



ICDA REACH Update

A lot has happened and continues to happen since the REACH Seminar in Brussels on June 27 for which presentations and meeting notes have been available for some time on the ICDA website.

I- Schedule and Costs:

Although the schedule of deadlines has not changed, the various costs indicated at the June Seminar have increased significantly and a copy of a very recent publication is attached. Considering that there are still over 3 years to go until the registration deadline, there is plenty of scope for further changes.

II- Pre-Registration and Registration:

Please refer to the presentations by Cyril Jacquet at the seminar.

Only EU-based producers and importers may make registrations.

- If you are an agent or distributor buying your substance/alloy from a EU-based producer or importer you do not need to register.
- If you are a EU-based organisation importing from non-EU producer(s) then you **MUST** contact your supplier **WITHOUT DELAY** to find out if they intend to appoint an Only Representative. If they do appoint an Only Representative then that individual or organisation accepts full legal responsibility for all aspects of REACH compliance and you become a downstream user.
- Non-EU based producers that export into the EU **NEED TO DECIDE SOON** their registration strategy.

- The latest guidance on options for pre-registration and registration of alloys are given in the attached note prepared on behalf of the European Industry Metallic Alloys Group (EIMAG).

Irrespective of whether you are a EU-based producer, importer or downstream user of an Only Representative, it is **ESSENTIAL** that you begin communication with your customers to:

- Inform them of your intentions regarding REACH compliance;
- Get information regarding specific uses of what you supply. It is important to stress that uses which are not specified in the registration are likely to be excluded even for substances which do not come under the Authorisation regime;
- Provide data for occupational exposure and environmental release, which are absolutely essential to assessing realistic risks and avoiding the unrealistic consequences of use of default procedures.

III- Consortia:

The regulation does not demand formation of Consortia but the principle of One Substance One Registration contained within its text together with cost reduction for multiple registrant situations encourages their formation. It is likely that the chromium industry will form separate Consortia for Chrome Metal, Chrome Alloys and Chrome Chemicals.

IV- Substance Information Exchange Forum(s) (SIEFs):

These are required by the regulation and their composition will be defined by the European Chemicals Agency (ECHA) following the pre-registration period which ends on December 1, 2008.

V- Chemical Safety Assessments:

These detailed reviews of the health and environmental effects provide the basis for decisions regarding hazard classification and for the preparation of the corresponding Chemical Safety Reports. For each endpoint and exposure route for which a hazard is

identified it is necessary to collect occupational exposure and/or environmental release data so that risks can be identified. If risks are identified then measures must be taken to eliminate the risk or reduce it to an acceptable level (adequate control).

So what is the current status for each of the chromium industry sectors?

1. **Chromium (VI) Compounds**

Independent health and environmental assessments for chromic acid, sodium chromate, sodium dichromate, ammonium dichromate and potassium dichromate were prepared by the UK Competent Authority under the Existing Substances Regulation, the predecessor of REACH and published in 2005. The corresponding risk reduction strategy was published in the Official Journal of the EU in July 2007.

These will form the basis for the Chemical Safety Reports for the above substances but it will be necessary to update to include:

- Any new and relevant effects data;
- Deletion of uses which are no longer relevant and addition of uses which are new or that were overlooked in the original assessment;
- Recent occupational exposure and environmental release data to enable current risks to be characterised. This aspect is **VERY** important since many of the environmental risks were concluded on the basis of default procedures since no data were made available at the time.

2. **Chromium (III) Compounds**

The health risk assessment for basic chromium sulphate and chromium oxide was prepared for ICDA by the Finnish Institute of Occupational Health (FIOH) and published in November 2007.

Publication of the corresponding environmental risk assessment being prepared by the Belgian consultancy EURAS is expected by the end of 2007.

Work to fill the identified data gaps is approved or has been completed already.

3. **Chromium Metal**

As above for chromium (III) compounds.

4. **Ferrochromium**

The above risk assessments for chromium (III) compounds and metallic chromium indicated that there were no health or environmental effect data available for ferrochromium. A strategy has been developed and approved at the June Reach Seminar and it is expected that the risk assessments will be completed by the end of 2008. The ICDA has commissioned several studies, with the anticipation that these will be reimbursed via the Consortia.

Some effects data for iron, nickel and vanadium will be required for the above and discussions are already underway with the appropriate contacts in the respective industry sectors.

5. **Ferrosilicochromium**

As above for ferrochromium.

VI- Forward Strategy:

The above and options for management of the REACH “project” to ensure on-time delivery of high quality registration dossiers were discussed with ICDA Council Members on October 3rd.

For the chromium chemicals sector, Elementis and Lanxess are preparing draft plans for completion of the outstanding tasks including generation of the Chemical Safety Reports by suitably qualified independent organisations. Enquiries are already underway. Alternative is for ICDA to recruit a REACH project manager.

Agreed that Xstrata and Glencore will take the lead for ferrochromium and expected that ENRC will do likewise for ferrosilicochromium. Delachaux have agreed to take the lead for chrome metal.

Keller and Heckman have provided a quotation for preparation of a suitable consortium agreement.

The Council will finalize the most appropriate strategy at its next meeting of January 31st 2008.

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Grant DARRIE
Consultant to ICDA

