



# Newsletter

**Global Environmental and  
Chemical Regulations,  
Policies and Standards**

**Stay Informed!**

November 2022

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# NEWSLETTER

*Global Environmental and Chemical Regulations, Policies, and Standards*  
November 2022



## 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 industry-wide opportunities for the promotion and adoption of 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 regulation's 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](mailto:myrna.l.brown@lmco.com) or Lindsey Bean at [lindsey.bean@ngc.com](mailto:lindsey.bean@ngc.com) for any questions on this Newsletter. For general assistance on IAEG matters, contact Christer Hellstrand at [chellstrand@iaeg.com](mailto:chellstrand@iaeg.com) or Amanda Myers at [Amanda.Myers@sae.org](mailto:Amanda.Myers@sae.org).

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## ASIA

### China

#### China issues the “Implementation Plan for Establishing and Improving the Carbon Neutrality Standard Measurement System for Carbon Peaking” (published)

On 31 October 2022, the Chinese State Administration for Market Regulation issued the "Implementation Plan for Establishing and Improving the Carbon Neutrality Standard Measurement System for Carbon Peaking". Also termed the "Implementation Plan", the plan aims for sustainability, efficient energy use, and the development of green technologies in China. The plan describes standards to be adopted in energy, industries, construction, agriculture, forestry, and public institutions to achieve China's "double carbon" goal.

The main goals of the Implementation Plan include:

- » establishing a standardized measurement system for carbon peaking and carbon neutrality by 2025
- » improving the standardized measurement system for carbon peaking and carbon neutrality by 2030
- » establishing a comprehensive standardized measurement system to drive the green transformation and achieve carbon neutrality by 2060.

The critical tasks described in the Implementation Plan are:

- » improving technologies for carbon measurement
- » strengthening the construction of a management system for carbon measurement
- » building an optimized service system for carbon measurement

There are no non-compliance provisions associated with this update.

More information can be found here [in English](#) and [in Chinese](#).

### India

#### E-Waste (Management) Rules, 2022 (published)

The Indian Ministry of Environment, Forest, and Climate Change (MOEFCC) issued E-Waste (Management) Rules, 2022 (the Rules), on 2 November 2022. In comparison with the draft that was published on 19 May 2022, the Rules supplemented the requirement for the management of solar photo-voltaic modules, panels, and cells. Additionally, some adjustments have been made in Schedule III and a Schedule V has been added to specify authorities and corresponding duties.

The Rules shall apply to every manufacturer, producer, re-furbisher, dismantler, and recycler involved in the manufacture, sale, transfer, purchase, refurbishing, dismantling, recycling, and processing of e-waste or electrical and electronic

equipment (EEE) listed in Schedule I, including their components, consumables, parts, and spares that make the product operational.

The following exclusions apply:

- » waste batteries as covered under the Battery Waste Management Rules, 2022
- » packaging plastics as covered under the Plastic Waste Management Rules, 2016
- » micro enterprise as defined in the Micro, Small and Medium Enterprises Development Act, 2006 (27 of 2006)
- » radio-active wastes as covered under the provisions of the Atomic Energy Act, 1962 (33 of 1962) and Rules made there under

The India Central Pollution Control Board by itself or through a designated agency will take action against violations of the provisions of these rules as per Rule 22. This includes environmental compensation charges and/or revocation of registration.

The Rules come into force on 1 April 2023.

More information can be found in Hindi and English [here](#).

## Delay in Implementation of Quality Control Orders (published)

The Department of Chemicals and Petrochemicals of the Ministry of Chemicals and Fertilizers published an order on 29 September 2022 to delay the implementation of Quality Control Orders (QCOs) associated with the substances listed below. QCOs implementation dates were delayed to 3 April 2023 for the following substances:

- » ethylene vinyl acetate co-polymers (CAS No. not available) – used as melt adhesives, hose and tube, flexible moulding, and extrusions
- » polyethylene (CAS No. 9002-88-4) – used for insulation for wires and cables
- » linear alkyl benzene (CAS No. 67774-74-7) – used in industrial cleaners
- » polyester (CAS No. 113669-95-7) continuous filament fully drawn yarn – used in making knitted and woven fabrics
- » polyester partially oriented yarns (CAS No. not available) – used in making fabrics
- » polyester industrial yarn (CAS No. not available) – used in industrial fabrics
- » 100% Polyester spun grey and white yarn (CAS No. not available) – used in making polyester fiber and fabrics

QCOs implementation dates were delayed to 24 April 2023 for the following substances:

- » maleic anhydride (CAS No. 108-31-6) – used in input for the manufacture of unsaturated polyester resins, surfactants and additives to plastics
- » styrene (vinyl benzene; CAS No. 100-42-5) – used in the production of plastics, latex paints, and synthetic rubber
- » acrylonitrile (CAS No. 107-13-1) – used in the manufacture of acrylic fiber, clothing, and textiles

QCOs apply to products/articles – i.e., objects whose function is determined by their shape, surface, or design to a greater degree than their chemical composition. QCOs require anyone handling the products/articles, including companies manufacturing or importing and downstream users, to comply with the requirements set out in the QCOs or face a ban.

Penalties will be applied under the Bureau of Indian Standards Act. Penalties for non-compliance include fines of up to 5 lakh rupees.

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

## Indian Standard for enamel used in paints and coatings (draft)

The Bureau of Indian Standards released a draft version on the 6th edition of the standard for enamels used in paints and coatings on 30 September 2022. The consultation for the draft standard ended on 5 November 2022. The standard sets out the criteria for the specifications, testing, packaging, labelling, and certification of enamels. Under the revisions, a major change proposed is setting a maximum limit of 90 parts per million of lead and its derivatives.

According to the proposed labelling and packaging requirements, the following information shall be included on the container:

- » source of manufacture
- » name of material
- » whether use is for finishing or undercoating
- » whether synthetic or not
- » maximum lead content
- » batch and lot number
- » month and year of manufacture

The container shall bear the following cautionary notes:

- » keep out of reach of children
- » dried film of substance harmful if eaten or chewed
- » harmful if swallowed or inhaled

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

## Japan

### 2023 schedules for notifications of manufacture and import of small quantities and low production volume of new chemical substances (published)

On 20 October 2022, Japan published the 2023 schedules for the notification of the manufacture and import of [small quantities](#) of new chemical substances – up to 1 tonne per year – and of [low production volume](#) of new chemical substances – up to 10 tonne per year. The Japan Chemical Substances Control Law (CSCL) imposes obligations on manufacturers and importers of chemical substances in Japan.

New substances are substances that are not listed in the inventory of Existing and New Chemical Substances. Hence, manufacturers and importers of new substances are required to notify those substances prior to manufacture/import.

There are ten application periods during the year for small quantities notifications and twelve application periods for low volumes notifications. The manufacture and import of new chemical substances are only permitted following receipt of the confirmation notice. However, for the first time only, manufacturing and importing can begin after April 1, 2023.

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

More information can be found in Japanese in these links on [small quantities](#) and on [low production volume](#).

## Notice requiring additional information on three substances subject to the Chemical Substance and Control Law (published)

The Japanese Ministry of Economy, Trade, and Industry Manufacturing Industries Bureau (METI) published a notice on 30 September 2022 that requires additional information (structure and composition) for three substances subject to notification under the Chemical Substance and Control Law (CSCL). The extra information must be provided on the report for the financial year 2022 (1 April 2022 to 31 March 2023). The three substances subject to this notice are:

- » sulfuric acid esters of polyoxyalkylene alkyl (or alkenyl) (C=4-24) ethers and salts thereof (K, Na, Ca)
- » sodium alkyl (C = 8-18) sulfate
- » alpha-(Alkyl(C=16-18))-omega-hydroxypoly(oxyethane-1,2-diyl) or alpha-(alkenyl(C=16-18))-omega-hydroxypoly(oxyethane-1,2-diyl) (limited to those with a number average molecular weight of less than 1,000)

According to the notice, it is not possible to identify the three substances only from the information provided in the notification form. Therefore, an “attachment” is a requirement, which provides the structure and composition for the three substances.

Under the CSCL, companies are required to provide METI with annual reports for substances classified as general chemicals manufactured or imported in quantities of more than one tonne a year. Substances on the Priority Assessment Chemical Substances list require annual reporting of the volume used by manufacturers and importers if the volume is greater than one tonne a year.

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

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

## Philippines

### Chemical Control Orders for benzene and vinyl chloride (published)

The Philippines' Department of Environment and Natural Resources (DENR) published chemical control orders (CCOs) for benzene (CAS No. 71-43-2) and vinyl chloride (CAS No. 75-01-4) in October 2022. Both CCOs aim to reduce the risk of exposure to human health and the environment, increase awareness about the toxicity of benzene and vinyl chloride, and reduce workers' exposure to these chemicals. The CCOs apply to benzene and benzene-containing mixtures, and vinyl chloride and vinyl chloride-containing mixtures.

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CCOs either restricts, bans, or gradually phases out substances in the Philippines. They are issued for chemicals that pose an unreasonable risk to public health and the environment. CCOs apply to importers, distributors, manufacturers, industrial and commercial users, transporters, and treatment, storage, and disposal facilities.

Benzene is used in the production of various polymers and plastics including polystyrene. Vinyl chloride is used to manufacture polyvinyl chloride, which is used to make many plastic products including wires, cable coatings, and packaging materials.

The CCOs for benzene and vinyl chloride establish the following:

- » registration and importation requirements
- » handling and storage requirements
- » labelling requirements
- » manufacturing, processing, and waste management

The benzene CCO prohibits the importation, manufacture, or use of benzene and benzene-containing mixtures in the following applications:

- » paints, varnishes, coatings, solvents, and thinners
- » glues, cement, and rubber goods
- » solutions for textiles, fabrics, and leathers
- » inks and dyes
- » cleaning and degreasing agents

The vinyl chloride CCO prohibits the use of vinyl chloride in aerosols as a propellant or ingredient. Vinyl chloride monomers in polyvinyl chloride resins and vinyl chloride monomers of any polymer are not covered under this CCO.

Benzene and vinyl chloride are listed in the Philippines Priority Chemicals List (PCL), which is a list of existing and new chemicals that have been determined to potentially pose unreasonable risk to public health, workplace, and the environment. Therefore, companies must provide a PCL compliance certificate or exemption. With the approval of the CCOs for benzene and vinyl chloride, these companies will also be subjected to certain obligations, including:

- » registering online with the Environmental Management Bureau and applying for permits for any activities (import, manufacture, distribution, use, treating, handling, transport, storing, disposal)
- » applying for importation clearance (applies only for importers)
- » providing safety data sheets and labels according to the globally harmonized system
- » submission of a management plan that will prove that the risks posed to the environment, and health and safety will be eliminated or minimized

The CCO will enter into effect 15 days after its publication in a newspaper of general circulation and upon acknowledgement of the receipt of the copy thereof by the Office of the National Administrative Register.

Penalties for non-compliance include fines and imprisonment for up to 6 years.

More information can be found here on [CCO for Benzene](#) and [CCO for vinyl chloride](#).

## Russia

### Three technical standards on the classification of chemical hazards, chemical production safety data sheets, and warning labels of chemical products (published)

The Russian Federal Agency for Technical Regulation and Metrology published three technical standards in accordance with the 7th revised edition of the Globally Harmonized System of Hazard Classification and Labeling of Chemicals (UN GHS). The 7th revised edition of UN GHS made the following changes:

- » added pyrophoric gas (Category 1A) under flammable gas
- » added desensitized explosives under physical hazards
- » made amendments to the definition and test guidelines of certain health hazards
- » specified labelling principles for the fold-out label style, etc.

In accordance with the new UN GHS edition, three new GHS standards have been adopted as follows:

- » GOST 32419-2022: Classification of Chemical Hazards - General Requirements (In force: 1 January 2023)
- » GOST 30333-2022: Chemical Production Safety Data Sheet - General Requirements (In force: 30 December 2023)
- » GOST 31340-2022: Warning Labels of Chemical Products - General Requirements (In force: 1 January 2023)

Compliance with the standards is voluntary until the implementation of Technical Regulation (TR) EAEU 041/2017 “On the safety of chemical products”. Upon implementation of the TR, it will be mandatory to comply with the three standards specified above from their respective implementation dates. The date of implementation of TR EAEU 041/2017 is 30 November 2022.

TR EAEU 041/2017 establishes mandatory requirements for any chemical substance, mixture, or other chemical product intended to be placed on the market in EAEU states<sup>1</sup>. The requirements include for the classification of chemical products, conformity assessments, safety data sheet, labelling, and notification of new chemical substances.

Penalties for non-compliance have not been specified.

Information can be found in Russian in these links on [GOST-32419-2022](#), [GOST 30333-2022](#), and [GOST 31340-2022](#). More information can be found [here](#) in Russian.

## Saudi Arabia

### Amendment to technical regulations for paints (published)

On 4 November 2022, Saudi Arabia approved an amendment to the technical regulations for paints. The amendment updated Annex 2-A (the list of paints and varnish products and related standards) and amended both violations, penalties, and the transitional provisions. Technical regulations for paints in Saudi Arabia lay out the essential requirements of paints and varnishes and identify the conformity assessment procedures with which the suppliers shall comply. This regulation aims to ensure that these products fulfil the essential requirements that aim to preserve the environment and the health and safety of the consumer.

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<sup>1</sup> The Eurasian Economic Union consists of five member states: Russia, Belarus, Kazakhstan, Kyrgyzstan, and Armenia

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Under the amendment, this regulation shall be applied within a period not exceeding 180 days from the date of its publication in the Official Gazette. Suppliers have a 365-day grace period to comply with the requirements of this technical regulation.

Penalties for non-compliance are stipulated in the Anti-Commercial Fraud Law, which includes fines and/or imprisonment.

Information can be found here [in English](#) and [in Arabic](#).

## List of mandatory and optional Saudi standard for the chemical and petroleum product sector, textile sector, and electrical and electronic products sector (effective)

On 28 October 2022, the Saudi authorities published a list of mandatory and optional Saudi standard specifications for three sectors:

- » chemical and petroleum products sector
- » the textile sector
- » electrical and electronic products sector

The amendment also withdrew some standards for sectors such as the electrical and electronic products sector and replaced other standards for the same sector.

There are no penalties for non-compliance associated with this update.

Information can be found here [in English](#) and [in Arabic](#).

## South Korea

### Partial amendment to the Enforcement Decree of the Chemicals Control Act (in force)

On 8 November 2022, South Korea made a partial amendment to the Enforcement Decree of the Chemical Substances Control Act. The amendment concerns import reporting procedures for chemicals categorized as both toxic and restricted. The amendment is effective from 15 November 2022.

Importers of such chemical substances have been previously obligated to obtain two separate import permits to cover each category - toxic and restricted substances. However, effective from the date of promulgation of this decree, if a restricted substance import permit has been received for such chemical substance, then toxic substance import notification would be exempted. This development will reduce the burden on importers of such chemical substances.

No penalties were specified in the amendment.

Information and the list of chemical substances covered under the amendment can be found [here](#) in Korean.

## Adoption of hazard assessment results of 347 new chemical substances (effective)

On 4 November 2022, South Korea's National Institute of Environmental Research (NIER) issued NIER Notification No.2022-71 to adopt the hazard assessment results of [347 new chemical substances](#) registered under K-REACH. Under K-REACH, hazard evaluations for substances are conducted by the South Korean Ministry of Environment (MoE). The assessment of a particular substance may result in it being designated as a toxic substance and requiring further risk assessment. Based on the results of the hazard evaluation and risk assessment, the MoE designates the substance in question as being subject to authorization, restriction, or prohibition.

There are no non-compliance provisions associated with this update.

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

## Updates to the Toxic Chemical Substances List to amend the list and to include new classification and labelling requirements for certain substances (published)

South Korea has updated its Toxic Chemical Substances List (TCSL) through two notices on 6 October 2022: National Institute of Environmental Research (NIER) [Notice 2022-63](#) (includes the amendments to the substance list) and NIER Notice 2022-64 (includes new classification and labelling requirements for certain substances). Under South Korean Chemicals Control Act (CCA), manufacturers or importers of toxic substances must submit details about the chemicals they handle to the Ministry of Environment (MoE). The information must be disclosed to the MoE within six months of these substances being added to the TCSL.

NIER Notice 2022-63 amends 25 of the listed substances, including their concentration limits, and adds 11 new substances to the list, with the unique identifiers 2022-1-1085 to 2022-1-1095:

- » cobalt monoxide (CAS No. 1307-96-6) and mixtures containing 1% or more of the substance
- » 1,2-benzisothiazol-3-(2H)-one (CAS No. 2634-33-5) and mixtures of 1% or above
- » chlorine (CAS No. 7782-50-5) and mixtures of 1% or above
- » potassium permanganate (CAS No. 7722-64-7) and mixtures of 5% or above
- » zinc and copper pyrithione (CAS Nos. 13463-41-7 and 154592-20-8, respectively) (2-pyridinethiol, 1-oxide copper salt and zinc salt) and mixtures of 1% or above
- » sodium pyrithione (CAS No. 3811-73-2) (2-pyridinethiol, 1-oxide, sodium salt) and mixtures of 25% or above
- » formic acid (CAS No. 64-18-6) and mixtures of 10% or above
- » dicarbonyl ( $\eta$ 5-2,4-cyclopentadien-1-yl) cobalt (CAS No. 12078-25-0) and mixtures of 1% or above
- » 2,4,8,10-tetraoxa-3,9-dithiaspiro[5.5]undecane 3,9-dioxide (CAS No. 3670-93-7) and mixtures of 25% or above
- » 4-bromo- $\alpha,\alpha,\alpha$ -trifluoro-m-toluidine (CAS No. 393-36-2) and mixtures of 25% or above
- » ( $\pm$ )-nornicotine (CAS No. 5746-86-1) and mixtures of 25% or above

The following requirements need to be complied with:

- » 1 July 2023: submit a "Written Confirmation of Verification on Chemical Products"
- » 1 July 2023: submit import reports according to Article 20 of CCA
- » 1 January 2024: meet criteria in Article 13 and Annex 1 of CCA for handling toxic substances
- » 1 January 2025: obtain a handlers license according to Article 28 of CCA
- » 1 January 2025: where relevant, submit chemical accident prevention and management plan according to Article 23 of CCA
- » 1 January 2027: meet criteria in Article 24 and Annex 5 of CCA for toxic substance handling facilities

NIER [Notice 2022-64](#) adds the classification and labelling requirements for the newly added toxic substances and amends these requirements for an additional 61 toxic substances. The notice also amends the requirements for 19 substances. These requirements apply from 1 July 2023.

Penalties for non-compliance include fines and/or imprisonment.

More information can be found in Korean in these links on NIER [Notice 22-63](#) and [Notice 2022-64](#).

## New export requirements for perfluorooctanoic acid and Decabromodiphenyl ether (effective)

The Korean Ministry of Environment amended its regulation on the export of chemicals in accordance with the Rotterdam Convention (effective: 22 October 2022). The amendment enforces new export requirements for perfluorooctanoic acid (PFOA), its salts, and related compounds (CAS No. 335-67-1 and others), and for decabromodiphenyl ether (decaBDE; CAS No. 1163-19-5). PFOA has been widely used as a surface treatment agent in textiles, paper and paints. In addition, it is used in firefighting foams. DecaBDE is a flame retardant used in plastics in the electronic and automotive industries.

The amendments implement the latest update of the Rotterdam Convention, which added PFOA and decaBDE to Annex III (list of chemicals subject to the Prior Informed Consent [PIC] procedure) in June 2022. Under the PIC procedure, companies who intend to export goods containing substances in Annex III of the Rotterdam Convention must first inform the importing country and obtain their consent. Importing countries can refuse the import of goods under the PIC procedure. Companies must obtain permission from the Ministry of Economy, Trade, and Industry to export the listed substances and comply with the Rotterdam Convention's export restrictions such as the PIC procedures.

Companies must obtain permission from the head of a local environment agency to export goods containing PFOA and decaBDE (including their mixtures and formulations). Companies are required to complete an application for export approval (Annex 1) and the exporter's liability guarantee (Annex 2) at least 90 days before the expected export date.

Both substances are also listed under the Stockholm Convention on persistent organic pollutants, which means that South Korea is obliged to eliminate their production and use.

Penalties for non-compliance have not been specified in this amendment.

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

## Extension of the application period for restrictions on the use of chromium (VI) compounds and mixtures containing 0.1% or more in water tank anticorrosive paints and other paints (draft)

On 14 November 2022, the Ministry of Environment (MoE) opened a public consultation on a draft amendment for the Designation of Restricted Substances and Prohibited Substances. According to Notice No. 2022-0627, the MoE proposes to extend the application period for restrictions on the use of chromium (VI) compounds and mixtures containing 0.1% or more in water tank anticorrosive paints and other paints. The consultation deadline was 4 December 2022.

The restrictions affect paint manufacturing, import, sale, storage, and use. Restrictions were initially proposed to begin to apply on 1 January 2023 for manufacturing and import and on 1 July 2023 for sale, storage, transport, and use. South Korea

is proposing to extend both dates to 1 January 2025 to give the necessary time to implement the handling restrictions in related industries.

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

## Taiwan

### Amendments to the "Management Measures for Labeling and Safety Data Sheets of Toxic and Concerned Chemical Substances" (published)

On 4 November 2022, the Taiwan Environmental Protection Administration (EPA) published amendments to the "Administrative Measures for Labelling and Safety Data Sheets of Toxicity and Chemical Substances of Concern" under the Toxic and Concerned Chemical Substances Control Act (TCCSCA). The measures apply to manufacturers and importers of toxic and chemical substances of concern, who must label containers and packages in the prescribed format. The amendments entered into force on 4 November 2022. However, a transitional period applies to Article 3 and Article 4, which do not become effective until 31 October 2023.

Article 3 of the TCCSCA defines toxic chemical substances as substances intentionally produced by humans or unintentionally derived from the production process and classified by EPA under one of the four classes given in the article. Also, chemical substances of concern are substances other than toxic chemical substances identified by the EPA as having the potential to pollute the environment or endanger human health based on their material properties or issues of domestic and international concern.

The amendments were developed with reference to the European Union regulation on the classification, labeling, and packaging (CLP) of substances and mixtures. The revisions made in the amendments include the packaging label content (Article 3) and minimum label size (Article 4) of containers or packages of toxic and chemical substances of concern.

According to Article 3 of the amendments, manufacturers and importers must:

- » mark each substance with different warnings and supplementary information in accordance with announcement regulations for individual substances
- » classify toxic and chemical substances of concern according to the national standard CNS 15030 of the Republic of China and mark the corresponding hazard information
- » only indicate the name; hazardous ingredients; hazard warnings; hazard prevention measures; and the manufacturer, importer, or supplier name, address, and telephone number for substances judged not to conform to any hazard classification
- » add the words "toxic chemical substances" or "chemical substances of concern" for each substance

The EPA will announce other text or graphic content that should be marked for individual substances. Outer packaging labels, hanging, or folded labels may be used when special factors, such as area, appearance, and material, make labeling difficult, as per Article 4.

Penalties for non-compliance include fines and/or imprisonment.

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

## Vietnam

### Amendments to the Law on Chemicals (published)

On 27 October 2022, the Ministry of Industry and Trade of Vietnam published an amendment to the Law on Chemicals. The Law on Chemicals applies to all organizations and individuals handling chemicals. The law provides regulations on chemical handling, safety in chemical handling, right and obligations of organizations and individuals engaged in chemical handling, and state management of chemical handling.

The first amendment, which comes into force on 22 December 2022, updates certain articles of the Law concerning license, labeling, and reporting for chemical-related activities. Under the amendment, licenses for the manufacture, import, and handling of restricted industrial chemicals will be valid for five years. Additionally, the deadline for annual reporting of the previous year's chemical-related industrial activities was updated to 15 February every year. Furthermore, new requirements for labeling were established, and the following information are required:

- » individual components of mixtures, including their quantities
- » information on the manufacturer and importer of imported products
- » the country of origin of the product, including whether manufactured, distributed, assembled, packed, or repacked from that country

Other amendment, Decree No. 113/2017/ND-CP, supports the implementation of the Law on Chemicals and provides guidelines for the implementation of certain articles of the Law on Chemicals in Vietnam. Decree No. 113/2017/ND-CP provides information on dossiers, orders and procedures for granting a certificate of eligibility to export and trade in chemicals subject to conditional production and trading in the industrial sector. The amendment excludes the followings that are regulated by Vietnam Chemicals Decree No. 113/2017/ND-CP:

- » radioactive substances
- » construction materials
- » paint
- » adhesives used in the household sector and cleaning products used in the household sector
- » petrol and oil according to the provisions of the law on petrol, oil, and condensate naphtha used in petroleum processing

Decree No. 113/2017/ND-CP adds a list for the classification of chemicals based on the Globally Harmonized System for Classification and Labeling of Chemicals and more substances subject to conditional production and trading in the industrial sector.

Penalties have not been specified in both amendments.

Additional information can be found in here on the [first amendment](#). Information on Decree No. 113/2017/ND- can be found here [in English](#) and [in Vietnamese](#).



## EUROPE

### European Union

#### European Economic Area countries must submit notification to substances of concern in products database (effective)

Recently, the amendments to the revised Waste Framework Directive 2018 were incorporated into the European Economic Area (EEA) Agreement extending the duty of article suppliers to submit notifications to the substances of concern in products (SCIP) database for products containing substances of very high concern (SVHCs) at a concentration >0.1 % weight/weight.

European Union countries have been required to submit notifications to the SCIP database since 5 January 2021, and EEA countries (Iceland, Liechtenstein, and Norway) will be required to do the same effective 7 November 2022.

The SCIP database contains almost nine million article notifications that can be viewed by consumers and waste operators to make informed decisions about purchasing, using, recycling, and disposing of articles that contain SVHCs. It was implemented as part of the revised Waste Framework Directive in an effort to increase transparency and transition to a circular economy.

Penalties for non-compliance vary by Member State.

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

#### Notice on fitness checks to assess effectiveness and efficiency of the Polluter Pays Principle and how the principle (consultation)

On 11 November 2022, the European Union (EU) issued a notice calling for evidence on the application of the Polluter Pays Principle (PPP). The PPP ensures that the cost of pollution prevention, control, and remedy is borne by polluters. The PPP is a key principle underlying EU environment legislation and policies, as set out in Article 191(2) of the Consolidated Version of the Treaty on the Functioning of the European Union (the Treaty). Article 11 of the Treaty also refers to the environment, stating that a high level of environmental protection must be integrated into the EU's policies and ensured in accordance with the principle of sustainable development.

Through the fitness check, the EU aims to assess how effectively and efficiently the PPP is applied across the EU, and to know if there are any incoherences, if it is still relevant, and if maximum EU value is delivered. The fitness check will cover a wide range of activities and policies that relate to the environment in terms of their primary objectives (such as climate change, water policy, air policy, waste policy or environmental liability requirements), and sectoral policies in other areas that mainstream and integrate environmental considerations (such as activities in and policies for industry and the circular economy, agriculture, fisheries, energy, and transport).

A twelve-week public consultation will be launched in the second quarter of 2023 to collect the views of stakeholders and the general public regarding the PPP. A new group of experts from EU countries will also be consulted to gather evidence and discuss preliminary findings.

The feedback deadline was 9 December 2022.

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

## Harmonised Classification and Labelling for two substances (consultation)

On 14 November 2022, the European Chemicals Agency (ECHA) opened a consultation period for two substances with regard to their hazard classes:

- » 2,3-epoxypropyl o-tolyl ether (EPOTE; CAS No. 2210-79-9) – used in adhesives, sealants and coatings, and in the manufacture of plastic products, fabricated metal products, electrical and electronic equipment, vehicles, and rubber products
- » 2-bromo-3,3,3-trifluoroprop-1-ene (2-BTP; CAS No. 1514-82-5) – used in the filling of hand-held fire extinguishers and the emergency discharge of fire extinguishers within the aerospace industry

Interested parties are invited to comment on the substances and may request clarifications on the text of the Harmonised Classification and Labelling report before 13 January 2023.

More information can be found here for [EPOTE](#) and [2-BTP](#).

## Proposed Ambient Air Quality and Cleaner Air for Europe directive (consultation)

On 27 October 2022, the European Commission invited stakeholders to submit their feedback on the proposed Ambient Air Quality and Cleaner Air for Europe directive. The proposed directive aims to improve overall European Union (EU) legislation for clean air by revising the European standards to align closely with the recommendations of the World Health Organization (WHO).

The proposed directive will merge the current Ambient Air Quality Directives 2008/50/EC and 2004/107/EC and aim to consolidate and simplify the legislation. It introduces the 2050 zero pollution objective for air quality to ensure that, by 2050, air quality is improved that pollution is no longer considered harmful to human health and the environment. Additionally, the proposed directive includes some updates, adds definitions, and brings together existing requirements on keeping air pollutant levels below limit values and introduces new requirements for average exposure concentrations. The directive aligns EU air quality standards more closely with 2021 WHO recommendations, taking into account feasibility and cost-effectiveness.

Nine annexes are added to the directive, including Annex I that brings together air quality standards for different pollutants, Annex II that sets the assessment thresholds for air quality monitoring and modelling, and Annex VI that updates rules for the methods used for assessing the concentrations of different pollutants in ambient air.

Comments must be provided to the EC on the proposed directive by 12 January 2023.

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

## Integrated water management – revised lists of surface and groundwater pollutants (draft amendment)

The European Commission's (EC) initiative on integrated water management, which was initially published on 23 October 2020, aims to strengthen existing European Union (EU) legislation that protect human health and environment from the adverse effects of water pollution. Following the public consultation for this initiative, which ended on 1 November 2021, a consultation for the initiative's commission adoption was opened on 27 October 2022.

As part of the initiative, the EC published a proposal for a draft directive, which amends Directive 2000/60/EC (establishing a framework for Community action in the field of water policy), Directive 2006/118/EC (on the protection of groundwater against pollution and deterioration) and Directive 2008/105/EC (on environmental quality standards in the field of water policy) on 27 October 2022. The draft directive includes lists of pollutants, quality standards, and requirements for their regular review.

This initiative addresses the chemical pollution and legal obligation (to regularly review the lists of pollutants affecting surface and groundwater). A review is proposed for the list of priority substances in surface waters (Annex X of the Water Framework Directive), their environmental quality standards (in the Environmental Quality Standard Directive), and the lists of pollutants and standards in groundwater (Annexes I and II of the Groundwater Directive).

The commission adoption consultation deadline is 12 January 2023.

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

## Amendment to the Restriction of Hazardous Substances in Electrical and Electronic Equipment for hexavalent chromium as an anticorrosion agent in gas absorption heat pumps (consultation)

On 28 October 2022, the European Commission adopted and published a draft amendment to the Restriction of Hazardous Substances in Electrical and Electronic Equipment (RoHS) for hexavalent chromium (CAS No. 18540-29-9) as an anticorrosion agent in gas absorption heat pumps. RoHS regulates the use of hazardous substances in electrical and electronic equipment (EEE).

Annex III of RoHS lists exempt uses of restricted substances. The amendment adds the following exemption to Annex III: "Up to 0.7% hexavalent chromium by weight, used as an anticorrosion agent in the working fluid of the carbon steel sealed circuit of gas absorption heat pumps for space and water heating." This exemption applies to Category 1 EEE, large household appliances, and is set to expire on 31 December 2026.

After its publication in the official journal, Member States will be required to implement this exemption into national law by a specific date, and companies will have to comply with the national law.

The amendment enters into force on the twentieth day following its publication in the Official Journal of the European Union.

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

## Call for Evidence on polyvinyl chloride and its additives (consultation)

The European Chemicals Agency (ECHA) opened a call for evidence to help with its investigation on polyvinyl chloride (PVC; CAS No. 9002-86-2) and its additives. ECHA is investigating whether the use of PVC and its additives causes a risk to the environment and/or human health, and regulatory measures at the European level would be necessary.

Calls for comments and evidence allow interested parties to signal their interest and express their views and concerns in the preparatory phase of the restriction proposal. The information gathered will provide an input into developing Annex XV dossiers or other documents for possible inclusion into the restriction list (Annex XVII).

Therefore, ECHA is calling on stakeholders to submit the following information on PVC and its additives:

- » uses
- » European Union volumes per use sector and end use
- » end-of-life information per use
- » experimental/measured release and exposure information

The consultation deadline is 6 January 2023.

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

## Amendment to Annex XVII of REACH regarding lead and its compounds in PVC (consultation)

The European Commission proposed an amendment to Annex XVII (restrictions list) entry 63 of the European Union (EU) REACH regarding lead (CAS No. 7439-92-1) and its compounds at a commission meeting on 26 October 2022. The draft amendment adds the following restriction conditions:

- » limit of < 0.1% weight/weight (w/w) lead in articles produced from polymers or copolymers of vinyl chloride (PVC) with an 18-month transitional period
- » transitional period of 2 years for PVC articles containing recovered flexible PVC

The restriction does not apply to PVC articles placed on the market during the transitional period.

The proposed amendment allows certain articles containing recovered rigid PVC to be used for 10 years after the regulation enters into force if they contain < 1.5% lead in recovered rigid PVC or < 0.1% lead for a layer of newly produced PVC. This applies to PVC profiles and sheets used for some building and civil construction.

PVC articles containing recovered rigid PVC with a lead concentration at or above 0.1% w/w must be affixed with a label with the statement: Warning: Contains lead.

The draft amendment also includes the following exemptions:

- » PVC-silica separators in lead acid batteries, transitional period of 10 years
- » articles covered under
  - Regulation (EC) No 1935/2004, EU Regulation on materials and articles intended to come into contact with food
  - Directive 2011/65/EU, EU RoHS on the restriction of hazardous substances in electronics
  - Directive 94/62/EC, EU Directive on packaging and packaging waste

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

## Calls for evidence on six substances (consultation)

The European Chemicals Agency (ECHA) opened a call for evidence on six substances on 26 October 2022:

- » sodium perborate (CAS No. 15120-21-5)
- » perboric acid, sodium salt (CAS No. 11138-47-9)
- » perboric acid (H<sub>3</sub>BO<sub>2</sub>(O<sub>2</sub>)), monosodium salt, trihydrate (CAS No. 13517-20-9)
- » borate(2-), tetrahydroxybis[μ-(peroxy-κO1:κO2)]di-, sodium, hydrate (1:2:6) (CAS No. 125022-34-6)
- » borate(2), tetrahydroxybis[μ-(peroxy-κO1:κO2)]di-, sodium (1:2) (CAS No. 90568-23-3)
- » sodium peroxometaborate (CAS No. 7632-04-4)

ECHA is consulting on whether the six substances need to be restricted under REACH (the consultation period ended on 7 December 2022). These substances are included under entries 48 and 49 of REACH Annex XIV, list of substances subject to authorization. This means that these substances can only be used and placed on the EU market after their sunset date if a company has applied and received an authorization for a specific use. After the sunset date for a substance has passed, Article 69(2) of REACH requires ECHA to consider if the use of that substance in articles is adequately controlled. If this is not the case, ECHA shall prepare an Annex XV restriction dossier.

The sunset date for these substances is 27 May 2023, and the latest application for authorization date was 27 November 2021. No applications have been received by ECHA, but in general, these substances might have limited uses in articles, the most likely being electronic components. Therefore, ECHA is asking for information on the use of these substances to decide if a restriction proposal is necessary.

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

## Belgium

### Draft fourth national implementation plan of the Stockholm Convention on persistent organic pollutants (consultation)

On 21 November 2022, the Belgium's Federal Public Service (PFS) Health, Food Chain Safety, and Environment opened a public consultation for the draft fourth national implementation plan of the Stockholm Convention on persistent organic pollutants (POPs). The Stockholm Convention is an international agreement that aims to restrict or prohibit the production or use of certain chemical pollutants and to limit or eliminate the unintentional formation and release of other chemicals.

Belgium's national (implementation) plans, developed as a result of close cooperation between regional and federal authorities responsible for matters covered by the Stockholm Convention, are regularly revised to reflect legislative and technical progress.

The plan provides an updated overview of the programs and actions at federal and regional level with regard to a reduction of POPs. The consultation deadline is 20 January 2023.

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

## **United Kingdom**

### **Request for renewal for an exemption for lead and cadmium to be used in ion-selective electrodes (draft amendment)**

The Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment Regulations 2012 (the RoHS Regulations) restricts the use of ten hazardous substances in electrical and electronic equipment (EEE) to protect human and environmental health. Industry can apply for exemptions to allow the supply of products using one or more of the restricted substances above the threshold limits set down in the RoHS Regulations where specified criteria are met.

A request for renewal for an exemption was submitted for lead and cadmium to be used in ion-selective electrodes. These electrodes have medical diagnostic and analytical applications. On 2 November 2022, the Department of Environment, Food and Rural Affairs (DEFRA) initiated a consultation to obtain feedback from stakeholders.

The exemption covers in vitro applications under category 8 (medical devices) until August 2026. The application would result in an introduction of 4.3 grams of cadmium and 9.9 grams of lead to the UK market annually.

The consultation deadline is 14 December 2022.

More information can be found in this [announcement from DEFRA](#).



## **NORTH AMERICA**

### **Canada**

#### **Final decision of the screening assessment of 21 poly(alkoxylates/ethers) group substances (published)**

The Ministry of Environment and Ministry of Health in Canada published a final decision on 5 November 2022 after screening assessment for 21 poly(alkoxylates/ethers) group substances under the Canadian Environmental Protection Act (CEPA), 1999. These substances do not occur naturally in the environment, and they have a wide variety of industrial and consumer uses in Canada, including for coatings, paints, and textile dyes. The decision concluded that these substances do

not meet any of the toxicity criteria set out in Section 64 of the CEPA. Therefore, no regulatory action needs to be taken for them.

Section 64 of CEPA defines a substance as 'toxic' if it is entering or may enter the environment in a quantity or concentration or under conditions that:

- » have or may have an immediate or long-term harmful effect on the environment or its biological diversity
- » constitute or may constitute a danger to the environment on which life depends
- » constitute or may constitute a danger in Canada to human life or health

There are no non-compliance provisions associated with this update.

More information, including list of the 21 poly(alkoxylates/ethers) group substances, can be found in the [Canada Gazette](#).

## Amending the Domestic Substances List (in force)

Canada published Order 2022-87-09-01 on 26 October 2022 to update the Domestic Substances List (DSL). The DSL provides an inventory of substances in the Canadian marketplace. The DSL is amended multiple times annually to add, update, or delete substances. The DSL includes eight parts defined in the [Gazette Part II](#) document.

According to the Order 2022-87-09-01, the DSL has been amended as follows:

- » eight new substances have been added to Part 1 of the list:
  - 1,2,4,5,7,8-Hexoxonane, 3,6,9-triethyl-3,6,9-trimethyl- (CAS No. 24748-23-0 N)
  - no name (CAS No. 26813-83-2)<sup>2</sup>
  - 2-propenoic acid, polymer with 2-methyl-2-[(1-oxo-2-propen-1-yl)amino]-1-propanesulfonic acid and 2-propenamide, sodium salt (CAS No. 81901-62-4)
  - no name (CAS No. 107087-28-5)<sup>3</sup>
  - siloxanes and Silicones, di-Me, 3-(2-hydroxyethoxy)-1-[(2-hydroxyethoxy)methyl]-1-propen-1-yl Me (CAS No. 780769-22-4)
  - no name (CAS No. 1042950-30-0)<sup>4</sup>
  - no name (CAS No. 1259992-48-7)<sup>5</sup>
  - 5,7-di-t-butyl-3-[3,5-dimethyl-4-[(1,3,7,9-tetra-t-butyl-5-methyl-5H-benzo[d][1,3,2]benzodioxaphosphocin-11-yl)oxy]phenyl]-3H-benzofuran-2-one (CAS No. 1803088-15-4)
- » Three new substances have been added to Part 3 of the list:
  - alkanolic acid, 2,2,6,6-tetramethyl-4-piperidinyl ester, reaction products with oxidized polyethylene and 2,2,6,6-tetramethyl-4-piperidinyl palmitate (CAS No. not applicable),
  - 2,5-Furandione, polymer with ethenylbenzene, ester with  $\alpha$ -alkyl- $\omega$ -hydroxypoly(oxy-1,2-alkanediyl), compd. with 2-(dialkylamino)alkanol (CAS No. not applicable)
  - isocyanic acid, polyalkylenepolyphenylene ester, polymer with alkanediol, 2-alkoxyethanol- and 1(or 2)-(2-methoxymethylethoxy)alkanol-blocked (CAS No. not applicable)

<sup>2</sup> The [American Chemical Society](#) identifies CAS No. 26813-83-2 as acrylonitrile-methacrylonitrile copolymer.

<sup>3</sup> Substance name is not known.

<sup>4</sup> The [European Chemicals Agency](#) identifies CAS No. 1042950-30-0 as N1,N2-dimethyl-N1-{2-[methyl(propan-2-yl)amino]ethyl}-N2-(propan-2-yl)ethane-1,2-diamine.

<sup>5</sup> An [SDS sheet](#) refers to CAS No. 1259992-48-7 as 1,4-Dioxane-2,5-dione, 3,6-dimethyl-, (3S,6S)-, polymer with 2-oxepanone, ester with 2,2-dimethyl-1,3-propanediol (2:1).

This Order came into force on 4 October 2022.

Penalties for non-compliance under CEPA 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](#).

## Amendment to the Output-Based Pricing System regulations and the Environmental Violations Administrative Monetary Penalties regulations (draft)

Environment and Climate Change Canada (ECCC) is seeking feedback on the proposed regulations amending the Output-Based Pricing System (OBPS) regulations and the Environmental Violations Administrative Monetary Penalties regulations. The goal of the OBPS is to put a price on carbon pollution to encourage covered facilities to reduce their emissions per unit of output while mitigating competitiveness risk and carbon leakage risk. The proposed amendments would introduce a 2% fixed annual percentage reductions (tightening rates), starting in 2023, to most output-based standards (OBS) and a 1% tightening rate for sectors that are considered at very high risk of competitiveness and carbon leakage resulting from carbon pricing. Furthermore, the proposed amendments will add new OBSs and update current OBSs, as well as improve implementation, streamline voluntary participation, and ensure accurate reporting.

According to the proposed amendments to the OBPS regulations, detailed quantification methods would be removed from Schedule 3 and moved to the Quantification Methods for the OBPS regulations (Quantification Methods). The Quantification Methods document specifies the methods to quantify greenhouse gases (GHGs) as seen currently in Schedule 3 for activities set out in Schedule 1 of the OBPS regulations. By improving the harmonization of quantification methods for GHG emissions between the OBPS Regulations and the federal Greenhouse Gas Reporting Program, these amendments will reduce administrative burdens, and also allow the Minister to develop and update the specified methods at his discretion.

The Quantification Methods would apply to the 2024 and future compliance periods. An early version is available to illustrate the new approach proposed in the amendments. This version will not apply to any annual report under the OBPS but is useful to support understanding of proposed amendments to the OBPS regulations. In spring 2023, ECCC plans to publish for comment a draft version of the Quantification Methods proposed to apply in the 2024 compliance period. The Quantification Methods applicable to the 2024 compliance period would then be finalized and published in late 2023.

The consultation deadline is 28 December 2022.

More information can be found in this [notice from the Canada Gazette](#) and [these instructions for comments on proposed regulations](#).

## United States

### Final revision to the risk determination for the methylene chloride (published)

On 10 November 2022, the United States Environmental Protection Agency (EPA) announced the availability of the final revision to the risk determination for the methylene chloride (CAS No. 75-09-2) risk evaluation issued under the Toxic

Substances Control Act (TSCA). While evaluating the conditions of use, the EPA has determined methylene chloride to present an unreasonable risk of injury to human health. It was recognized that unreasonable risk might exist for subpopulations of workers who may be highly exposed because they may not be sufficiently protected by Occupational Safety and Health Administration (OSHA) standards, or their employers are out of compliance with OSHA standards. Therefore, the EPA is now moving forward on risk management to address the unreasonable risk presented by methylene chloride.

Methylene chloride is a volatile chemical used in various industrial processes, in many different industries including paint stripping, paint remover manufacturing, and metal cleaning and degreasing. The most common means of exposure to methylene chloride are inhalation and skin exposure.

No penalties are specified in this notice.

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

## Significant new use rules on certain chemical substances (Batch 22-2.5e) (draft)

The US Environmental Protection Agency (EPA) published proposed significant new use rules (SNURs) for the SNUR Batch 22-2.5e under the Toxic Substances Control Act (TSCA). SNUR Batch 22-2.5e consists of 25 substances. Comments were due on 30 November 2022.

The manufacturers/processors/importers of these substances must notify the EPA through submitting a Significant New Use Notice (SNUN) at least 90 days before manufacturing/processing/importing any of these substances for the significant new use. The manufacture or processing for the significant new use shall not commence until the EPA makes an appropriate determination on the notice and has taken risk management actions as a result of the decision.

More information, including the list of the 25 substances in Batch 22-2.5e, can be found in the [Federal Register](#).



## OCEANIA

### Australia

#### Amendments to the Inventory of Industrial Chemicals to add new substances and revoke the name of one substance (published)

The Australian Government's Department of Health published a notice on 18 October 2022, which adds 10 substances to the Australia Inventory of Industrial Chemicals (AIIC). The AIIC is a searchable database consisting of around 40,000 chemicals that are being manufactured or imported into Australia for industrial use. Chemical substances that are listed in the AIIC can be introduced by any registered introducers (manufacturer or importer). According to the Industrial Chemicals (IC) Act 2019 that regulates the manufacture and import of industrial chemicals (chemicals used for purposes other than agriculture, veterinary, or therapeutic purposes, or in food or feed), introducers shall apply for registration before

introducing an industrial chemical to Australia. For chemicals not listed in the AIIIC, introducers shall apply to the Executive Director for an assessment certificate for their introduction.

The 18 October 2022 notice adds ten substances in accordance with Section 82 of the IC Act 2019, which states that the Executive Director must list an industrial chemical on the AIIIC if 5 years have passed since the assessment certificate was issued. These substances are:

- » aspartic acid, N-[3-[[[3-ethoxy-1-(ethoxycarbonyl)-3-oxopropyl]amino]methyl]-3,5,5-trimethylcyclohexyl]-, 1,4-diethyl ester (CAS No. 136210-28-1)
- » 2-propenoic acid, 2-methyl-, polymers with ethylene dimethacrylate, Et methacrylate and polyethylene glycol hydrogen sulfate 1-[(C11-rich C10-14-branched alkyloxy)methyl]-2-(2-propen-1-yloxy)ethyl ethers ammonium salts, potassium salts (CAS No. 1962938-81-3)
- » carbon black, (3,4-dicarboxyphenyl)-modified, ammonium salt (CAS No. 2097851-43-7)
- » carbon black, (3,4-dicarboxyphenyl)-modified, potassium salt (CAS No. 1106786-34-8)
- » 2-butenedioic acid (2E)-, polymer with butyl 2-propenoate, ethenylbenzene, 2-hydroxyethyl 2-methyl-2-propenoate, methyl 2-methyl-2-propenoate and 2-methyl-2-propenoic acid (CAS No. 2828426-59-9)
- » poly[oxy(methyl-1,2-ethanediy)], .alpha.-hydro.-omega.-hydroxy-, polymer with 5-isocyanato-1-(isocyanatomethyl)-1,3,3-trimethylcyclohexane, Et acrylate-3-(trimethoxysilyl)-1-propanamine reaction products and nonylphenol-blocked (CAS No. 2830596-68-2)
- » soybean oil, polymer with benzoic acid, 5-isocyanato-1-(isocyanatomethyl)-1,3,3-trimethylcyclohexane, pentaerythritol and phthalic anhydride (CAS No. 2836348-24-2)
- » 2-propenoic acid, 2-methyl-, polymers with allyl methacrylate, 2-ethylhexyl acrylate, 2-hydroxyethyl methacrylate, Me methacrylate, polyethylene glycol hydrogen sulfate 1-[(C11-rich C10-14-branched alkyloxy)methyl]-2-(2-propen-1-yloxy)ethyl ethers ammonium salts and styrene, peroxydisulfuric acid ((HO)S(O)2)2O2 ammonium salt (1:2)-initiated, compds. with 2-(dimethylamino)ethanol (CAS No. 1262437-71-7)
- » 2-propenoic acid, 2-methyl-, polymers with allyl methacrylate, Bu acrylate, Bu methacrylate, 2-hydroxyethyl methacrylate, Me methacrylate, polyethylene glycol hydrogen sulfate 1-[(C11-rich C10-14-branched alkyloxy)methyl]-2-(2-propen-1-yloxy)ethyl ethers ammonium salts and styrene, peroxydisulfuric acid ((HO)S(O)2)2O2 ammonium salt (1:2)-initiated, compds. with 2-(dimethylamino)ethanol (CAS No. 1262437-73-9)
- » propanoic acid, 3-hydroxy-2-(hydroxymethyl)-2-methyl-, polymer with dimethyl carbonate, 1,6-hexanediol and 5-isocyanato-1-(isocyanatomethyl)-1,3,3-trimethylcyclohexane, compd. with N,N-diethylethanamine (CAS No. 1190928-13-2)

Then, on 16 November 2022, the Australian government published two notices amending the AIIIC. According to the first 16 November 2022 notice, eight industrial chemicals have been added to the AIIIC in accordance with Section 82 of the IC Act 2019, which states that the Executive Director must list an industrial chemical on the AIIIC if five years have passed since the assessment certificate was issued. Below are the eight chemicals added to the inventory:

- » 2-propenoic acid, 2-methyl-, 2-hydroxyethyl ester, polymer with ethenylbenzene, 2-ethylhexyl 2-propenoate and 2-propenenitrile (CAS No. 590374-68-8)
- » cyclotetrasiloxane, 2,4,6,8-tetramethyl-, reaction products with 1,1'-(methylethylidene)bis[4-(2-propen-1-yloxy)benzene] (CAS No. 203874-34-4)
- » propanedioic acid, 2-[[4-hydroxy-3,5-dimethoxyphenyl]methyl]-, 1,3-bis(2-ethylhexyl) ester (CAS No 872182-46-2)
- » fatty acids, C18-unsatd., dimers, di-Me esters, hydrogenated, polymers with 1,4-butanediol, 1,6-diisocyanatohexane and 2-hydroxyethyl-terminated hydrogenated polybutadiene, stearyl alc.-blocked (CAS No. 2055490-70-3)
- » neodecanoic acid, ethenyl ester, polymer with butyl 2-propenoate and ethenyl acetate (CAS No. 144820-27-9)

- » 1,2-cyclohexanedicarboxylic acid, 1-[2-[(2-methyl-1-oxo-2-propen-1-yl)oxy]ethyl] ester, polymer with butyl 2-propenoate, ethenylbenzene, 2-hydroxyethyl 2-methyl-2-propenoate and methyl 2-methyl-2-propenoate, 2,2'-(1,2-diazenediyl)bis[2-methylpropanenitrile]-initiated (CAS No. 2844332-35-8)
- » 2-propenoic acid, 2-methyl-, polymer with ethenylbenzene, 2-hydroxyethyl 2-methyl-2-propenoate, 2-hydroxyethyl 2-propenoate, methyl 2-methyl-2-propenoate and 2-methylpropyl 2-methyl-2-propenoate, tert-Bu 2-ethylhexaneperoxoate- and 2,2'-(1,2-diazenediyl)bis[2-methylpropanenitrile]-initiated (CAS No. 2844332-31-4)
- » humic acids, polymers with acrylic acid, N,N-dimethyl-2-propenamide and 2-methyl-2-[(1-oxo-2-propen-1-yl)amino]-1-propanesulfonic acid, sodium salt, peroxydisulfuric acid ((HO)S(O)<sub>2</sub>)<sub>2</sub>O<sub>2</sub> sodium salt (1:2)-initiated (CAS No. 1708937-98-7)

In addition, according to the second 16 November 2022 notice, the confidential business information approval for the proper name of 1,3-benzenedicarboxylic acid, polymer with (2E)-2-butenedioic acid, 2,2-dimethyl-1,3-propanediol, 2-ethyl-2-(hydroxymethyl)-1,3-propanediol and hexanedioic acid, (octahydro-4,7-methano-1H-indenyl)methyl ester (CAS No. 2093197-30-7) in the AIC has been revoked by the Australian government.

Penalties for non-compliance include fines.

More information can be found in this [18 October notice on chemicals added to the inventory](#), this [16 November notice on chemicals added to the inventory](#) and this [16 November notice on Variation of Inventory listing](#).

## Proposed scheduling decisions for some chemicals under the Industrial Chemicals Environmental Management Standard (consultation)

On 9 November 2022, the Australian government opened a public consultation on proposed scheduling decisions for some chemicals under the Industrial Chemicals Environmental Management Standard (IChEMS). The consultation ended on 7 December 2022. The aim of IChEMS in scheduling industrial chemicals is to provide industry and regulators with information on environmental controls for chemicals being used in Australia.

The chemicals will be listed on the IChEMS Register in one of seven schedules in order to provide information on their relative environmental risk. The information provided on these proposed decisions will inform the regulatory scheduling of chemicals on the IChEMS Register. The provided list of chemicals is not comprehensive and should not be relied upon for identifying all chemicals that may be subject to the proposed regulatory scheduling decisions.

More information can be found in this [notice](#) from the Department of Agriculture, Fisheries, and Forestry.

## Opportunity to share information on per-and polyfluoroalkyl substances listed on the Stockholm Convention (consultation)

On 19 October 2022, Industrial Chemicals Environmental Management Standard (IChEMS) in Australia opened a consultation for industry sectors and governments to share information on how they use and dispose of per-and polyfluoroalkyl substances (PFAS) listed on the Stockholm Convention on Persistent Organic Pollutants (POPs). The consultation period ended on 14 December 2022. The Stockholm Convention outlines controls that should be put in place to protect human health and the environment from the harmful impacts of POPs.

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Providing industry and governments with environmentally friendly standards to help manage the risks associated with industrial chemicals is one of the goals of IChEMS. Hence, they are seeking up-to-date information on the following chemicals listed on the Stockholm Convention:

- » perfluorooctanesulfonic acid (PFOS; CAS No. 1763-23-1) and related substances
- » perfluorohexanesulfonic acid (PFHxS; CAS No. 355-46-4) and related substances
- » perfluorooctanoic acid (PFOA; CAS No. 335-67-1) and related substances

The information provided will guide the development of risk management approaches under IChEMS and will help them to identify which of these chemicals are being imported into Australia, and how they are currently used and disposed of.

Chemical importers, chemical manufacturers, hazardous waste handlers, and businesses that handle PFAS substances could respond to this call for information by clicking on the provided consultation hub link. This includes businesses that import, manufacture, or use goods containing PFAS substances. A list of industry sectors and their uses can also be accessed in the link below.

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

## Proposed changes to the rules for chemical introductions of 10 kilograms or Less in a registration year (consultation)

The Australian government proposed changes to the rules for chemical introductions of 10 kilograms (kg) and opened a consultation on 26 September 2022. The consultation for these proposed changes ended on 11 October 2022.

The government considered that a significant number of introducers (manufacturers or importers) of chemicals at lower volumes were unable to get the required information from their suppliers. This information is required from manufacturers and importers to meet the categorization and record-keeping requirements under the Australian Industrial Chemicals Introduction Scheme (AICIS) before the end of the transition period (31 August 2022). Therefore, the government drafted the amended rules to help them meet their obligations.

This proposed change would apply to introductions of chemicals on the Inventory at volumes of 10 kg or less in a registration year. Changes are designed to simplify the record-keeping requirements in situations where it is difficult for an introducer to obtain the CAS number and name of a chemical because it is confidential or commercially sensitive to the overseas chemical supplier. Introducers of chemicals at these lower volumes would instead need to keep information that they should have or should be able to easily access.

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

## **New Zealand**

### The Hazardous Substances and New Organisms (Hazardous Substances Assessments) Amendment Bill (in force)

On 1 November 2022, the New Zealand Environmental Protection Agency (EPA) enforced the Hazardous Substances and New Organisms (Hazardous Substances Assessments) Amendment Bill (the Bill) after its royal assent on 31 October 2022. The Bill amends the Hazardous Substances and New Organisms (HSNO) Act 1996 and aims to improve the assessment and

reassessment of hazardous substances. This is due to concerns that current processes cause delays in the manufacture, import, and use of safer chemical alternatives.

The Bill includes three main areas:

- » enabling the EPA to make better use of information from international regulators:
  - new substances can be approved via a rapid assessment process if the same use has been approved by a trusted international regulator and does not have significant cultural, environmental, or human health effects
  - alignment of hazard classifications and existing substance controls with equivalent international classifications
- » improvements to the EPA reassessment process:
  - a simplified process to update hazard classifications when a recent assessment has been undertaken for a related hazardous substance
  - during reassessment, the EPA may impose temporary restrictions on specific uses of a substance, if there are significant concerns for people and the environment, e.g., professional use only
- » technical amendments
  - failure to comply with a temporary substance restriction constitutes an offence
  - a work plan shall be developed to prioritize reassessments and set timeframes for completion

Under the HSNO Act, all hazardous substances or new organisms not legally present in New Zealand must be approved by the Environmental Risk Management Authority before they are manufactured, imported, or used in the country. Upon approval of a substance, controls are applied that are designed to manage any risk from using, storing, transporting, and disposing of the substance, with which everyone must comply.

Penalties for non-compliance include fines up to \$100,000.

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

## Import limits lowered for hydrofluorocarbons (in force)

The New Zealand Environmental Protection Authority (EPA) published a new lowered import limit for hydrofluorocarbons (HFCs) on 7 October 2022. HFCs are a group of harmful greenhouse gases used in heat pumps, air conditioning, and refrigeration. They have a global warming potential of more than 50 times higher than carbon dioxide. In line with the Ozone Layer Protection Regulations (the Regulations), the EPA lowered the limit for importing HFC gases by 13% for 2023 (compared with 2021 and 2022).

The Regulations aim to protect human health and the environment from adverse effects resulting or likely to result from human activities that modify or are likely to modify the ozone layer. Additionally, the Regulations aim to phase out ozone-depleting substances in line with the Montreal Protocol on ozone depleting substances. Under the Regulations, a person must not import a bulk HFC into New Zealand unless authorized to do so. Applications for special permits for the 2023 calendar year closed on 1 July 2022.

Penalties for non-compliance include fines up to \$200,000.

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

## Proposed measures to reduce the environmental impact and the use of fluorinated gases (consultation)

On 4 November 2022, New Zealand published a set of proposed measures to reduce the impact and use of fluorinated gases (F-gases) and opened a consultation on these proposed measures. F-gases are commonly used as refrigerants in household, commercial, and industrial settings. However, they are powerful greenhouse gases, with an even higher global warming potential (GWP) than carbon dioxide. Thus, they contribute significantly to climate change.

To combat the emission of these F-gases to New Zealand's greenhouse gas emissions, the following measures were proposed:

- » a licensing regime under the new Health and Safety at Work Regulations (HRWL Regulations) for Refrigerant Technicians working with hazardous refrigerants – the regulations will take effect around March 2023 and technicians will need to be licensed by early 2027
- » a mandated product stewardship for refrigerants that will aim to improve the handling and disposal of refrigerant gases and the requirements for workplace competence
- » import prohibitions on equipment containing hydrofluorocarbon (HFC) refrigerants when alternatives are available
  - these proposed prohibitions would work by imposing a GWP limit on specific classes of goods after specific dates – after these dates, the described goods would not be able to be imported or sold if they contained a HFC refrigerant with a GWP at or above the specified level
  - the current proposed timeline would impose prohibitions in three stages: 1 January 2025, 1 January 2028, and 1 January 2032

The consultation deadline was 18 December 2022.

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

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