

Newsletter

Global Environmental and
Chemical Regulations, Policies,
and Standards

January 2024

Vol.4, Issue 1



NEWSLETTER

Global Environmental and Chemical Regulations, Policies, and Standards
January 2024



WHO IS IAEG?

The International Aerospace Environmental Group ([IAEG](#)) is a non-profit organization of global aerospace companies created to collaborate on and share innovative environmental solutions for the industry. The group works to promote the development of voluntary consensus standards and provide accessible solutions for key environmental issues.

Members of IAEG recognize that there are currently a wide variety of different laws and regulations impacting health and the environment in place worldwide. The complexity and variability of requirements and guidance has led to an increased burden for the industry and its supply chain.

IAEG work groups address such issues as chemical material declarations and reporting requirements, the development of alternative technologies and greenhouse gas reporting and management. They create a forum for diverse and often competitive businesses to come together and share information on global environmental requirements. In addition, IAEG provides opportunities for wider education on environmental issues and the supply chain via its meetings agendas and bespoke seminars.

IAEG WORK GROUP 9 NEWSLETTER

The Aerospace and Defense (AD) industry is committed to developing an approach to help the AD industry evaluate emerging global environmental and chemical regulations and their impact on compliance and potential operational risk for companies and their supply chain. The objectives are to:

- » Maintain a list of global regulations, policies and standards considered and to be considered, including executive summaries of those regulations.
- » Develop a method to evaluate designated emerging regulations potential impact on compliance and/or operational risk, business continuity and/or impact on supply chain.
- » Develop summaries of the associated timeline for regulations (e.g., deadlines) and highlight the specific impacts.
- » Develop communication materials and conduct informational webinars, as appropriate, for member companies and/or AD supply chain companies, as appropriate.

This Newsletter summarizes environmental and chemical regulations relevant to the AD industry. Contact Lisa Brown at myrna.l.brown@lmco.com or Lindsey Bean at lindsey.bean@ngc.com for any questions on this Newsletter. For general assistance on IAEG matters, contact Michele Lawrie-Munro at mlawriemunro@iaeg.com or Amanda Myers at amanda.myers@sae.org.

SUBSCRIPTION SERVICE

IAEG also offers a subscription service to receive these newsletters once they become available for release. To subscribe click [here](#).

NEWSLETTER

Global Environmental and Chemical Regulations, Policies, and Standards
January 2024



TABLE OF CONTENTS



AFRICA 5

South Africa..... 5

Extension of commencement date of the regulations to implement the requirements of the Rotterdam Convention on the prior informed consent procedure for certain hazardous chemicals and pesticides in international trade (published).....5



ASIA 5

India..... 5

Indian Standard for cuprous oxide in paints (consultation).....5

Israel..... 6

Extension by six months of the recognition periods of existing implementation bodies of recycling obligations by six months (published)6

Japan 6

Designation of perfluorohexane sulfonic acid and its salts as Class 1 Specified Chemical Substances (published).....6

Changes to the Act on the Examination of Chemical Substances and Regulation of Manufacturing, etc. to modify reporting obligations for general chemical substances (consultation)7

Amendment to the Enforcement Order of the Act on the Examination of Chemical Substances and Regulation of Manufacturing, etc. related to methoxychlor, dechlorane plus, and UV-328 (draft).....7

Revision to the Act for Mutual Recognition between Japan and Foreign States on the Results of Conformity Assessments for Specified Equipment (draft amendment).....8

Malaysia..... 8

Requirements for the import and export of Environmentally Hazardous Substances (published)8

NEWSLETTER

Global Environmental and Chemical Regulations, Policies, and Standards
January 2024



Taiwan 9

Regulations on hydrofluorocarbons management (draft regulation) 9

South Korea..... 9

Amendments to the enforcement rules of the act on registration and evaluation of chemical substances (in force)..... 9



EUROPE 10

European Union10

Amendment to Annex VI to Regulation (EC) No 1272/2008 regarding the harmonized classification and labeling of certain substances (published) 10

Call for evidence and information on uses of certain hexavalent chromium compounds (consultation) 11

Amendment to the restriction of hazardous substances in electrical and electronic equipment – exemption for cadmium in quantum dots for LED applications (draft)..... 11

Directive to improve to streamline scientific assessments of chemicals (consultation)..... 12

Initiative on chemical safety to enhance accessibility of chemical data (consultation)..... 12

Amendment to Regulation (EC) No 1272/2008 on classification, labeling, and packaging of substances and mixtures (draft)..... 12

Finland.....13

Amendment to the Waste Act to implement the European Union batteries and waste batteries regulation (draft)..... 13



NORTH AMERICA..... 13

Canada.....13

Amendments to the Non-Domestic Substance List (in force) 13

Publication of final decision on assessment of twenty-six industry-restricted gas oils and kerosenes and five siloxanes group substances specified on the Domestic Substances List (in force) 14

Amendment to the PCB Regulations and the Regulations Designating Regulatory Provisions for Purposes of Enforcement (consultation)..... 14

NEWSLETTER

Global Environmental and Chemical Regulations, Policies, and Standards
January 2024



Notice of intent to issue a Section 46 notice with respect to reporting of certain plastic products
(consultation)..... 15

United States..... 15

EPA begins process to prioritize five chemicals for risk evaluation (consultation) 15
Draft risk evaluation for tris(2-chloroethyl) phosphate (consultation) 16
Reintroducing the PFAS Action Act (draft law)..... 16



OCEANIA..... 17

Australia..... 17

Substances added to the Australian Inventory of Industrial Chemicals (published)..... 17

New Zealand 18

Proposed changes to the Hazardous Substances (Importers and Manufacturers Notice) 2015
(consultation)..... 18

NEWSLETTER

Global Environmental and Chemical Regulations, Policies, and Standards
January 2024



AFRICA

South Africa

Extension of commencement date of the regulations to implement the requirements of the Rotterdam Convention on the prior informed consent procedure for certain hazardous chemicals and pesticides in international trade (published)

On 14 December 2023, the South African Ministry of Forestry, Fisheries, and the Environment announced an extension of the commencement date of the regulations to implement the requirements of the Rotterdam Convention on the prior informed consent procedure for certain hazardous chemicals and pesticides in the international trade. The extension has been undertaken to allow consideration of comments submitted on the proposed amendments to these regulations, whose comment period closed late in November 2023.

More information can be found in this [here](#).



ASIA

India

Indian Standard for cuprous oxide in paints (consultation)

The Bureau of Indian Standards is consulting on a [draft standard](#) for cuprous oxide (CAS No. 1317-39-1) in paints. The draft (comments due on 12 February 2024) aims to bring the standard into line with the current style and format of Indian Standards, address health and safety concerns, sets out the requirements and methods of sampling and testing, and update the marking clause to prevent unforeseen events. This includes a requirement for the dried material to contain not less than 96% by weight when tested using the method prescribed in the annex to the draft standard. Heavy metal content of paints is also limited, with a limit of 90 parts per million for metallic lead and 0.1% by weight total for mercury, cadmium, chromium IV, arsenic, antimony, and their oxides. The testing methodologies for each of these requirements are set out in the annexes to this standard.

Also included in the draft standards are requirements regarding the packing and marking of related products, with requirements for the information to be included in the marking, as well as the display of Bureau of Indian Standards certification. There are no penalties associated with this draft standard.

Israel

Extension by six months of the recognition periods of existing implementation bodies of recycling obligations by six months (published)

The Law of Environmental Treatment of Electrical and Electronic Equipment and Batteries of 2012 (the Law) places responsibility on manufacturers and importers of electrical, electronic equipment, and batteries to manage the recycling of waste generated. The Law outlines the establishment and operation of recognized bodies, referred to as implementation bodies, which act on behalf of manufacturers and importers to fulfil their recycling obligations. These bodies engage in contracts with manufacturers and importers, collecting fees to support their activities. Additionally, they enter into agreements with other obligated entities, including local authorities, retailers, and various businesses. The implementing bodies are mandated to collect waste from diverse sources and deliver it to recognized recycling facilities to meet the targets set by the Law.

Currently, there are two recognized implementation bodies operating in Israel and their recognition period concluded on 12 January 2024 marking five years from the initial recognition. To facilitate the implementation of the Law and maintain stability in waste management, it is proposed to extend the recognition periods of existing implementation bodies by six months and permit the deferral of the decision on a new recognition request for the same duration. Alongside the advancement of this legislation, there will be an examination of the option to regulate extensions and deferrals under the broader authority granted in these matters.

There is no penalty associated with this update.

More information can be found [here](#) in Hebrew.

Japan

Designation of perfluorohexane sulfonic acid and its salts as Class 1 Specified Chemical Substances (published)

On 1 December 2023, the Japanese Ministry of Economy, Trade, and Industry (METI) introduced Cabinet Order No. 343, designating perfluorohexane sulfonic acid (PFHxS; CAS No. 355-46-4) and its salts as Class 1 Specified Chemical Substances under the Chemical Substances Control Law. This order comes into effect on 1 February 2024, marking the official classification of PFHxS and its salts as Class 1 Specified Chemical Substances. Class 1 Specified Chemical Substances under the CSCL are substances known for their persistence, high bioaccumulation, and/or prolonged toxicity to humans, leading to restrictions on their manufacture, import, and use. Cabinet Order No. 343 enforces a prohibition on:

- » the use, manufacture, and import of PFHxS and its salts
- » the import of ten categories of products containing PFHxS and/or its salts, effective from 1 June 2024

The restricted product categories encompass a range of items, including fire extinguishers, metal processing etching agents, electroplating surface treatment agents, textiles and clothing for oil and water repellency, floor coverings, water repellents, semiconductors, and related materials.

Penalties for non-compliance include fines up to one million yen and/or imprisonment up to three years.

More information can be found in Japanese in this [news release](#).

Changes to the Act on the Examination of Chemical Substances and Regulation of Manufacturing, etc. to modify reporting obligations for general chemical substances (consultation)

On 4 January 2024, the Japanese government published a [proposal](#) introducing changes to the Act on the Examination of Chemical Substances and Regulation of Manufacturing, etc. (the Act). This proposal aims to modify reporting obligations for general chemical substances under the Chemical Substances Control Law (CSCL). A consultation period has been initiated (comments due on 3 February 2024), allowing stakeholders to express their views and submit comments. General chemical substances refer to i) chemicals that are listed in the existing chemical substance inventory, ii) newly publicly announced chemicals, and iii) substances for which the designation as priority assessment chemicals, monitored chemicals, or former second- and third-class monitored chemicals has been revoked.¹

This Act requires individuals who produce or import specific quantities of general chemical substances to annually report their previous year's production to the Minister of Economy, Trade, and Industry (METI). However, exemptions are granted for substances that the METI; the Minister of Health, Labor, and Welfare; and the Minister of the Environment designate as Exempted Substances (i.e., substances not subject to notification obligations).

The proposed amendment introduces the [addition of certain chemical substances](#) to the list of Exempted Substances. These chemicals were selected based on a comprehensive evaluation, aligning with Article 4, Paragraph 1, Item 5 of the Act. Consequently, these newly added substances, deemed unnecessary for risk assessment, are now exempt from reporting requirements.

More information can be found in Japanese in this [announcement](#), [consultation summary](#), [reference materials](#), and [chemical list](#).

Amendment to the Enforcement Order of the Act on the Examination of Chemical Substances and Regulation of Manufacturing, etc. related to methoxychlor, dechlorane plus, and UV-328 (draft)

On 12 December 2023, Japan published a draft amendment to the Enforcement Order of the Act on the Examination of Chemical Substances and Regulation of Manufacturing, etc. The draft amendment provides measures related to methoxychlor (CAS No. 72-43-5), dechlorane plus (CAS No. 13560-89-9), and UV-328 (CAS No. 25973-55-1), in accordance with the addition of these chemicals to Annex A of the Stockholm Convention on Persistent Organic Pollutants after the COP-11 Summit. The consultation period ended on 10 January 2024.

The measures detailed in the amendments prohibit the manufacture and import of methoxychlor, dechlorane plus, and UV-328, as well as products that use these substances, and prohibit the use of these substances for purposes other than approved essential uses. These measures are scheduled to enter into force in the third quarter of 2024. Import bans on certain products that contain dechlorane plus and UV-328 will apply to products such as lubricants, adhesives, and electrical components.

More information can be found [here](#) in Japanese.

¹ Excluding priority assessment chemicals, monitored chemicals, first-class specified chemical substances, and second-class specified chemical substances.

Revision to the Act for Mutual Recognition between Japan and Foreign States on the Results of Conformity Assessments for Specified Equipment (draft amendment)

Japan has issued a World Trade Organization [notification](#) announcing a revision to the Act for Mutual Recognition between Japan and Foreign States on the Results of Conformity Assessments for Specified Equipment. This revision is needed to ensure that products sold directly to Japanese consumers, mainly through the Internet, without going through manufacturers and importers in Japan comply with all safety requirements. In particular, to ensure the safety of the electrical appliances and materials in the Japanese market, the Electrical Appliances and Materials Safety Act will be revised to i) clarify that overseas operators that sell products directly to general consumers in Japan are subject to regulations under the Act, and ii) stipulate that the overseas operators must appoint a responsible person in Japan and provide them with a copy of the certificate required for the specified electrical appliances and materials.

The Act for Mutual Recognition between Japan and Foreign States on the Results of Conformity Assessments for Specified Equipment will be revised to ensure that the conformity assessment certificates registered under this Act are treated as equal to those registered directly under the Electrical Appliances and Materials Safety Act.

It is expected that these changes will be adopted in June 2024. The proposed entry into force date is December 2025.

[Malaysia](#)

Requirements for the import and export of Environmentally Hazardous Substances (published)

In December 2023, the Malaysian Department of Environment (DOE) released a comprehensive set of requirements governing the import and export of environmentally hazardous substances (EHS). Published as a [checklist](#), these requirements aim to enhance compliance by detailing necessary information such as organizational particulars, safety data sheets, CAS numbers, purpose and uses, quantities, and designated entry/exit points. EHS encompass substances:

- » outlined in Annex III of the Rotterdam Convention, Annex A, B, and C of the Stockholm Convention
- » regulated by the Minamata Convention
- » covered in Annex I and V of the EU PIC regulation
- » identified as substances of concern on the DOE's [MyEHS portal](#)²

To comply with the published requirements, including company and chemical information, submissions should be made to specified contacts via email or post. Exclusions from these requirements apply to substances registered or notified under the Pesticides Act 1974, the Poisons Act 1952, the Atomic Energy Licensing Act 1984, and the Chemical Weapons Convention Act 2005.

Although no specific penalties are outlined in this update, non-compliance with these requirements may violate the Customs (Prohibition of Imports) Order 2023 and the Customs (Prohibition of Exports) Order 2023.

² The DOE has developed the MyEHS portal to facilitate information collection from industries, create an inventory of EHSs, conduct risk assessments, and digitize import, export applications, and manufacturing notifications. Presently, MyEHS features seventy-nine listed substances with corresponding CAS numbers.

Taiwan

Regulations on hydrofluorocarbons management (draft regulation)

On 21 November 2023, Taiwan's Ministry of Environment (MOENV) published [draft regulations](#) to prohibit the production of hydrofluorocarbons (HFCs) under Annex F of the Kigali Amendment to the Montreal Protocol. These draft regulations on HFC management prohibit the production of regulated HFCs from 1 January 2024 and require companies to obtain approval from MOENV before importing or exporting HFCs. The [list of regulated HFCs](#) is established under a separate draft (the High Global Warming Potential Greenhouse Gas Hydrofluorocarbons Regulated Under the Montreal Protocol). Both drafts were open for public comment until 12 December 2023.

Articles 1 to 8 of the draft regulations detail crucial regulatory aspects including the national consumption reduction schedule, calculation basis, annual consumption limits, and the ban on HFC production from 1 January 2024. The draft regulations also cover import and export approval procedures. HFCs may not be imported or exported without approval from the MOENV and are restricted to countries that comply with the Montreal Protocol. To obtain approval, users or suppliers must submit an application form to the central competent authority within one month following the implementation of these regulations. Article 6 details required documentation, such as certificates and supporting documents for specific sectors. Article 7 outlines allocation principles, giving priority to users, whilst remaining HFC quantities will be allocated to suppliers. The central competent authority may reissue allocations based on reserves or remaining quantities.

Article 11 addresses reporting and assessment procedures for manufacturers with approved quotas, emphasizing quarterly performance reporting and submission of relevant certification documents. There are specific provisions for corrections where declarations are late or inconsistent, and manufacturers with state-reserved quantities must report the purchase volume, usage volume and inventory volume twice a year. Article 13 stipulates that manufacturers must obtain qualifications and HFC allocation quantities before applying for import/export licenses – specific examples are provided for import licenses. The resale or distribution of HFCs is prohibited under Article 14, except for the after-sales service of maintenance equipment, provided that manufacturers have submitted a list of HFC maintenance providers to the central competent authority within one month following the implementation of these regulations. Recovery or reuse equipment is required for suppliers repackaging or reloading HFCs, dismantling equipment or conducting HFC filling operations, with specific requirements – including equipment labelling and maintenance – under Article 15.

Article 17 outlines penalties for violations, including deductions of approved allocation amounts and suspension of applications and import licenses. Under Article 18, the Regulations enter into effect on their date of promulgation.

More information can be found in Chinese in this [announcement](#), the [draft regulation text](#), and the [list of HFC categories](#).

South Korea

Amendments to the enforcement rules of the act on registration and evaluation of chemical substances (in force)

The South Korean Ministry of Environment published amendments to the enforcement rules of the act on the registration and evaluation of chemical substances. The changes concern the reporting of changes to products containing controlled substances. The enforcement rules lay out the practicable steps that manufacturers and importers must take to be

compliant with the act on registration and evaluation of chemical substances. The changes entered into force on 4 January 2024.

While changes made to Articles 36, 41, 46, 54 and 55 are all amended, the most significant changes relevant to manufacturers and importers are included in the addition of Article 42 and the amendment of Appendix 11. Article 42 provides the necessary reporting obligations when reporting a change to the controlled substances contained within a product. The article provides an overview of the necessary information, as well as the scope of this article. Amendments made to Appendix 11 refer to the reduction in the cost of fees regarding reporting the controlled substances in the product from 50,000 KRW to 20,000 KRW.

Penalties are not mentioned in the update.

More information can be found [here](#) in Korean.



EUROPE

[European Union](#)

Amendment to Annex VI to Regulation (EC) No 1272/2008 regarding the harmonized classification and labeling of certain substances (published)

On 5 January 2024, the European Commission issued Commission Delegated [Regulation \(EU\) 2024/197](#), amending Annex VI to Regulation (EC) No 1272/2008, also known as the CLP³ Regulation. This Regulation seeks to harmonize criteria for classifying substances and mixtures, along with rules for labeling and packaging hazardous substances and mixtures. It also aims to establish a classification and labeling inventory of substances. Annex VI specifies harmonized classification and labeling for specific hazardous substances.

Table 3 of Part 3 in the affected Annex undergoes amendments, including the introduction of new entries and the replacement of some existing ones. The effective date for these amendments was 25 January 2024, and they will be applicable from 1 September 2025. Prior to the application date, suppliers may classify, label, and package substances and mixtures in accordance with Regulation (EC) No 1272/2008 as amended by Regulation (EU) 2024/197.

This Regulation shall be binding in its entirety and directly applicable in all Member States. According to Article 47 of the CLP Regulation, penalties for non-compliance are determined by Member States.

³ i.e., classification, packaging, and labeling.

Call for evidence and information on uses of certain hexavalent chromium compounds (consultation)

The European Chemicals Agency (ECHA) is in the process of assembling a restriction dossier for specific chromium (VI) substances [Cr(VI); CAS No. 18540-29-9], following the guidelines outlined in Annex XV of EU REACH. To gather comments and opinions, ECHA opened a [consultation window](#) from 13 December 2023 to 13 February 2024.

Annex XV outlines the fundamental principles for creating dossiers to propose and substantiate the identification of substances categorized as carcinogenic, mutagenic, or toxic for reproduction (CMR); persistent, bio-accumulative and toxic (PBT); very persistent and very bio-accumulative (vPvB); or a substance of equivalent concern. It also stipulates the regulations for restriction dossiers related to the manufacture, market placement, or utilization of a substance within the community.

This call for evidence is designed to facilitate the development of the restriction report, seeking insights on:

- » the costs and effectiveness of measures aimed at controlling exposure to and release of Cr(VI)
- » additional details relevant to formulating the Annex XV proposal for restricting specific Cr(VI) compounds

Various stakeholders, including private entities (manufacturers, suppliers, recyclers, downstream users, distributors, importers, etc.), sector associations, scientific organizations, non-governmental organizations, and other concerned parties, are invited to contribute. Member State Authorities possessing pertinent information are also encouraged to participate.

Additional information can be found [here](#).

Amendment to the restriction of hazardous substances in electrical and electronic equipment – exemption for cadmium in quantum dots for LED applications (draft)

The European Commission (EC) has published a draft act to amend Annex III of Directive 2011/65/EU on the restriction of hazardous substances (RoHS) in electrical and electronic equipment (EEE). The [amendment](#) provides exemptions regarding the use of cadmium (Cd; CAS No. 7440-43-9) in quantum dots used in LED lighting and displays. The EC opened a four-week feedback period on the draft act, with a deadline for comments of 15 January 2024.

The RoHS Directive aims to prevent the risks posed to human health and the environment related to the management of electronic and electrical waste. It does this by restricting the use of certain hazardous substances in EEE that can be substituted by safer alternatives.

Annex III to Directive 2011/65/EU is amended to add the following exemptions:

- » cadmium selenide (CAS No. 1306-24-7) in downshifting cadmium-based semiconductor nanocrystal quantum dots for use in display lighting applications [< 0.2 micrograms (μg) Cd per square millimeter (mm^2) of display screen area]; this exemption will expire for all EEE categories 18 months after the date of publication of this amendment
- » cadmium in downshifting semiconductor nanocrystal quantum dots directly deposited on LED semiconductor chips for use in display and projection applications ($< 5 \mu\text{g}$ Cd per mm^2 of light emitting LED chip surface) with a maximum amount per device of 1 milligram; this exemption will expire for all EEE categories on 31 December 2027

While there are no penalties associated with this update, penalties associated with non-compliance with RoHS are determined by the Member States.

Directive to improve to streamline scientific assessments of chemicals (consultation)

The European Commission (EC) has opened a consultation on the [proposed directive](#) intended to improve the efficiency of European Union (EU) scientific and technical work on chemicals. Opened on 8 December 2023, interested parties are able to submit comments on the proposed legislation via the European Commission website up until 07 March 2024. This deadline is being extended every day until the adopted proposal is available in all EU languages.

As the EU works towards a “one substance, one assessment” process for chemical safety assessments, the EC intends to ensure that EU agencies are best utilizing their expertise and to simplify the current arrangements for assessments. The proposed directive amends the RoHS Directive 2011/65/EU⁴ in order to address shortcomings that have been identified regarding consistency and efficiency. This consultation follows a call for evidence that ran from 15 March 2022 to 12 April 2022.

There are no penalties associated with this update.

Initiative on chemical safety to enhance accessibility of chemical data (consultation)

On 8 December 2023, the European Commission (EC) opened a consultation on chemical safety. This [initiative](#) seeks to enhance the accessibility of chemical data by eliminating technical and administrative barriers. The underlying principle is that data should be easily discoverable, shareable, and reusable and maintain interoperability and security. The initiative aims to simplify the retrieval and utilization of all accessible data, promoting transparency. Additionally, it empowers European Union (EU) and national authorities to, if required, initiate testing and monitoring of chemical substances within the regulatory framework.

Comments will close on 6 March 2024. This deadline will be extended every day until the adopted proposal is available in all EU languages. There are no penalties associated with this update.

More information can be found in the [proposed regulation](#) and [annexes](#).

Amendment to Regulation (EC) No 1272/2008 on classification, labeling, and packaging of substances and mixtures (draft)

The Council and the European Parliament have provisionally agreed on an amendment to Regulation (EC) No 1272/2008 on classification, labeling, and packaging (CLP) of substances and mixtures. Aligned with the Chemicals Strategy for Sustainability under the European Green Deal, this revision, alongside the planned REACH Regulation revision, aims to address emerging hazards and commercial trends.

This [proposal](#), first presented in December 2022, introduces measures for faster hazard information provision, clearer labeling requirements, including online, and grants the European Commission additional powers for expedited hazardous substance identification. Specific rules will apply to newer forms of trade, such as online sales and refillable products. The agreement also addresses substances with multiple constituents, allowing a five-year derogation for certain plant-based products.

⁴ i.e., the restriction of the use of hazardous substances in electrical and electronic equipment.

NEWSLETTER

Global Environmental and Chemical Regulations, Policies, and Standards
January 2024



The proposed regulation mandates physical labels for most products but allows digital labels as an option. For certain products, the supplier can provide digital-only data, although consumers will be able to request a physical copy of the product information. Measures are introduced to enhance label readability, especially for visually impaired individuals.

Note that this agreement is not official; both the European Parliament and the Council need to formally approve the final text. However, it is unlikely that any further changes will be made to the current text. It is expected that the CLP amendment will be approved and published in 2024, and that it will start applying from 2025, with some provisions having later application dates.

More Information can be found in this [announcement](#).

Finland

Amendment to the Waste Act to implement the European Union batteries and waste batteries regulation (draft)

The Finnish government has proposed amending its Waste Act to include necessary clauses to implement the new European Union (EU) batteries and waste batteries regulation (Regulation (EU) 2023/1542). Regulation (EU) 2023/1542, amending Directive 2008/98/EC and Regulation (EU) 2019/1020 and repealing Directive 2006/66/EC, was issued on 12 July 2023, and entered into force on 17 August 2023. It aims to promote the efficient functioning of the internal market and at the same time to prevent and reduce the harmful environmental effects of batteries and battery waste. The regulation is directly applicable in the EU Member States, but to support its implementation, national supplementary regulation is also needed.

The main changes are the designation of the Finnish Ministry of the Environment as the national authority responsible for the notification referred to in Regulation (EU) 2023/1542, for setting-up the requirements to become a notified institution for the purposes of conducting conformity assessments and regulating applications to be designed as a notified institution. It is proposed that the amendment to the Waste Act enters into force on February 18, 2024.

More information can be found in Finnish in [Board proposal HE 81/2023 vp](#) and in the [approval process](#).



NORTH AMERICA

Canada

Amendments to the Non-Domestic Substance List (in force)

Canada published Order 2023-66-11-02 and Order 2023-87-11-02 on 2 December 2023 to update the Non-domestic Substances List (NDSL). The NDSL is an inventory of substances that are not on the Domestic Substances List (DSL) but are in

commercial use internationally. Substances that are listed on the NDSL are subject to lesser information requirements compared to substances listed on the DSL. The following amendments were made:

- » Order 2023-66-11-02: Part II of the NDSL is amended by adding carbamic acid, N-[3-(trimethoxysilyl)propyl]-, alkanediyl ester (substance identifier: 19636-4)
- » Order 2023-87-11-02: Part I of the NDSL is amended by deleting guerbet alcohols, C24-26, branched and cyclic (CAS No. 2041102-78-5)

The Orders came into force on 2 December 2023. Penalties for non-compliance include fines of up to \$1 million a day for each day an offence continues, imprisonment for up to three years, or both.

More information can be found in the [Canada Gazette](#).

Publication of final decision on assessment of twenty-six industry-restricted gas oils and kerosenes and five siloxanes group substances specified on the Domestic Substances List (in force)

In accordance with Section 77 of the Canadian Environmental Protection Act, 1999 (CEPA), the Canadian Government has published its final decision on the assessment of twenty-six industry-restricted gas oils and kerosenes and five siloxanes group substances listed on the Domestic Substances List. The ministry has assessed these substances based on scientific considerations and has published its opinion in the Canadian Gazette on 9 December 2023.

Under section 68 of CEPA, ministers are required to collect and generate data and conduct investigations respecting any matter in relation to the substance or product to assess whether a substance is toxic or capable of becoming toxic. Therefore, the Minister of the Environment (MoE) and the Minister of Health (MoH) conducted the assessment of twenty-six industry-restricted gas oils and kerosenes and five substances referred to collectively under the CMP as the siloxanes group. The MoE and MoH propose to take no further action on these substances at this time under section 77 of CEPA.

Penalties are not mentioned in the update.

More information can be found in the [Canada Gazette](#), [usage information on gas oils and kerosenes](#), and [siloxanes group](#).

Amendment to the PCB Regulations and the Regulations Designating Regulatory Provisions for Purposes of Enforcement (consultation)

On 23 December 2023, the Canadian Government opened a consultation to amend PCB⁵ Regulations and Designating Regulatory Provisions for Purposes of Enforcement (comments due on 24 February 2024). The amendment aims to provide flexibility for using and storing PCB-containing equipment under unique circumstances not foreseen when the regulations came into force.

The proposed amendments would allow:

- » the continued use and storage of PCB-containing equipment that is radioactive
- » for electrical facilities that are due to be decommissioned by December 31, 2029, to continue to use certain types of PCB-containing equipment until that time, subject to ministerial approval

⁵ i.e., polychlorinated biphenyls.

- » for the continued use and storage of military equipment containing PCBs, for cases in which non-PCB alternatives cannot be substituted
- » museums to keep in their collections PCB-containing objects that are of historical significance

In addition, the proposed amendments would clarify that mixing PCB oil with non-PCB oil to reduce the PCB concentration is not allowed and that laboratory tests are not required if the PCB concentration is already known by other means.

More information can be found in the [Canada Gazette](#).

Notice of intent to issue a Section 46 notice with respect to reporting of certain plastic products (consultation)

The Minister of the Environment (MoE) published on 30 December 2023 a [notice of intent](#) to issue a Section 46 notice for the Federal Plastics Registry to create an inventory of data (comments due on 13 February 2024). The notice would be issued under Subsection 46(1) of the Canadian Environmental Protection Act, 1999 (CEPA). CEPA aims to contribute to sustainable development through pollution prevention. It provides the legislative basis for a range of federal environmental and health protection programs such as the assessment and management of risks from chemicals, polymers and living organisms, environmental emergencies, and more.

The notice would require producers of plastic products to provide information about the lifecycle of plastics in Canada. Through the notice, the MoE seeks to collect information on a large sector of the economy and provide meaningful and standardized data on plastics and recycling across the country. The notice would apply to reporting of certain plastic manufactured items for calendar years 2024, 2025, and 2026 and the information of each calendar year would be required to be provided no later than 29 September of the year following each calendar year.

More information can be found in the [plastic pollution guidance](#).

United States

EPA begins process to prioritize five chemicals for risk evaluation (consultation)

The United States Environmental Protection Agency (EPA) [announced](#) on 14 December 2023 that it is beginning the process of prioritizing five additional chemicals for risk evaluation under the chemical safety law. Under the Toxic Substances Control Act (TSCA), as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act, EPA evaluates potential risks from new and existing chemicals and acts to address any unreasonable risks chemicals may have on human health and the environment.

The five chemicals are acetaldehyde (CAS No. 75-07-0), acrylonitrile (CAS No. 107-13-1), benzenamine (CAS No. 62-53-3), 4,4'-methylene bis(2-chloroaniline) (MBOCA; CAS No. 101-14-4), and vinyl chloride (CAS No. 75-01-4) because they are primarily used in manufacturing and processing and these processes may result in a range of health effects (such as irritation of the respiratory system, the reproductive system, genetic damage, liver toxicity and many more). MBOCA is classified as a probable human carcinogen and vinyl chloride is a known human carcinogen; therefore, EPA officials raised serious concerns about the health impacts, especially for vinyl chloride. EPA plans to prioritize these substances for risk evaluation under TSCA.

EPA is announcing the initiation of and soliciting public comment on the prioritization process for these five chemical substances as candidates for designation as high-priority substances for risk evaluation. EPA has stated that if during the twelve-month-long statutory process these five chemicals are designated as high priority substances, risk evaluations for these chemicals will then begin.

The [public comment](#) period is open until 18 March 2024.

More information can be found in this [news release](#) from EPA.

Draft risk evaluation for tris(2-chloroethyl) phosphate (consultation)

The United States Environmental Protection Agency (EPA) has released the draft risk evaluation for the flame-retardant tris(2-chloroethyl) phosphate (TCEP) under the Toxic Substances Control Act (TSCA) with comments due on 13 February 2024. Preliminary findings suggest unreasonable risks to human health and the environment, particularly for workers, children, and subsistence fishers. TCEP, historically used in various products, is linked to health issues, including kidney cancer. A peer review is scheduled before finalizing the evaluation.

EPA's action is based on Section 6(b) of TSCA, requiring risk evaluations for existing chemical substances. The process, outlined in 40 CFR part 702, excludes cost considerations. The action is directed to the public, especially those involved in the manufacture, processing, and disposal of chemical substances regulated under TSCA. The EPA emphasizes the broad potential impact and refrains from listing specific affected entities. The focus is on assessing the methodologies in the risk evaluation. TCEP's use in various products, its high-priority status, and the unique considerations for the risk evaluation are highlighted. Specific issues for review include human health hazard confidence levels, environmental fate, and exposure estimation methods.

Public comment is sought on both the draft risk evaluation and the draft charge questions for the letter peer review. Documents are accessible via EPA Docket ID No. EPA-HQ-OPPT-2023-0265. A virtual public meeting on 5 March 2024 allows comments and questions on the draft charge questions. Registration instructions will be published, and oral comment requests are accepted until 1 March 2024.

More information can be found in the [Federal Register](#) and this [announcement](#).

Reintroducing the PFAS Action Act (draft law)

On 14 December 2023, United States Lawmakers Dingell, Fitzpatrick, and Ryan reintroduced the [PFAS Action Act](#) after a previous attempt failed in Congress. It is unlikely that this act will pass.

The act aims to accelerate the efforts of the Environmental Protection Agency (EPA) under the agency's PFAS roadmap, requiring the EPA to establish a national drinking water standard for perfluorooctanoic acid (PFOA; CAS No. 335-67-1) and Perfluorooctanesulfonic (PFOS; CAS No. 1763-23-1) alongside four other PFAS substances. The act would also accelerate the designation of both PFOS and PFOA as hazardous substances and set a five-year deadline for the EPA to determine whether to list other PFAS. In addition to streamlining EPA efforts, the act proposes bans on the unsafe incineration of PFAS wastes, imposes a moratorium on new PFAS introductions into commerce, mandates comprehensive PFAS health testing, and extends assistance to schools and childcare facilities grappling with PFAS contamination in drinking water.

PFAS – recognized for their persistence, bio-accumulation, and toxicity – are found in nearly everyone's body today. These substances are linked to harmful human health effects, including increased cholesterol levels, changes in liver enzymes, decreases in infant birth weights, and an increased risk of certain cancers.

Despite bipartisan backing in the House of Representatives and support from various non-governmental organizations, previous attempts in 2019 and 2021 were thwarted in Congress. The American Chemistry Council, while facing widespread support, deems the legislation "misguided" and "inconsistent with the latest science."

More information can be found in this [news release](#).



OCEANIA

[Australia](#)

Substances added to the Australian Inventory of Industrial Chemicals (published)

On 18 December 2023, the Australian Industrial Chemicals Introduction Scheme (AICIS) announced the [addition of ten additional substances](#) to the Australian Inventory of Industrial Chemicals (AIIC) in accordance with Section 82 of the Industrial Chemicals Act 2019 (ICA). The AIIC is a searchable database of the substances that are being manufactured or imported into Australia for industrial use. The aim of the inventory is to aid in recordkeeping and to ensure the safe use of substances to prevent harm to human health or the environment. Users must inform the AICIS within 28 days if the circumstances of the importation or manufacture (introduction) of the substances are different from those in the AICIS assessment.

These ten substances can be listed in AIIC regardless of whether five years have not yet passed since their assessment certificates were issued. The substances are:

- » 2-propenoic acid, 2-methyl-, butyl ester, polymer with 2-hydroxyethyl 2-methyl-2-propenoate, 1,1'-methylenebis[4-isocyanatobenzene] and methyl 2-methyl-2-propenoate (CAS No. 366806-19-1)
- » fatty acids, C18-unsatd., dimers, polymers with .alpha.-hydro-.omega.-hydroxypoly(oxy-1,4-butanediyl) (CAS No. 1431412-25-7)
- » docosanoic acid, ester with 1,2,3-propanetriol (CAS No. 77538-19-3)
- » 2-propenoic acid, 2-methyl-, butyl ester, polymer with butyl 2-propenoate and N-(1,1-dimethyl-3-oxobutyl)-2-propenamide (CAS No. 96283-84-0)
- » soybean oil, polymer with adipic acid and diethylene glycol-depolymd. poly(ethylene terephthalate) waste plastics (CAS No. 2180951-94-2)
- » 2-propenoic acid, 2-methyl-, butyl ester, polymer with butyl 2-propenoate, ethenylbenzene, 2-hydroxyethyl 2-methyl-2-propenoate, methyl 2-methyl-2-propenoate and 2-propenoic acid, tert-Bu 3,5,5-trimethylhexaneperoxoate-initiated, compds. with 2-(dimethylamino)ethanol (CAS No. 3008591-77-0)
- » 1-propanaminium, 3-amino-N-(carboxymethyl)-N,N-dimethyl-, N-C8-10 acyl derivs., inner salts (CAS No. 638132-19-1)
- » 1-propanaminium, N-(carboxymethyl)-N,N-dimethyl-3-[(1-oxooctyl)amino]-, inner salt (CAS No. 73772-46-0)

NEWSLETTER

Global Environmental and Chemical Regulations, Policies, and Standards
January 2024



- » 1-propanaminium, N-(carboxymethyl)-N,N-dimethyl-3-[(1-oxodecyl)amino]-, inner salt (CAS No. 73772-45-9)
- » ferrocene, 1,1''-octylidenebis- (CAS No. 501410-94-2)

There are no penalties associated with this update.

Further details can be found [here](#).

[New Zealand](#)

Proposed changes to the Hazardous Substances (Importers and Manufacturers Notice) 2015 (consultation)

The New Zealand Environmental Protection Authority (EPA) is seeking feedback from chemical importers and manufacturers on the proposed changes to the Hazardous Substances (Importers and Manufacturers Notice) 2015. The changes would apply to a range of chemicals, including pesticides, fumigants, and antifouling paints, and require importers and manufacturers to report the quantities of chemicals they have imported/manufactured each year. The consultation is open until 28 March 2024 and the EPA is keen to hear from industry and other stakeholders to ensure their voices are heard.

In addition to information on reporting quantities of chemicals they have imported and manufactured each year, the proposal would also require importers and manufacturers to provide:

- » their New Zealand Business Number
- » the HSNO⁶ approval numbers of the chemicals they are importing or manufacturing
- » any relevant certificates for imported explosives

Submissions should be made through the online submission form or via email or post. The EPA will analyze the submissions and publish a report sharing the analysis. Once approved by the EPA board, the EPA will publish the amended Importers and Manufacturers Notice in the New Zealand Gazette and on the EPA website. The deadline for comments is 28 March 2024.

Further details can be found [here](#).

⁶ HSNO refers to New Zealand's Hazardous Substances and New Organisms Act.

NEWSLETTER

Global Environmental and Chemical Regulations, Policies, and Standards
January 2024



DISCLAIMER

THIS DOCUMENT IS PROVIDED BY INTERNATIONAL AEROSPACE ENVIRONMENTAL GROUP, INC. ("IAEG") FOR INFORMATIONAL PURPOSES ONLY. ANY INACCURACY OR OMISSION IS NOT THE RESPONSIBILITY OF IAEG. DETERMINATION OF WHETHER AND/OR HOW TO USE ALL OR ANY PORTION OF THIS DOCUMENT IS TO BE MADE IN YOUR SOLE AND ABSOLUTE DISCRETION. PRIOR TO USING THIS DOCUMENT OR ITS CONTENTS, YOU SHOULD REVIEW IT WITH YOUR OWN LEGAL COUNSEL. NO PART OF THIS DOCUMENT CONSTITUTES LEGAL ADVICE. USE OF THIS DOCUMENT IS VOLUNTARY. IAEG DOES NOT MAKE ANY REPRESENTATIONS OR WARRANTIES WITH RESPECT TO THIS DOCUMENT OR ITS CONTENTS. IAEG HEREBY DISCLAIMS ALL WARRANTIES OF ANY NATURE, EXPRESS, IMPLIED OR OTHERWISE, OR ARISING FROM TRADE OR CUSTOM, INCLUDING, WITHOUT LIMITATION, ANY IMPLIED WARRANTIES OF MERCHANTABILITY, NONINFRINGEMENT, QUALITY, TITLE, FITNESS FOR A PARTICULAR PURPOSE, COMPLETENESS OR ACCURACY. TO THE FULLEST EXTENT PERMITTED BY APPLICABLE LAWS, IAEG SHALL NOT BE LIABLE FOR ANY LOSSES, EXPENSES OR DAMAGES OF ANY NATURE, INCLUDING, WITHOUT LIMITATION, SPECIAL, INCIDENTAL, PUNITIVE, DIRECT, INDIRECT OR CONSEQUENTIAL DAMAGES OR LOST INCOME OR PROFITS, RESULTING FROM OR ARISING OUT OF A COMPANY'S OR INDIVIDUAL'S USE OF THIS DOCUMENT, WHETHER ARISING IN TORT, CONTRACT, STATUTE, OR OTHERWISE, EVEN IF ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.