Newsletter

Global Environmental and Chemical Regulations, Policies, and Standards

December 2024
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IAEG

NEWSLETTER

Global Environmental and Chemical Regulations, Policies, and Standards
December 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 chemical, environmental, social, and governance 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 chemical, environmental, social, and governance regulations relevant to the AD industry. Contact Lisa Brown at myrna.l.brown@lmco.com for any questions on this Newsletter. For general assistance on IAEG matters, contact Michele Lawrie-Munro at mlawriemunro@iaeg.com.

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ASIA

China

Prohibition of supply and sale of regulated mercury-added products (in force)

Hong Kong's Environmental Protection Department (EPD) has published a notice announcing that the relevant provisions of the Mercury Control Ordinance (the Ordinance) prohibiting the supply and sale of regulated mercury-added products will come into effect on 1 December 2024. The Ordinance, which came into effect on 1 December 2021, aligns Hong Kong with the Minamata Convention on Mercury and regulates the import, export, keeping, and use of mercury, mercury mixtures, and mercury compounds, as well as the import, export, and manufacture of mercury-added products.

Starting 1 December 2024, it will be prohibited to supply (including selling or providing for free) regulated mercury-added products. The use of these products, however, will not be an offence. Regulated products include items such as batteries, switches, various types of lamps, cosmetics, biocides, antiseptics, and non-electronic measuring devices like thermometers and sphygmomanometers.

Most of these products are currently not available on the market, with ample mercury-free alternatives being available. There are no local manufacturers that require mercury in their production. Thus, the impact on the public and industry is expected to be low. The EPD has informed stakeholders about the prohibition through letters and visits to merchants that may still be selling these products. Merchants with remaining stock of these products can apply to the EPD for free collection and disposal services between 2 December 2024 and 17 January 2025. The notice does not specify fines or implications for non-compliance.

India

Acrylonitrile-Butadiene Styrene (ABS) (Quality Control) Amendment Order, 2024 (in force)

On 19 November 2024, the Ministry of Chemicals and Fertilizers, through the Department of Chemicals and Petrochemicals, published the Acrylonitrile-Butadiene Styrene (ABS) (Quality Control) Amendment Order, 2024 [QCO No. S.O. 4988(E)] in the Gazette of India. This amendment modifies the earlier Acrylonitrile-Butadiene Styrene (ABS) (Quality Control) Order, 2021, issued under the Bureau of Indian Standards (BIS) Act, 2016. The amendment introduces a provision to Paragraph 1 of the 2021 Order, specifying that the requirements of the Order shall not apply to Acrylonitrile-Butadiene Styrene (ABS) moulding and extrusion materials used to produce toco transducers. This Amendment came into force on 19 November 2024.

QCOs are issued pursuant to Section 16 of the BIS Act, 2016 to announce that relevant standards prescribed by the BIS concerning certain products will be mandatory effective from the date specified in the QCO. 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). These orders 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. The

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requirements may be included from Indian Standards covered by the QCO - handling, packaging, and marking requirements; and sampling methods and tests for substances contained in products/articles. By the issuance of QCOs, the use of a standard mark under a license or a certificate of conformity from BIS is mandated.

Non-compliance with QCOs may result in penalties under the BIS Act, including fines of up to 5 lakh rupees.

Japan

Consultation schedule for the Three Ministries Joint Review Council (published)

On 1 November 2024, the National Institute of Technology and Evaluation (NITE) published the consultation schedule for the Three Ministries Joint Review Council under Japan's Chemical Substances Control Law (CSCL). The consultations aim to pre-validate the adequacy of evaluation methods for new chemical substances, particularly for assessments that deviate from standard test methods, such as the analogue method. These consultations cover biodegradability, bioaccumulation, and toxicity evaluations.

The announcement specifies deadlines for registration to secure review sessions, with the earliest deadline set for 20 November 2024 for the January 2025 session. Additionally, guidance is provided for human and ecological toxicity inquiries, which should be directed to the Ministry of Health, Labor, and Welfare and the Ministry of the Environment, respectively. Pre-consultation is unnecessary for logD-based evaluations if supporting documentation is submitted during the preliminary review.

Companies intending to participate must submit their requests through the NITE CSCL Communication System. Submissions should include a consultation summary, relevant test results, and other required documents. New consultation summary forms and an updated template for analog evaluations, effective from 2024, are available for download on the NITE website and must be submitted as Word files.

This update highlights the need for compliance with CSCL requirements, which mandate the notification of new chemical substances before their manufacture or import to facilitate government-conducted health and environmental risk assessments.

More information can be found here in Japanese.

South Korea

List of registration exemptions for existing substances produced using recycled materials (published)

The Ministry of Environment (MoE) has released a list of K-REACH registration exemptions (also here in Korean) for existing substances produced using recycled materials. Effective 10 October 2024, companies can apply for registration exemptions for substances produced using recycled materials when an existing substance made from non-recycled materials has been registered. The list contains 446 substances, but exemptions are only listed if more than three years have passed since the registration of the original substance made using non-recycled materials. The list includes chemical names, registration

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identification numbers, CAS numbers, registration dates, and tonnage bands. Where a substance is not listed, the MoE advises companies to use the chemical information processing system to check a substance's registration status.

More information can be found here.

New designation for lead, methylene chloride and their compounds (consultation)

Korea's Ministry of Environment has opened a consultation on the new designation of lead (CAS No. 7439-92-1) compounds and methylene chloride (CAS No. 75-09-2) as restricted substances (with a due date on comments by 13 January 2025).

The restricted substance identification (ID) number 06-5-8 is expanded to include lead and its compounds. Appendix 3 is amended and specifies that, lead and its compounds when exceeding 0.009% in mixtures, are prohibited from manufacture, import, sale, storage, transport, and use in paint applications. The amendment specifies exceptions for certain uses, such as in the manufacturing and maintenance of aircraft or military supplies as defined in the relevant Acts. Methylene chloride is designated as a restricted substance under ID number 06-5-15, with restrictions on methylene chloride and mixtures containing 0.1% used for various purposes including household cleaners and paint removal.

More information can be found in this notice.

Draft amendment to the Enforcement Rules for the Clean Air Quality Conservation Act (consultation)

On 13 November 2024, the Ministry of Environment (Air Quality Policy Division) (MoE) published a draft amendment to the Enforcement Rules of the Clean Air Conservation Act under Public Notice No. 2024-680 (due date for comments was 23 December 2024). This amendment seeks to address shortcomings identified in the current air quality management system, including issues related to air pollutant emission facilities, volatile organic compounds (VOCs), and motor vehicle fuels.

The proposed revisions clarify compliance requirements for environmental technicians conducting self-measurement activities by mandating adherence to the Environmental Pollution Process Test Standards under the Environmental Testing and Inspection Act. They also establish new procedures for managing motor vehicle fuels, additives, and catalysts, including inspection processes and reporting requirements for manufacturing changes. Updates to the management of air pollutant emission facilities allow businesses to submit odor reduction plans for organic fertilizer production facilities to extend approval deadlines. Gas heat pumps installed by 31 December 2022 are exempt from certain installation restrictions under other laws, while operators facing delays in obtaining certified reduction equipment may submit reduction plans with their applications.

The draft also introduces updates to VOC management, requiring compliance with inspection standards for internal floating roof storage facilities and refining the method for calculating VOC content in coatings. Additional provisions address delegation rules following amendments to the Enforcement Decree on 23 July 2024, while legal terminology is updated to align with existing standards.

More information can be found in Announcement No. 2024-680 (in Korean) from MoE.

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EUROPE

European Union

Update to guidelines on the Classification, Labeling, and Packaging Regulation (EC) No 1272/2008 (published)

The November 2024 update to the Guidance on the Application of the Classification, Labeling, and Packaging (CLP) Criteria reorganizes the guidance document into separate parts to improve usability. These parts address CLP obligations under Regulation (EC) No 1272/2008, harmonizing the European Union (EU) laws with the Globally Harmonized System. The updated structure simplifies navigation and consultation for stakeholders. Key changes include:

- Part 2 (Physical Hazards) – expanded hazard classifications (Sections 2.1–2.17) with updates reflecting developments in science, test guidelines, and the addition of desensitized explosives
- Part 3 (Health Hazards) – a new section (3.11) on endocrine disruption for human health
- Part 4 (Environmental Hazards) – new sections on endocrine disruption (4.2) and persistent, bio-accumulative, and toxic and persistent, mobile, and toxic substances (4.3)
- revised annexes to address aquatic toxicity, degradation, bioaccumulation, and hazards of metals and inorganic metal compounds

The guidance highlights improved alignment with technical and scientific advancements under the EU's Adaptations to Technical Progress. These revisions focus on better defining hazard criteria, incorporating new testing methods, and providing greater clarity for industry compliance.

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

Amendment to Regulation (EU) 2024/2547 regarding the list of dual-use items (in force)

On 7 November 2024, the European Commission published an amendment to Regulation (EU) 2021/821, which establishes the European Union (EU) regime for controlling the export, brokering, technical assistance, transit, and transfer of dual-use items. The amendment updates Annex I of the regulation, replacing the previous list of dual-use items to reflect changes adopted by international non-proliferation regimes and export control arrangements during 2023. The regulation came into force on 8 November 2024, the day following its publication in the Official Journal of the European Union.

Regulation (EU) 2021/821 provides a common list of dual-use items subject to controls when exported from or transiting through the EU or delivered to third countries as part of brokering services. The updated list incorporates new items and revised control parameters under the frameworks of the Australia Group, the Missile Technology Control Regime, the Nuclear Suppliers Group, the Wassenaar Arrangement, and the Chemical Weapons Convention.

The amendment addresses various categories of dual-use items, including nuclear materials and equipment, composite and electromagnetic-resistant materials, machine tools, and related technologies for production and use. It also updates controls on analog-to-digital converters, high-energy capacitors, telecommunications and cryptographic equipment,

sensors, lasers, navigation systems, and aerospace propulsion systems. These changes ensure the EU's export control regime remains aligned with international security obligations and commitments.

Implementing decision not approving ethylene oxide as an existing active substance for use in biocidal products of product-type 2 (draft)

On 21 November 2024, the World Trade Organization (WTO) published a notification from the European Commission (EC) on a non-approval implementing decision of a biocidal active product of product-type 2 named ethylene oxide in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council. Regulation (EU) No 528/2012 aims to improve the free movement of biocidal products within the European Union (EU) while aiming for a high level of protection of both human and animal health and the environment.

The non-approval is due to the conclusion of the EC that none of the uses of ethylene oxide included by the applicant for approval under Regulation (EU) No 528/2012 (BPR) or mentioned as further intended uses in their communication with the EC, fall within the scope of the EU legislation on medicinal products or on medical devices.

This decision is expected to enter into force 20 days after its publication in the official journal of the EU. It is expected to be adopted by February 2025 and will begin to apply 12 months after adoption. The deadline for comments is 20 January 2025.

Amendment to Regulation (EC) No 1907/2006 (REACH) regarding carcinogens, germ cell mutagens, or reproductive toxicants subject to restrictions (consultation)

On 22 November 2024, the European Commission (EC) published a draft commission regulation amending Regulation (EC) No 1907/2006 (REACH). Carcinogens, germ cell mutagens, and reproductive toxicants (CMR) recently received new harmonized classifications under Regulation (EC) No 1272/2008 on classification, labeling, and packaging of substances and mixtures (CLP). These substances must be classified as CMR category 1A or 1B:

- as substances on their own
- as constituents of other substances
- in mixtures that are placed on the market/used for supply to the public

In accordance with REACH Article 68(2), the EC may propose a restriction preventing consumers using these substances and the mixtures containing them. As a result of the recent harmonized classification, the draft regulation aims to include several substances within the scope of REACH regulation Annex XVII (entries 28 to 30).

Annex XVII contains the restrictions on the manufacture, placing on the market, and use of certain dangerous substances, mixtures, and articles. The amendment aims to apply restrictions for the newly classified substances on placing on the market/ use for supply to the public and imposes labeling requirements to include "restricted to professional users" on the packaging.

The draft regulation also aims to introduce a derogation for cumene (CAS No. 98-82-8) in certain types of aviation fuels (kerosene, aviation gasoline) for small airplanes flown by non-professional pilots. The derogation on cumene will apply from the date of entry into force, with the other provisions applying from 1 September 2025.

Eco-design requirements for external power supplies, wireless chargers, wireless charging pads, battery chargers for portable batteries of general use, and USB Type-C cables (draft)

On 19 November 2024, the European Commission notified the World Trade Organization Committee on Technical Barriers to Trade of a draft regulation to establish eco-design requirements for external power supplies (EPS), wireless chargers, wireless charging pads, battery chargers for portable batteries of general use, and USB Type-C cables. This regulation aims to improve energy efficiency, enhance interoperability, and reduce the environmental impact of these products, aligning with the European Union's sustainability objectives. The proposed regulation is expected to be adopted in the third quarter of 2025. It will enter into force 20 days after its publication in the Official Journal of the European Union and will apply three years thereafter.

The draft regulation (comments due on 18 January 2025) expands the scope of existing requirements to include wireless chargers and USB Type-C cables. It introduces interoperability measures such as requiring USB Type-C chargers to operate with detachable cables, affixing a "Common Charger" logo, and marking ports to indicate supported power. Standby consumption limits for wireless chargers and charging pads, increased energy efficiency thresholds, and new output power performance requirements are included. Certain products, such as EPS used in wet conditions and power tools, are excluded from the interoperability requirements.

The draft also outlines conformity assessment procedures, technical documentation requirements, and verification methods for market surveillance. It reflects input from the Eco-design and Energy Labeling Consultation Forum and incorporates advancements in technology.

Eco-design and energy labeling requirements for electronic displays (draft)

On 13 November 2024, the European Commission (EC) launched a public consultation to review the eco-design and energy labeling requirements for electronic displays. This consultation, which remains open until 5 February 2025, invites stakeholders to provide feedback on the implementation of current rules and share insights into market and technological developments since the previous analysis in 2018. The initiative aims to adapt the regulations to technological advancements, enhance circular economy objectives, and align with the European Green Deal. After the public consultation, the EC plans to publish a draft legislative proposal for stakeholder feedback, followed by the final adoption of updated regulations, scheduled for the third quarter of 2026.

This review addresses the Energy Labeling Regulation (Regulation (EU) 2017/1369) and the Eco-design Directive (Directive 2009/125/EC), both of which are based on the Treaty on the Functioning of the European Union. These regulations enable the EC to regulate the environmental performance and energy efficiency of energy-related products. Regular updates ensure that these measures remain effective, efficient, and relevant.

Key areas under consideration include extending the scope to include signage displays, balancing stringency requirements for larger and smaller displays, updating test procedures, and introducing more ambitious material efficiency and reparability requirements. These revisions aim to strengthen energy efficiency and CO_2 emission reductions while aiming for high levels of consumer and environmental protection.

Community Rolling Action Plan update for years 2025-2027 (draft)

On 10 December 2024, the European Chemicals Agency (ECHA) released the draft annual update of the Community Rolling Action Plan (CoRAP) for 2025-2027. This update identifies substances suspected of posing risks to human health or the

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environment and outlines the planned evaluations under the REACH Regulation. Substances and evaluation plan for 2025-2027 is as follows:

- total substances: 31
- new additions: 13 substances
- evaluation years: 2025: 8 substances (including two groups of 2 substances); 2026: 15 substances; 2027: 5 substances
- proposed withdrawals: 3 substances

2024-2026 CoRAP plan, published on 19 March 2024, is as follows:

- total substances: 28
- proposed withdrawals: 3 substances
  - 1 substance: data sufficient from compliance check/public literature
  - 1 substance: further information required under dossier evaluation
  - 1 substance: ceased manufacture, ongoing substances of very high concern (SVHC) identification

By publishing this draft, ECHA aims to inform stakeholders of progress and facilitate early communication between registrants and evaluating authorities.

Harmonized classification and labeling consultations on five substances (draft)

On 16th December 2024, the European Chemical Agency (ECHA) opened five harmonized classification and labeling (CLH) consultations.

Germany submitted a proposal to ECHA for the classification of [4-[p,p'-bis(dimethylamino)benzhydrylidene]cyclohexa-2,5-dien-1-ylidene]dimethylammonium m-[[p-anilinophenyl]azo]benzenesulphonate (EC No. 265-449-9; CAS No. 65113-55-5). The substance is used in inks and toners. The proposed harmonized classification is as follow:

- aquatic acute 1, H400
- aquatic chronic 1, H410

Austria submitted a proposal for the classification of reaction mass of 2-amino-2-methylpropanol and (2-hydroxy-1,1-dimethylethyl)ammonium chloride (2-hydroxy-1,1-dimethylethyl)ammonium chloride. The CLH report references use of this substance in textile dyes. The proposed harmonized classification is as follow:

- skin irrit. 2, H315
- repr. 1B, H360D
- STOT RE 2, H373 (liver)

Germany submitted a proposal for the classification of beflubutamid (ISO); N-benzyl-2-[4-fluoro-3-(trifluoromethyl)phenoxy]butanamide (CAS No. 113614-08-7). The CLH report references historic use of this substance in plant protection products - herbicides. The proposed harmonized classification is as follow:

- repr. 2, H361d,
- aquatic acute 1, H400
- aquatic chronic 1, H410

Germany submitted a proposal for the classification of 4,4'-methylene bis(dibutyldithiocarbamate) (EC No. 233-593-1; CAS No. 10254-57-6). The substance is used in lubricants, greases, hydraulic fluids, and metal working fluids. The proposed harmonized classification is vPvB, EUH441.

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Austria submitted a proposal for the classification of 2-amino-2-methylpropanol (EC No. 204-709-8; CAS No. 124-68-5). The substance is used in numerous applications such as coating products, adhesives and sealants, inks and toners, water treatment products, metal working fluids, lubricants and greases, paper chemicals and dyes, washing and cleaning products, and pH regulators. The proposed harmonized classification is as follow:

- skin corr. 1, H314
- eye dam. 1, H318
- repr. 1B, H360D
- STOT RE 2, H373 (liver)

Parties are invited to comment on hazard classes open for consultation before 14 February 2025.

Proposal for the implementation of the reporting requirements of the microplastics restriction under REACH (consultation)

On 18 December 2024, the European Chemicals Agency launched a consultation regarding its proposal for the implementation of reporting requirements for certain derogated uses of synthetic polymer microparticles, commonly known as microplastics, under the REACH Regulation. The consultation closes on 20 January 2025. The consultation aims to collect input from stakeholders on the proposed reporting system, including any justifications or additional information that supports their comments.

The feedback will inform the development of the reporting framework as part of Annex XV restriction dossiers or other related documents. While this consultation is open to all interested parties, it specifically targets those affected by the reporting requirements, such as manufacturers, suppliers, recyclers, downstream users, and other relevant stakeholders.

Finland

Amendments to the Environmental Protection Act and other related acts and directives (draft)

The Finnish government on 20 November 2024 published a proposal to amend the Environmental Protection Act, the Waste Act, and the Act on the Environmental Damage Fund. The Environmental Protection Act prohibits dumping a substance into the sea with the intention of dumping or abandoning it. The amendments aim to clarify the wording of the prohibition of duping and discarding. It also plans to regulate the approval of a biogas plants to be established in connection with an animal shelter subject to notification or a smaller animal shelter in the notification procedure according to the Environmental Protection Act. This includes amending the Waste Act provision concerning accounting and reporting obligations so that biogas plants subject to notification should keep records of waste in the same way as biogas plants subject to an environmental permit.

In addition, the proposal will implement changes to the Industrial Emissions Directive. This Directive concerns hydrogen production and waste gasification and pyrolysis. The provisions of the Environmental Protection Act concerning the application of waste incineration legislation to gasification and pyrolysis of waste would be amended.

This proposal is still in the processing stage (second out of eight stages) and has not yet reached the parliamentary stage. The laws are intended to enter into force on 1 March 2025.

More information can be found here in Finnish.

Netherlands

Postponement of entry into force date of provisions of the decree of 11 April 2024 that amended the Decree on Reporting Commercial Waste and Hazardous Waste (published)

On 23 December 2024, the Ministry of Infrastructure and Water Management of the Netherlands published an amendment (Official Gazette 2024, 429) to the decree of 25 June 2024 concerning the date of entry into force of provisions of the decree of 11 April 2024. The decree of 11 April 2024 amends the Decree on Reporting Commercial Waste and Hazardous Waste by requiring the addition of information on substances of very high concern (SVHCs) to the description of the nature, properties, and composition of waste.

The amendment postpones the original entry-into-force date from 1 January 2025 to 1 July 2025. This extension allows additional time to develop guidelines in consultation with stakeholders to ensure a level playing field and facilitate the correct handling of the new information flow regarding SVHCs. The guidelines are expected to be prepared in the first half of 2025.

Penalties are not mentioned in the update.

More information can be found in Dutch in this notice from the Official Gazette of the Kingdom of the Netherlands.

NORTH AMERICA

Canada

Significant new activity notice for iron potassium oxide (published)

On 9 November 2024, the Canadian Department of the Environment published a significant activity notice (SNAc) for iron potassium oxide (CAS No: 12022-41-2). A SNAc notice is a legal instrument that allows the Minister of the Environment to assess the environmental and health hazards related to a substance.

The SNAc provisions aim to gather toxicity information on iron potassium oxide so that the substance, which raises human toxicity concerns, will undergo further assessment before significant new activities are undertaken. Thus, notification requirements are set out for when a significant new activity is proposed. In this case the SNAc applies to the use of iron potassium oxide, other than as a catalyst, where the substance is a nanomaterial.

For this SNAc, nanomaterial means having one or more dimensions at the nanoscale (1–100 nanometers inclusive) where the substance has ten percent or more of its primary particle distribution by number in the nanoscale range or at least one percent (by mass) of the particles in the nanoscale. The SNAc notice excludes use in research and development, in site-limited intermediate substances as defined by New Substances Notification Regulations (Chemicals and Polymers), in manufacturing an export-only product.

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This notification is valid immediately and presents no deadline. A significant new activity notification (SNAN) is required 90 days before the substance is used in a significant new activity. Therefore, information required for the SNAN, must be submitted to the Minister at least 90 days before using more than 100 kilograms of the substance in a year in a significant new activity on the day on which the activity begins. The Minister shall review the notification within 90 days after receiving the complete information.

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

Ministerial Condition regarding the manufacture or import of quaternary ammonium compounds, plant based alkylethylbis(hydroxyethyl), Et sulfates (salts) (in force)

The Department of the Environment published a document outlining the ministerial conditions for the manufacture or import of a substance identified as quaternary ammonium compounds, plant based alkylethylbis(hydroxyethyl), Et sulfates (salts), Confidential Accession Number 19740-8. The substance is permitted for manufacture or import only for use as an antistatic agent for fiberglass and plastics. The notifier is restricted from transferring physical control of the substance to any person who does not agree to use it in accordance with the restriction. Before manufacturing the substance in Canada, the notifier must provide the Minister of the Environment with detailed information including:

- the anticipated annual quantity to be manufactured
- the address of the manufacturing facility
- a description of transportation and storage methods and containers
- the components of the environment into which it is anticipated to be released
- anticipated releases into municipal wastewater systems; recommended methods for its destruction or disposal
- a summary of all information and test data related to environmental and human health hazards
- factors that may limit environmental exposure
- detailed information on the manufacturing process

The notifier is also required to thoroughly rinse any containers or transportation vessels that contained the substance before disposal or reconditioning. The rinsate can be used as a component of the antistatic agent formulations or disposed of as waste. Waste, containers, or transportation vessels that contained the substance should be incinerated according to the laws of the jurisdiction where the disposal facility is located or deposited in an engineered hazardous waste landfill facility in accordance with the laws of the jurisdiction where the landfill is located.

If there is any release of the substance or waste to the environment, the notifier must immediately take all necessary measures to prevent further release and limit dispersion and notify the Minister of the Environment. The notifier must also inform any person who receives the substance, waste, containers, or transportation vessels that contain the substance of the ministerial conditions and obtain written confirmation that the person agrees to comply with them.

The ministerial conditions came into force on 22 November 2024. The document does not specify any fines or implications for non-compliance. However, penalties for non-compliance under Canada Environmental Protection Act include fines of up to $1 million a day for each day an offence continues, imprisonment for up to three years, or both.

Amendment to the Non-domestic Substances List (in force)

On 21 December 2024, the Minister of the Environment issued Order 2025-87-01-02 amending the Non-domestic Substances List (NDSL) to remove from the NDSL and added to the domestic substances list (DSL) the substance 1-

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Propanaminium, N,N,N-trimethyl-3-[(2-methyl-1-oxo-2-propen-1-yl)amino]-, chloride (1:1), polymer with ethyl 2-propenoate and sodium 2-propenoate (1:1) (CAS No. 192003-74-0). This amendment means the NDSL requirements no longer apply for the substance.

The DSL is an inventory of the substances manufactured in, imported into, or used in Canada on a commercial scale. The NDSL is an inventory of substances that are not used commercially in Canada above trigger quantities, but that are known to be in commercial use internationally and is based on substances that have been on the United States Toxic Substances Control Act Chemical Substances Inventory for a minimum of one year. Substances on the NDSL are subject to the notification and requirements set out in the New Substances Notification Regulations (Chemicals and Polymers).

There are no penalties associated with this update, but companies must stay informed about the status of substances to ensure compliance with Canadian environmental regulations.

Significant New Activity Notice regarding phosphoric acid, mixed decyl and octyl esters, potassium salt (in force)

The Minister of the Environment adopted a Significant New Activity Notice pursuant to Section 85 of the Canadian Environmental Protection Act, 1999 (CEPA). This Notice applies to the substance phosphoric acid, mixed decyl and octyl esters, potassium salts (CAS No. 70879-47-9). The Notice requires that any person engaging in a significant new activity in relation to the substance, submit a Significant New Activity Notification (SNAN) containing all of the information prescribed in the Notice at least 90 days prior to using the substance for the significant new activity.

A significant new activity in relation to the substance is:

- the use of the substance in the manufacture of a cosmetic, in which the substance is present in a concentration that is greater than 1% by weight; or
- the use of the substance, in a quantity greater than or equal to 10 kilograms (kg) in a calendar year, in the distribution for sale of a cosmetic, in which the substance is present in a concentration that is greater than 1% by weight

The following uses of the substance are not considered a significant new activity:

- as a research and development substance or site-limited intermediate substance, as these terms are defined in Subsection 1(1) of the New Substances Notification Regulations (Chemicals and Polymers); or
- in the manufacture of a product that is for export only

Uses of the substance that are regulated under the Pest Control Products Act, the Fertilizers Act, the Feeds Act and in Schedule 2 of CEPA are excluded from the Notice. The Notice also does not apply to transient reaction intermediates, impurities, contaminants, partially unreacted materials, or in some circumstances to items such as, but not limited to, wastes, mixtures, or manufactured items.

A SNAN is required 90 days before the use of the substance in a significant new activity. The Department of the Environment and the Department of Health will use the information submitted in the SNAN to conduct risk assessments within 90 days after the complete information is received.

The Notice includes a transitional provision to facilitate compliance by persons who may already have imported or manufactured up to 100 kg of the substance and started activities with it in concentrations that are greater than 1% by weight in a cosmetic. For the period between the publication of the Notice and 7 December 2025, the substance may be

used in a quantity not exceeding 100 kg in the manufacture or the distribution for sale of a cosmetic, in which the substance is present in a concentration that is greater than 1% by weight. On 8 December 2025, the threshold will be lowered.

The Act is enforced in accordance with the publicly available Compliance and Enforcement Policy for CEPA. 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.

Amendment to the Domestic Substances List regarding Basic Violet 3, Malachite Green, Basic Violet 4, and Basic Blue 7 (consultation)

On 9 November 2024, the Department of the Environment published a notice of intent to amend the Domestic Substances List (DSL) under subsection 87(3) of the Canadian Environmental Protection Act, 1999 (CEPA). The DSL is an inventory of substances manufactured or imported into Canada on a commercial scale and is regularly updated to reflect regulatory changes. The proposed amendments involve amending Parts 1 and 2 of the DSL regarding the following substances:

- methanaminium, N-[4-[bis[4-(dimethylamino)phenyl]methylene]-2,5-cyclohexadien-1-ylidene]-N-methyl-, chloride (CAS RN 548-62-9), also known as Basic Violet 3
- methanaminium, N-[4-[[4-(dimethylamino)phenyl]phenylmethylene]-2,5-cyclohexadien-1-ylidene]-N-methyl-, chloride (CAS RN 569-64-2), also known as Malachite Green
- ethanaminium, N-[4-[bis[4-(diethylamino)phenyl]methylene]-2,5-cyclohexadien-1-ylidene]-N-ethyl-, chloride (CAS RN 2390-59-2), also known as Basic Violet 4
- ethanaminium, N-[4-[[4-(diethylamino)phenyl][4-(ethylamino)-1-naphthalenyl]methylene]-2,5-cyclohexadien-1-ylidene]-N-ethyl-, chloride (CAS RN 2390-60-5), also known as Basic Blue 7

Activities involving these substances are not considered significant new activities if they are used as research and development substances, site-limited intermediate substances, or are intended exclusively for export, as defined under the New Substances Notification Regulations (Chemicals and Polymers).

The amendments propose the deletion of these substances from Part 1 of the DSL and their addition to Part 2, along with the application of the Significant New Activity (a.k.a. SNAc) provisions under subsection 81(3) of CEPA. These provisions require notification to the Minister of the Environment at least 180 days before undertaking significant new activities involving these substances. Such activities include manufacturing or importing consumer products containing the substances at concentrations greater than 0.1 percent by weight, subject to exemptions for components in commercial printing inks and dyes in paper products.

A 60-day public comment period is provided, ending on 8 January 2025. Requests for confidentiality must comply with subsection 313(2) of CEPA. The proposed amendments will come into force upon registration and publication in the Canada Gazette, Part II.

United States

EPA finalizes 1,4-Dioxane risk evaluation (published)

The US Environmental Protection Agency (EPA) has finalized the risk evaluation and risk determination for 1,4-dioxane (CAS No. 123-91-1) under the Toxic Substances Control Act (TSCA). 1,4-Dioxane is a solvent used in a variety of commercial applications, with some manufacturing processes generating the substance as a byproduct. Populations may be exposed to

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the substance via water or air through industrial or commercial sources releasing 1,4-Dioxane and commercial or consumer products containing the substance as a by-product.

EPA's 2020 risk evaluation did not include assessments on:

- general population exposures to 1,4-dioxane in drinking water or air
- all the ways people could be exposed to 1,4-dioxane as a byproduct
- potential exposures to fence-line communities
- the potential for simultaneous exposure to more than one source of 1,4-dioxane (aggregate risk)

The final supplement to the risk evaluation has now addressed the items above and provides a more complete understanding of the risks presented by the chemical. EPA has now determined that this chemical poses an unreasonable risk of injury to human health with the potential to cause cancer and harm the liver and nasal tissue. According to EPA, this presents an unreasonable risk to the general population, workers, and fence-line communities.

Based on the 2020 risk evaluation and 2024 supplement, the following conditions of use do not significantly contribute to the unreasonable risk:

- distribution in commerce
- commercial use of automobile antifreeze
- consumer use of textile dyes
- consumer use of automobile antifreeze
- consumer use of spray polyurethane foam

EPA determined that 1,4-dioxane presents an unreasonable risk of injury to health under the following conditions of use that could be relevant to the aerospace and defense industry:

- manufacture (including domestic manufacture and import)
- processing (including repackaging, recycling, non-incorporative, as a reactant, and as a byproduct, including ethoxylation processing and polyethylene terephthalate manufacturing)
- industrial/commercial use: intermediate
- industrial/commercial use: processing aid
- industrial/commercial use: textile dye
- industrial/commercial use: paints and coatings: paint and floor lacquer

EPA will release a proposed rule under TSCA section 6 to protect people from the identified risks and is considering additional risk management options, including regulatory actions under the Safe Drinking Water Act for 1,4-dioxane.

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

Proposed rulemaking on N-(1,3-dimethylbutyl)-N'-phenyl-p-phenylenediamine (6PPD) and its transformation product, 6PPD-quinone (effective)

The US Environmental Protection Agency (EPA) has issued an advance notice of proposed rulemaking (ANPR) under the Toxic Substance Control Act (TSCA) and is seeking public comment on the potential risks associated with N-(1,3-dimethylbutyl)-N'-phenyl-p-phenylenediamine (6PPD) (CAS No. 793-24-8) and its transformation product, 6PPD-quinone (CAS No. 2754428-18-5).

The chemical 6PPD has been used in motor vehicle tires for more than six decades to make them more durable. 6PPD reacts with ozone pollution in the air to form 6PPD-quinone, which can end up in waterbodies. Data has shown 6PPD-quinone is toxic to fish with concentrations of the chemical in stormwater in the Pacific Northwest found to be lethal to coho salmon after only a few hours of exposure. There are still uncertainties about the potential impacts of 6PPD-quinone on human health, as well as the potential for exposure from other sources of 6PPD-quinone.

A petition was granted in November 2023 which requested the EPA to establish regulations prohibiting the manufacturing, processing, use and distribution of 6PPD in tires. The ANPR aims to gather more information that could be used to inform a subsequent regulatory action under Section 6 of TSCA.

EPA is seeking information on:

- environmental effects on aquatic and terrestrial ecosystems
- potential human health effects
- environmental fate and transport
- exposure pathways
- persistence and bioaccumulation
- additional uses of 6PPD
- releases from consumer products such as sneakers, playgrounds, rubber-modified asphalt, reused tire, or other rubber products
- alternatives to 6PPD and
- potential chemical transformation products associated with potential alternatives.

The deadline for comments is 21 January 2025.

Revision to the regulatory definition of volatile organic compounds to exclude (Z)-1-chloro-2,3,3,3-tetrafluoropropene (consultation)

On 12 November 2024, the U.S. Environmental Protection Agency (EPA) published a proposed rule (comments due on 13 January 2025) to revise the regulatory definition of volatile organic compounds (VOC) under the Clean Air Act (CAA). The proposal seeks to exclude (Z)-1-chloro-2,3,3,3-tetrafluoropropene (HCFO-1224yd(Z); CAS number 111512-60-8), from the definition of VOC. This decision follows a petition submitted by AGC Chemicals Americas, Inc., which demonstrated that HCFO-1224yd(Z) has low reactivity and makes a negligible contribution to the formation of tropospheric ozone (O_3), based on established metrics such as maximum incremental reactivity.

The EPA's evaluation determined that HCFO-1224yd(Z) meets the criteria for negligible reactivity and poses no significant risks to other environmental endpoints, including stratospheric ozone depletion, toxicity, and climate change. If finalized, the exemption would remove HCFO-1224yd(Z) from VOC-related regulatory restrictions, potentially reducing compliance burdens for industries using the compound in products or processes regulated under the CAA.

Extension of comment period on risk management for certain per- and polyfluoroalkyl substances (consultation)

On 20 November 2024, the Environmental Protection Agency (EPA) published a notice extending the public comment period for its consultation on the manufacture of certain per- and polyfluoroalkyl substances (PFAS), including perfluorooctanoic acid (a.k.a. PFOA), perfluorononanoic acid (a.k.a. PFNA), and perfluorodecanoic acid (a.k.a. PFDA), during

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the fluorination of high-density polyethylene (HDPE) and other plastic containers. This consultation aims to gather information to inform potential regulatory actions under the Toxic Substances Control Act (TSCA) regarding the use of these substances.

The original comment period was set to end on 29 November 2024 and was extended by 31 days to 30 December 2024. This extension followed requests from stakeholders who sought additional time to collect information and provide comprehensive responses to the issues raised in EPA's notice.

OCEANIA

Australia

Amendment to the Industrial Chemicals Environmental Management (Register) Instrument 2022 to enhance the management and disposal of industrial chemicals (in force)

On 2 December 2024, the Department of Climate Change, Energy, the Environment and Water published an amendment to the Industrial Chemicals Environmental Management (Register) Instrument 2022 to enhance the management and disposal of industrial chemicals. The update aims to ensure that these chemicals are handled in a manner that protects human health and the environment. The amendment includes several key changes:

- the introduction of the Polychlorinated Biphenyls Management Plan, which outlines the management of polychlorinated biphenyls (PCBs) as published by the Australian and New Zealand Environment and Conservation Council in November 1996
- requirements for producers and holders of waste to avoid contamination of waste not already containing the chemical and to manage or dispose of waste containing the chemical in an environmentally sound manner
- specific disposal methods for waste containing chemicals at concentrations equal to or greater than 50 milligrams per kilogram, including treatment to destroy or irreversibly transform the chemical or disposal in an environmentally sound manner
- the prohibition of the manufacture of certain chemical classes except under specific conditions, such as unintentional trace contamination or for research purposes
- the requirement for waste management to comply with the IChEMS Minimum Standards

The amendment does not specify fines or implications for non-compliance. However, non-compliance is likely to result in fines per the Industrial Chemicals Environmental Management (Register) Act.

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SOUTH AMERICA

Brazil

LAW No. 15,022 to establish the National Inventory of Chemical Substances (in force)

On 14 November 2024, the Brazilian government published Law No. 15,022 to establish the National Inventory of Chemical Substances. This law, which entered into force the same day it was published, introduces a comprehensive framework for the assessment and risk control of chemical substances used, produced, or imported within Brazil, aiming to minimize adverse impacts on human health and the environment. The law is often referred to as "Brazil REACH" due to its structural and functional similarities to the European Union's REACH regulation.

Law No. 15,022 mandates the registration of chemical substances exceeding one tonne of annual production or importation in the National Inventory of Chemical Substances. This requirement extends to substances in mixtures or as ingredients of mixtures. The average production or import volumes over the past three years will determine whether the threshold is met. The responsible committee may establish lower thresholds for specific substances if deemed necessary. Exemptions apply to certain substances such as radioactive materials and substances used for national defense.

The law provides a three-year period for the government to implement the necessary digital systems for the inventory. Once operational, companies will have an additional three years to register their existing substances. For new substances, registration must occur before production or importation begins. Updates to the registered information are required by 31 March of the subsequent year if changes occur.

The inventory data will prioritize the assessment of substances based on criteria such as persistence, bioaccumulation, toxicity, carcinogenicity, endocrine disruption, and potential human or environmental exposure. Based on these assessments, risk management measures may be introduced, including restrictions, authorizations, or bans on production, importation, or use.

The law enforces penalties for non-compliance, as detailed in Article 36, including fines, production bans, and activity suspensions. Information submitted to the inventory will be public, except for commercially sensitive or proprietary data that may be protected for up to ten years.

Information can be found here in Portuguese.

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