Welcome to Today’s Webinar:

Nonylphenol ethoxylates (NPE) and octylphenol ethoxylates (OPE) Annex XIV Inclusion

REACH Authorisation Preparatory Activities by IAEG WG5
7 September 2017

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Today’s webinar - aims

- Provide an overview of the REACH Authorisation procedure
- Set out the typical practical options for actors in the supply chain
- Explain the challenges faced by the aerospace sector
- Overview NPE & OPE REACH Annex XIV inclusion
- Outline the activities IAEG WG5 is undertaking, explain why we are undertaking them and why we need your support!
Who are we?

• Trade association formed by major aerospace companies – formally incorporated June 2011
• Focussed on the multitude of global laws and regulations impacting health and the environment
• Formed to address the complexity and variability of these requirements and associated impact on the Aerospace industry (Civil & Defence) and its supply chain

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BAE Systems | Boeing
Bombardier | Cobham
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IAEG at a glance

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Global Aerospace Industry; One Common Approach

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Authorisation is one of the core REACH processes for managing the risks of hazardous substances. It aims to ensure that the risks from substances of very high concern are properly controlled and that these substances are progressively replaced by suitable alternative substances or technologies where these are economically and technically viable. To this end, all manufacturers, importers, and downstream users applying for authorisations shall analyse the availability of alternatives and consider their risks, and the technical and economic feasibility of substitution.
After a two-step regulatory process, SVHCs may be included in the Authorisation List. These substances cannot be placed on the market or used after a given date (the ‘Sunset Date’), unless an authorisation is granted for their specific use, or the use is exempted from authorisation.

- Authorisation list = 43 substances
- Candidate list = 174 substances

Authorisations are time limited (typically 4, 7 or 12 years) and review reports are required. They are granted per substance and per use.
Journey to Annex XIV

1. **Member State or ECHA** prepares an Annex XV dossier

2. **SVHC Status**

3. **Candidate List**

4. **Prioritisation**

5. **Priority List – Annex XIV**

- **Authorities and interested parties**
  - SVHC properties and uses

- **Authorities and interested parties**
  - Priorities and exemptions
Supply chain coverage

• Use coverage is top-down, not bottom-up – there is a potential for supply chain disruption
• ‘The best’ way: substance manufacturer or importer submits application (all supply chain can be covered if uses are included)
An evolving process…

- Templates and guidance materials can change
- As do committee evaluation methods
- ECHA holds regular workshops
- Authorisation Q&A’s regularly updated
- Important to stay on top of the current ‘best practises’

Given that large dossiers can take 2 years+ to develop, applicants must be ready to exhibit flexibility in their approach to Authorisation
Authorisation from a business perspective

- A complex and challenging process
- Requires businesses to make strategic decisions

1. Replace the substance with a suitable alternative or adapt your process to avoid its use

2. Switch to products (articles) that avoid the use of the substance.

3. Consider applying for authorisation.

4. Ensure your use is covered by another authorisation.

5. Cease use in the EU.
Challenges for the aerospace sector

- Industry’s dependence on certain SVHCs to meet functional requirements, in particular high standards of safety over long product lives
- Reg. 216/2008 on qualification, etc. of alternatives
- Relatively small volumes of chemicals used by sector or its suppliers
- Complexity of the supply chain

Although complex, such aspects are not a disadvantage…

- Similar nature of issues facilitates development of upstream Application for Authorisation
- Long service lives, high costs of retrofitting and intense requalification processes mean there is the potential for long review periods
- High economic and political risks of not authorising uses
Supply chain mapping – process overview

1. Supply-chain profiling of substances
2. Assess uses of identified substances
3. Develop supply-chain map for all identified substances (including approximate volumes)
4. Preliminary assessment of potential alternatives to the identified substance by use
5. Identify vulnerabilities in the on-going case for production of the identified substance
6. Draw conclusions on Authorisation mitigation strategies
Step 1: Profiling of substances – NPEs & OPEs

- Nonylphenol ethoxylates (NPE) and Octylphenol ethoxylates (OPE) within scope of new entries to Annex XIV;

<table>
<thead>
<tr>
<th>42. 4-(1,1,3,3-Tetramethylbutyl)phenol, ethoxylated</th>
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<tbody>
<tr>
<td>[covering well-defined substances and UVCB substances, polymers and homologues]</td>
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<tr>
<td>EC No: -</td>
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<td>CAS No: -</td>
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<th>43. 4-Nonylphenol, branched and linear, ethoxylated</th>
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<td>[substances with a linear and/or branched alkyl chain with a carbon number of 9 covalently bound in position 4 to phenol, ethoxylated covering UVCB- and well defined substances, polymers and homologues, which include any of the individual isomers and/or combinations thereof]</td>
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<td>EC No: -</td>
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<td>CAS No: -</td>
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Step 2: Supply chain surveys for use identification

• Two-part survey being undertaken for nonylphenol ethoxylate and octylphenol ethoxylate compounds
  1. A short (one page) initial questionnaire to help with use identification
  2. A more detailed follow-up questionnaire to obtain key information

• **Information is collated and treated confidentially** (supply chain information cannot be linked back to individual respondents)
Your support is essential!

• Please complete and pass on our short questionnaires (even if you are not a user!)

• The more information we receive, the better the picture of the supply chain → This will allow for a more informed, structured and comprehensive approach to potential future Authorisation activities

• You may help to ensure your use continues and your concerns can be taken on board

• Outside the EU? Authorisation can still affect you!
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Useful links


- ECHA Q&As on Authorisation; https://echa.europa.eu/support/qas-support/browse/-/qa/70Qx/view/scope/reach/authorisation

References


