carefully review the use of PFAS substances in their manufacturing processes and materials used and produced given they will all be affected by the restriction. The taskforce further invited companies to participate in the ongoing Public Consultation and/or to invite suppliers to provide clarity on the occurrence of PFAS substances in products they provide as well as their intentions for substitution (more information: Hugo Waeterschoot).

SEAC-59: also the assessment of a long series of AfAs on plating uses, raising attention for the risk of regrettable substitution

Mostly, as a result of the court case that annulled upstream authorisation for applications (AfAs) agreed previously by Commission, many platers started to apply for authorisation to ensure their uses can be maintained. In general, there is rising recognition by SEAC that a replacement of CrVI by CrIII -certainly for plating of decorative nature- includes the use of CrVI in the manufacturing of CrIII and the use of borates during the electroplating process. Some applications also proposed alternative materials and technology using Ni salts and even cobalt tungsten carbide. This raises the question if this is a generic improvement for workers and/or whether there is a risk of regrettable substitution? Criticism towards RAC was issued as it did not assess the risk of these alternatives. This resulted in an invitation to the applicants to compare both

workers and environmental safety risks carefully to prevent the risk of regrettable substitution (more information: Hugo Waeterschoot).

MB-70: 20-21 June: preparing ECHA for the future

The June ECHA-Management Board (ECHA-MB) session is usually a quieter one given the reporting aspects of last year are finalised and budget, resources and planning aspects start after the summer holidays. Therefore, ECHA used this opportunity to explore input from the Management Board, assessing its future, knowing that the next programming document will have to cover REACH 2.0 challenges as well as new tasks for ECHA such as DWD, RoHS, ELV,

Cefic and Eurometaux prepared the input for the industry representative in the ECHA-MB (Marco Mensink). We suggested raising the fact that new and other chemicals management requirements also mean having a proper understanding of the associated needs, methods and procedures, which will require a mindset change towards the interest and knowledge level from ECHA staff, experts and committees for the broader sustainability objectives (the main driver being hazard currently).

We expect that in the future ECHA will become a centre of excellence in storing accessible (usable) information on chemicals and a flexible assessor on the prioritisation and identification of risks. But it should equally achieve “excellence in the management of platforms” dealing -or coordinating- with chemicals management scientific topics, capacity building,.... This will require high quality expertise independence, consistency and a broad representation of skills to provide robust deliverables. All these elements call for a significant improvement of today’s situation. We have not yet received feedback from Cefic on the outcome of this important ECHA-MB brainstorming but will report on the key issues and next steps to the relevant taskforces (more information: Guy Thiran and Hugo Waeterschoot).

EUROMETAUX CHEMICALS MANAGEMENT

Chemicals Management Steering Committee: pre-summer session

The second CMSC meeting was well attended and aimed at getting the Committee’s steering and recommendations on several issues and developments, like on the Critical Raw Materials (CRM) Act, the Ecodesign for Sustainable Products Regulation (ESPR) and the different legislative reviews (REACH, CLP, Air Quality, Industrial Emissions). The aspect of resources to address the complexity of the regulatory patchwork and the related working groups was discussed as well.

The Committee was informed on the status of the Transition Pathway for metals project, and the outcomes of the discussions with the Eurometaux Management Committee on this specific item. A draft scoping document for the TP has been prepared and an industry flash has been sent to all Eurometaux members inviting them to participate in a dedicated Taskforce that is being set up and requiring participation.

Updates on: i) the Industrial Emissions Directive (IED); ii) the Ambient Air Quality Directive (AAQD); iii) the lead classification were provided and the learnings (and possible mitigation strategies) were discussed. The meeting concluded with a short item on the future of the Metals Academy (see further in [Communication](#)). The draft minutes were circulated on 3 July (more information: Ailsa Lee and Violaine Verougstraete).

CHEMICALS STRATEGY FOR SUSTAINABILITY

CSS: Transition Pathway for the Metals Industry

Eurometaux and Eurofer have agreed with the European Commission (DG GROW) to develop a “transition pathway” for the combined metals sector – non-ferrous and ferrous. The pathway will combine objectives from the CSS, the Green Deal, and the updated Industrial Strategy. It will show the direction for the sector towards an accelerated Green Deal twin transition and greater resilience, and it is drafted with the involvement of a wide range of stakeholders. A process has been started to gather input from all Eurometaux members to support the project.

The pathway will convey:

- How the metals sector supports high-level EU objectives through strategic metals-enabled value chains,

- What framework conditions are required – coherent across all relevant policy areas – for metals value chains to function efficiently and effectively during the long-term transition,
- Metals specificities compared to other materials – and sector characteristics in the EU and global context.

Eurometaux and Eurofer have together developed a scoping document covering all important aspects of the pathway, including the usual Eurometaux activity areas, but also skills and the social dimension (more information: Simon Cook).

ZERO POLLUTION ACTION PLAN

ZPAP events: Green Week, ZPA Stakeholder Platform and green skills...

On 6 and 7 June, Eurometaux attended the “Green Week”, a series of conferences and policy debates on the themes of the Green Deal.

The topics discussed included the role of environmental policies in achieving a “net-zero world” and how EU initiatives pave the way to a fair and inclusive ecological transition, as well as thematic talks on circular economy and sustainability (including consumer products safety). The topic of biodiversity was also addressed by discussing how social, environmental, and economic objectives are intertwined and how they can be reconciled in nature restoration.

Policy debates focused also on the importance of innovative technologies, behavioural changes and practices where pollution prevention and reduction go hand in hand with reducing greenhouse gases (climate objectives). Themes such as ‘environmental inequality’ and ‘degrowth’ were also at the centre of the discussions. This was followed by a workshop on several topics, including strengthening environmental rules of law.

On 14 and 15 June, Eurometaux attended the Zero Pollution Stakeholder Platform Webinar & Workshop “Reducing health inequalities through zero pollution”, organised by the European Commission and European Environment Agency. The aim of the workshop was to discuss the links between pollution and health, demography and/or inequalities. In particular, the discussion helped identify the most important environmental determinants, the data that are needed to strengthen the evidence base and the further actions that could be envisaged to create synergies between these. The European Commission’s DGs for the Environment and for Health, as well as the Joint Research Centre and the European Environment Agency (EEA), presented progress in the implementation of the flagship initiative “Reducing health inequalities through zero pollution” of the EU’s Zero Pollution Action Plan. Participants discussed perspectives and further priorities in implementing the flagship. The workshop also reflected on and identified further efforts and needs from a policy perspective for strengthening the health and zero pollution agenda. The workshop welcomed experts from EU Member States but also stakeholders such as business representatives, NGOs, academia and international organisations (e.g., WHO and OECD). It brought together environment and health experts to discuss areas of common interest for further collaboration.

On 27 June, Eurometaux participated in the talk “Zero Pollution and the European Year of Skills”. This focused on the human dimension of the Green Deal and the skills and mindset needed for the sustainability transition. The event looked at the progress on developing a core, green, skills set for the labour market to guide training across the economy in view of creating a generation of climate, environment, and health-conscious professionals and green economic operators. Moreover, the role of education was explored, and how far the green transition and sustainability have become part of the education curriculum. This was the first in a series of Zero Pollution Talks. The Talks are being launched to foster stakeholder engagement and nurture vibrant exchanges of knowledge to raise awareness and help tackle a wide range of issues related to zero pollution. They will bring together a diverse set of stakeholders, including experts and policymakers, for an hour-long, online discussion, with possibilities for participants to interact. The sessions will be recorded to create a zero-pollution knowledge base (more information: Lara van de Merckt, Ainhoa González and Lorenzo Marotti).

Ambient Air Quality Directive: status update

On 1 June, Eurometaux attended the Industrial Emissions Alliance (IEA) plenary meeting, presenting the latest developments on the Ambient Air Quality Directive (AAQD) to a large audience of industrial

associations, discussing cross-sectors shared concerns. The IEA subgroup on AAQD continues to sit regularly exchanging information and elaborating advocacy actions, statements/papers with involved sectors and joint communication actions.

On 27 June, the European Parliament's ENVI Committee adopted its Report on the Ambient Air Quality Directive. MEPs adopted the ENVI Report (Rapporteur Javi López, S&D, ES) with a slim majority of 46 votes in favour, 41 against and 1 abstention. The Report comes with a higher level of ambition compared to the Commission's proposal and includes stricter values for As and Ni.

Eurometaux (together with its members) will continue actions towards the European Parliament to explain the consequences of the values proposed in the ENVI Report, asking MEPs to give their support to Eurometaux's proposed amendments. Advocacy and monitoring of the Council activities is ongoing.

Next Steps: European Parliament: Plenary Vote postponed to September (date TBD). Council: discussions on the file among Member States are still at an early stage. Spain, who will hold the Presidency of the Council starting July 1, has stressed the importance of the AAQD revision (more information: Lorenzo Marotti).

ENVIRONMENT

Environment Taskforce: broadening the agenda ...

Last year's activities of the Environment Taskforce were highly dominated by the environmental classification proposals for metals in RAC and the subsequent policy discussions at Commission level.

At its 26 June meeting, the Taskforce reviewed the outcomes of the Pb environmental classification in CARACAL and outstanding related actions, but also debated on topics of growing importance like the Environmental Disruptor (ED) endpoints and how to promote proper self-classifications for metals (without harmonised classification) and alloys. On the ED topic, the chairs raised attention for both the ED assessment strategy in the EU as well as the upcoming OECD discussions on the ED classification endpoint under GHS. Pre-work done by ETAP has highlighted points that require particular attention for metals that will need to be considered when the assessment and classification criteria are discussed. Eurometaux emphasised that the ED hazard assessment will have to be conducted by all registrants hence is an issue of generic interest.

A workshop will be set up most probably along the CM autumn week (tbc) to take stock of the developments and prepare consolidated inputs in the regulatory processes due to take place after summer.

In relation to environmental classifications, it is hoped that neither Member States nor the Commission will trigger further metal environmental classification cases in the future. On the other hand, we received signals from both ECHA and Commission that some guidance update on metals and alloys may be considered to improve the quality of the self-classifications. The Taskforce agreed that such a guidance update should not be promoted, and agreed that consistent self-classifications of metals and alloys should instead be promoted. The Taskforce discussed the relevance of developing internal environmental recommendations and considers providing the opportunity for interested alloy/recycling sectors to participate in a self-funding a program to derive appropriate environmental classifications for alloys, also taking into account the recent Pb outcomes (more information: Jelle Mertens, Stijn Baken and Hugo Waeterschoot).

HUMAN HEALTH

Human Health/HeTAP projects: projects on ED and PSLT launched

The Health Technical Advisory Panel (HeTAP) was set up several years ago to address jointly some of the multi-metallic specific human health issues on the regulatory agenda, to enable a common approach and understanding and to improve the consistency of industry responses.

This initiative was sponsored by a series of 14 commodities/consortia/associations and allowed to carry out activities between 2014 and 2018 to address topics like inhalation toxicity, bioelution, combined toxicity, genotoxicity etc.. with the involvement of several external experts. This spring, the HeTAP sponsors and the Eurometaux Human Health Taskforce discussed the relevance of launching new projects and agreed on two areas where joint action would be useful and therefore two projects were recently launched. The first is about the assessment of the Endocrine Disrupting properties (human health) and has as objective to build a knowledge basis at the sector level, which will help identifying metal/inorganic specificities to feed into the CLP guidance currently being drafted by ECHA on the ED endpoints and REACH 2.0 information

requirements. It will work along four milestones: starting from knowledge mapping, collection of feedback from the metals to a workshop and a report as deliverables.

The second project aims at following and providing meaningful input in the ongoing cross-industry and regulatory activities on poorly soluble and low toxicity particles (PSLTs), making the best use of the sector's experience and existing work and highlighting metal/inorganic specificities where/when needed.

The timelines of the projects have been established to meet the possibility to give regulatory input (more information: Violaine Verougstraete).

REACH REGISTRATIONS

Temporary freeze of REACH Registration Data updates on the ECHA dissemination portal: *what will be impacted?*

ECHA recently announced that, due to the development of a new IT system to access REACH registration data, REACH registration data on the current ECHA Dissemination Platform will no longer be updated. Considering the effort dedicated by Eurometaux members to keep the data on their REACH dossiers up to date, and the fact that the dissemination portal is used by the Eurometaux Multi-Metallic Database to periodically check data correctness and divergencies, we have asked for clarifications to better understand what is going to be impacted.

As explained by ECHA during a webinar introducing the new Data Availability System, the transition to the new platform would be carried out incrementally. For most datasets, the transition will be seamless, with the current platform providing up-to-date information until the relevant data is transferred to the new system. However, an exception will be made for REACH (Registration, Evaluation, Authorisation, and Restriction of Chemicals) registration data, which is submitted and processed in the IUCLID format.

ECHA provided precise details about the specific information that will not be updated - since 19 May 2023. The affected data includes the sections of Substance Infocard pages related to data originating from REACH Registrations, Registered Substances Factsheet pages (including the list of registration numbers and the names and statuses of registrants), and Brief Profile pages.

The Agency expects the first version of the new Data Availability System, which will provide access to REACH registration data, to be available by the end of 2023. However, an exact release date has yet to be announced. Until the transition, other pages such as the C&L (Classification and Labelling) Inventory and registries of intent will continue to be updated with new information on the current platform. Their migration to the new system is scheduled for 2024-2025.

To mitigate potential issues caused by disseminating outdated information, ECHA has implemented banners on the Substance Infocard pages and the Registered Substances page, notifying users of the publication freeze. Users can find these banners and further updates on ECHA's website. Following the summer break, the agency plans to resume awareness-raising activities through webinars and focus groups to inform users about the progress and features of the new system. Eurometaux will keep monitoring the situation (more information: Federica Iaccino, Lorenzo Zullo).

INDUSTRIAL EMISSIONS

Industrial Emissions Directive (IED)

On 9 June, during the COREPER meeting, the Council agreed on its negotiating mandate on the proposal for a regulation on the reporting of environmental data from industrial installations and establishing an Industrial Emissions Portal (i.e., the IEP Regulation). The negotiating mandate will serve as a basis for the Council to negotiate the final shape of the legislation with the European Parliament. The Council introduced some key changes, such as limiting the administrative burden and optimising the added value of reporting, setting objectives of the regulation for more transparency and clarifying some definitions. The Council also suggests a mixed approach of delegated acts in some cases and decision-making by the Council and Parliament in others. The Council also seeks to extend the entry into force of the regulation by two years (2026 to 2028), for Member States to give them enough time to adapt to the new rules. After the European Parliament Plenary Vote (10 July), the Council and Parliament will start negotiations to agree on the final shape of the IEP Regulation.

On 13 June, Eurometaux attended the OECD BAT Expert Group Webinar meeting. The OECD Secretariat delivered some updates on the activities related to capacity building for third-party countries (e.g., on

workshops to introduce the Best Available Technique (BAT) concept to the representatives of the environmental ministries of third-party countries, including an overview of their legislation and specific needs for implementation). A discussion followed on the cross-country analysis/comparison of BREFs on Iron & Steel, Paper & Pulp and Waste Incinerators. A spreadsheet including the stakeholders' survey responses was discussed and experts were invited to analyse the collected information for comparative purposes. Simon Gutierrez Alonso from the Joint Research Centre (JRC) delivered an overview of the ongoing activities related to the setting up of the EU Innovation Centre for Industrial Transformation & Emissions (INCITE). It was highlighted that the scope of INCITE, besides informing the BREF process, will be to contribute to the prioritisation of the BREF Working Programme (e.g., according to major sector technological developments/breakthroughs). Benoit Zerger from the European Commission delivered a short update on the Industrial Emissions Directive (IED) revision, stressing that, among several other changes, the Commission has proposed to invite the Competent Authorities in Europe to consider the whole range of BAT conclusions. He noted that the review process is ongoing as the Council has reached a General Approach in March, and Parliament will vote on its position in July. Ioannis Stamou from the JRC presented the status of the LVIC (Large Volume Inorganic Chemicals) BREF review and updated members on the progress. As already stated at the latest IED Article 13 Forum, he confirmed that there will be challenges as the LVIC BREF review process has started under "IED 1.0" and will end and set BAT Conclusions under the "IED 2.0". This will mean, for example, that conclusions on BAT-AELs will be negotiated differently: focusing on the lower end of the range.

Next steps: Industrial Emissions Directive (IED), Parliament Plenary Vote 10 July (more information: Lorenzo Marotti).

LVIC BREF

On 7 June, the LVIC BREF WG held a meeting to discuss a number of topics including the list of Well Performing Plants to be sent to the Technical Working Group (TWG) for data collection, the second draft LVIC BREF Questionnaire for data collection and discussed how to prepare for the EIPPCB Workshop on the second draft questionnaire. The group agreed on a set of comments which were submitted to the TWG on 30 June, together with the final list of Well Performing Plants.

On 21 June, Eurometaux participated in the EIPPCB Workshop on the draft questionnaire, providing comments on the main issues identified during the sub-group meeting.

Next Steps: the EIPPCB will issue a third draft questionnaire by the end of September 2023 and after a final round of comments, will start the data collection at the beginning of December 2023 (more information: Lighea Speciale, Lorenzo Ceccherini, Eleonora Tosi and Lorenzo Marotti).

WATER

Revision of the Water Framework Directive (WFD), Environmental Quality Standard Directive (EQSD) and Groundwater Directive (GWD): the Committee on the Environment, Public Health and Food Safety (ENVI) adopted its draft report on the European Commission (EC) proposal

On 27 July, the ENVI Committee of the European parliament (EP) adopted its [draft report](#) on the EC proposal to revise the WFD, EQSD and GWD.

This report (= package of amendments), which will now go to the **plenary session on 11 September**, is much more ambitious than the EC proposal itself.

Overall, the vote went very quickly, and all compromise amendments were adopted. The final vote was 69 in favour, 4 against and 15 abstentions.

Main points for the non-ferrous metals industry:

- **Bioavailability:** Two of the three amendments on the use of bioavailability in the derivation of EQS for PS and River Basin Specific Pollutants (RBSP) were adopted (320, 298).
- **EQS for nickel:** AM 333 setting the EQS for nickel at the previously derived value was largely rejected.
- **Definition of Priority Hazardous Substances (PHS):** The new Classification, Labelling and Packaging (CLP) hazard classes are added to the PHS definition.

- **Articles 16/17:** Both articles 16 and 17 of the WFD are deleted with a clause to phase out emissions of PHS 20 years after their inclusion in the list of priority substances.
- **Emission control:** priority is given to source control measures in combination with end-of-pipe measures where necessary.
- **Extended producer responsibility (EPR):** The EC will have to present an impact assessment examining the inclusion of an EPR mechanism in the WFD no later than one year after the entry into force of this Directive.
- **Watch List (WL):** A minimum of 5 substances (maximum 5 substances in the EC proposal) should be included in the WL. The WL should be updated every 36 months. In addition, industrial activities related to the energy transition are specifically targeted as they "*may increase adverse impacts on water quality*". Member States (MS) should therefore regularly assess the impact of these industrial activities on water quality and inform the Commission of newly identified threats with a view to update the WL accordingly.
- **Timing of review:** The list of priority substances (PS) should be updated every 4 years (and not every 6 years as in the EC proposal).
- **Delegated Acts:** The EC is empowered to use delegated acts to add new substances to the PS list (and review/add new substances to the WL, etc.).
- **RBSPs:** river basin specific pollutants should be included in the definition of chemical status (although this is not clear in the ENVI draft opinion).
- **Mining:** A specific amendment (a recital) relates directly to the mining sector, as it is expected to grow in the coming years to meet the objectives of the twin transitions. As "*the mining sector directly impacts water quality and quantity. It is therefore necessary to better implement the existing legislative frameworks and to plan and control water use and discharge also in mining operations*".

At EU Council level, a kick-off meeting on this file was held on Monday 12 June, the working party had a "general discussion on the overall proposal". While the environmental dossiers seem to be a priority for the Spanish Presidency, the Industrial Emissions Directive (IED), the Urban Waste Water Treatment Directive (UWWTP) and the Air Quality Directive have a higher priority. Therefore, the WFD/EQSD/GWD revision may be put on hold until the Belgian Presidency takes over (and as we know, there will be elections, which could also slow things down).

Eurometaux will keep an eye on the activities of the EU Parliament and Council and continue its advocacy (more information: Lara Van de Merckt)

SOIL

Update: proposal for a directive on Soil Monitoring and Resilience

On the 5th of July, the European Commission(EC) adopted [its proposal](#) for a Directive on Soil Monitoring and Resilience (Soil Monitoring Law).

The analysis of this EC proposal will be delivered to you in our July issue. So stay tuned! (more information: Lara Van de Merckt).

METALS ENVIRONMENT EXPOSURE DATA PROGRAM (MEED)

MEED Workshop June: an intensive workshop reporting progress on regional assessment updates and metal-organics mixture testing program

An intense MEED workshop was organised on 27 June mainly aiming to close the literature phases of the different MEED projects, each time considering the relevancy and need for either testing or exposure data collection. A status update on the I-PCS, which raised quite some attention, defined for the first time that the Rare Earths require inclusion and further refinement (Ce, La and Y). A detailed update was provided on the sediments regional exposure assessment complemented by last updates on the water and soil regional assessment. The literature part of the project is now finalised and MEED considered for which metals it was relevant to consider gathering regional exposure and evidence or stimulating Member States to do so. Besides lithium, these recommendations included the identified potential I-PCS Rare Earths.

On the Mixture Allocation Factor (MAF) related projects the MEED workshop attendees were informed about the finalisation of the Smart Testing design for the organic-mixture project and some first promising results of the metals mixture test program on algae.

Finally the researchers provided a first and extensive technical contribution on the ecorelevance project indicating what techniques were selected for the local and regional aquatic assessments and how a pilot case in Belgium (Kleine Nete) is set up.

The next MEED workshop will be held in Gent on 30 August back-to-back with the preceding ETAP meeting and solely as a face to face meeting. It will focus on the first results of the mixture testing program and progress with the planning of the ecorelevance pilot site planning (more information: Marnix Vangheluwe, Hugo Waeterschoot, Violaine Verougstraete and Diana Dobre).

MEED: meeting with RIVM

RIVM, the Dutch institute that provides scientific support for the Dutch government and is often involved in EU Environmental technical programs, invited the metals sector for an information session on MEED. This session took place at the RIVM headquarters in Bilthoven on 28 June and allowed for extensive presentations and good discussions on the main outcomes and status of MEED projects. The meeting was attended by several RIVM representatives of different units and by ARCHE, Ghent University and Eurometaux representatives. Several of the RIVM attendees were involved in the ECHA and Commission project on the MAF. In general RIVM was impressed about the extent and speed of the project and confirmed its relevance for the MAF implementation discussion. They were especially interested in the I-PCS assessment, the potential contribution of Rare Earths and the metals/metals and metals/organics literature review outcomes, with emphasis on the Mixture Interaction Factor (MIF) concept and how this could be implemented.

RIVM intends to provide access to some of their ongoing projects when the internal quality assurance would allow to do so. Both organisations suggested to continue this exchange of scientific knowledge improvements on mixture assessments to promote robust science-based solutions, given that RIVM also recognised that for metals other approaches than a blanket MAF would be relevant and required (more information: Charlotte Nys, Marnix Vangheluwe, Karel De Schamphelaere and Hugo Waeterschoot).

OUTREACH

OTHERS

Particles Platform: meeting hosted by Eurometaux

On 14 June, Eurometaux hosted the second meeting of the cross-industries particle platform set up by Cefic. Key items on the agenda were the discussion of the action plan for this platform, agreeing on its scope, mission and vision but also the creation of two sub-groups on phys-chem and toxicity. Key in this context is the actual definition of a PSLT. A third element of the plan that was presented is the review of existing 90-day studies, and a scientific review of induced histopathological findings in lungs and lung-associated lymph nodes in 14 90-Day inhalation studies with different particulate test items. The importance how inflammation is defined and of the recovery period were stressed in this context. A last item on the agenda was the description of regulatory gaps for particles, in legislation and ECHA guidance. The discrepancy between CLP Regulation and OECD guidelines was discussed in this context. The next meeting will be held on the 4th October 11:00-15:00 CEST again in a hybrid form. The physical meeting will be hosted by IMA Europe (more information: Adriana Oller and Violaine Verougstraete).

Pb-REACH Consortium General Assembly: looking forward to potential future REACH challenges

Eurometaux attended the Pb REACH Consortium General Assembly meeting organised on 20 June and provided a presentation and view on what is upcoming under the CSS with emphasis for the REACH 2.0 and could be of relevance for the Consortium to anticipate. Recommendations included anticipating how the MAF could be implemented by manufacturers and users as well as the upcoming future terrestrial classification system, the integration of RoHS under the REACH restriction system, and the practical implementation of the battery regulation.

The GRA and related Essential Use Concept (EUC) would probably be of lower relevance for the Pb sector given its extensive risk management already in place. On the other hand, the recent identification of all

hazard classes and categories for Substances of Concern (SoCs) under the ESPR (Ecodesign for Sustainable Products Regulation) may be a challenge for Pb and many other metals given the minimisation of use requirement will be driven by the (end)user hence out of control of the manufacturers even if safe use is demonstrated (more information: Lisa Allen and Hugo Waeterschoot).

Meeting with Tata Steel on the CSS: *useful insights in company issues with the CSS*

Eurofer and Eurometaux were invited to a Tata Steel internal workshop on the CSS on 16 June. The on-site location and the modalities of the agenda allowed to bring to the table the different expertise and experiences present in the plant, not only related to chemicals management. The objectives of the workshop were to create awareness about new European chemicals legislation and reflect about an integrated response to the developments in legislation, implementation and advocacy. The two associations made presentations on key issues and impacts of the CSS from their respective perspectives, but the most interesting part of the event was constituted by the contributions of the company participants on what they see as the biggest challenge (s) regarding chemicals/substances (legislation) in their respective disciplines in the short term (2030) and the long term (2050). These contributions allowed to have good follow-up discussions -also related to more practical issues- and to enrich the insights of the associations (more information: Hans Dommershuijzen, Leondina Della Pietra, Hans Regtuit, Hugo Waeterschoot and Violaine Verougstraete).

Steptoe conference : *interesting panel to reflect on complexity and resources*

On 19 June, Eurometaux participated in a panel on “The Present and Future of EU Chemicals“ in the context of the EU Chemicals and Sustainability Conference set up by Steptoe. Other panellists were Otto Linher (DG GROW), Camelia Mihai (Cefic Biocides) and Guy Parker (Acumen Public Affairs). The questions to be addressed by the panel allowed to provide different perspectives on the current and future regulatory landscape by asking them to identify the biggest challenges faced in the current regulatory work (internally or externally), the main challenges in the pending CSS revisions/proposals and how we respond to this and finally how can the work on pending issues be aligned with the work on what’s coming? (is there a logical thread)? Starting with the ‘spaghetti slide’ highlighting the high number of regulatory initiatives/incentives and the overall complexity, Eurometaux repeated the need for integrated replies and reflections, amongst others on a more efficient risk management, also addressing specificities of “materials” and a more cooperative dynamic between all actors. The application modalities of the One Substance One Assessment (OSOA) initiative and the grouping trend also raise key questions on resources and expertise to maintain the overall scientific quality. Eurometaux explained that it is working towards achieving a balancing act on the 4 Cs (climate, circularity, chemicals, critical raw materials) and having a possibility to discuss balance and trade-offs (through for example -but not only- a Transition Pathway for metals), the Metals Environmental Exposure Data (MEED) gathering program and even the Metals Academy to encourage people from industry to reflect outside their agenda and to multiply their competences. More detailed notes of the morning part of this conference are available on request (more information: Violaine Verougstraete).

Stakeholder Forum of the PARC project: *hybrid meeting on 28 June*

The first physical meeting of the PARC Stakeholder Forum took place in Athens end of June 2023. The PARC project (<https://www.eu-parc.eu/>) aims to develop next-generation chemical risk assessment to protect human health and the environment and more specifically has as objective to support EU’s Zero Pollution Ambition with new data, knowledge, methods and tools, expertise and networks.

PARC is a 7-year partnership under Horizon Europe, involving close to 200 institutions working in the areas of the environment or public health from 28 countries, three EU Agencies (ECHA, EFSA, EEA) and five DGs of the EU Commission (DG-RTD, DG-GROW, DG-ENV, DG-SANTE and JRC). The partnership is coordinated by ANSES.

The project has set up a “Stakeholders Forum” composed of 15 representatives of industry and NGOs to ‘exchange on PARC’s process and developments and in the longer-term facilitate the buy-in of the deliverables.

Cruelty Free Europe and Eurometaux are co-chairing the Stakeholders Forum for one year. During the 28 June meeting, the PARC representatives presented the main key research and innovation activities of PARC, the wider stakeholder network (SYNnet) and the first results of PARC. Good discussions took place on the “mapping of needs”, the prioritisation of the work and the stakeholders’ priorities. Detailed notes were circulated to the Human Health Taskforce (more information: Diana Dobre and Violaine Verougstraete).

COMMUNICATION

Metals Academy: update

Following the successful Metals Academy 2 held in May, the Organising Committee met in June. To allow for a follow-up of the suggestions made by this year's participants, it has been decided to create a survey proposing various models that will be sent in July to all Eurometaux members, to acknowledge needs and set up a meaningful Metals Academy 3 in 2024 (more information: Ailsa Lee and Violaine Verougstraete).

CALENDAR

Please find here below a non-exhaustive list of the meetings that are planned for the second semester 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](#)

- 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
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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)

CHEMICALS STRATEGY for ZENITUDE



Game 1

Fill the table with CRM (Critical raw Materials Act) or CM (Chemicals Management) in a way that each row and each column contains as many CRMs as CMs.

One cannot have more than two CRMs or two CMs placed next to each other (or above each other).

Lines filled only with identical CRMs or CMs are forbidden (we strive for a balance 😊)

CRM	CRM		CM		CRM			CM	
						CM	CM		
	CRM		CRM		CRM				CRM
		CM		CM					
							CM		CM
	CM	CM			CM		CM		
			CM					CRM	
CM	CM				CM				CRM
				CM	CM		CRM		CRM

Game 2 🎵 🎵 🎵

Prepare the hit of the summer by rewriting this famous song with the metal relevant words:
the Commission, compromise, issuing, regulated, concern, work, REACH, questions, substituted substances, being, EUC, essential, market, law, complex, life, GRA, EP Rapp, me , free

And **please send us your song** (the best one will be performed along the next Chemicals Management week)

When I find myself in times of trouble, Mother Mary comes to me
Speaking words of wisdom, let it be
And in my hour of darkness she is standing right in front of me
Speaking words of wisdom, let it be

Let it be, let it be
Let it be, let it be
Whisper words of wisdom
Let it be

And when the broken-hearted people living in the world agree
There will be an answer, let it be
For though they may be parted, there is still a chance that they will see
There will be an answer, let it be

Let it be, let it be
Let it be, let it be
Yeah, there will be an answer
Let it be
Let it be, let it be
Let it be, let it be
Whisper words of wisdom
Let it be

And when the night is cloudy there is still a light that shines on me
Shine until tomorrow, let it be
I wake up to the sound of music, Mother Mary comes to me
Speaking words of wisdom, let it be

(original writers: John Lennon, Paul McCartney)