Newsletter

Global Environmental and Chemical Regulations, Policies, and Standards

September 2024
Vol.4, Issue 9

IAEG

NEWSLETTER

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

WHO IS IAEG?

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

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

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

IAEG WORK GROUP 9 NEWSLETTER

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

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

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

SUBSCRIPTION SERVICE

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

  RETURN TO TABLE OF CONTENTS

NEWSLETTER

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

TABLE OF CONTENTS

  RETURN TO TABLE OF CONTENTS

RETURN TO TABLE OF CONTENTS

  RETURN TO TABLE OF CONTENTS

AFRICA

South Africa

Declaration of lead in paint as a Group II hazardous substance (published)

On 6 September 2024, the Minister of Health of South Africa published a declaration classifying leaded paint or coating material as a Group II hazardous substance. This classification applies to any paint or similar coating material containing a total lead content exceeding 0.009 per cent (90 parts per million) or 90 milligram per kilogram based on the weight of the total non-volatile content. Coating materials are defined as products in liquid, paste, or powder form that, when applied to a surface, form a protective, decorative, or specific layer.

A Group II hazardous substance is classified as a substance that can pose a significant risk to human health or the environment, though less severe than Group I substances. These substances are subject to regulatory controls to ensure safe handling, use, and disposal to minimize exposure risks.

The declaration repeals the previous classification of leaded paint as a Group I hazardous substance that was outlined in Government Notice No. R 801, Gazette Number 32455. This notice comes into force one year after the date of final publication.

ASIA

China

General rules on classification and labeling of chemicals (published)

On 24 July 2024, the National Market Supervision Administration and the National Standardization Management Committee published the updated standard GB 30000.1—2024, titled "Specification for Classification and Labeling of Chemicals - Part 1: General Rules." This standard, effective from 1 August 2025, replaces GB 13690—2009 and aligns with the eighth revision of the United Nations' Globally Harmonized System of Classification and Labeling of Chemicals (GHS). The update modifies, deletes, and adds several terms and definitions to enhance clarity and precision in chemical classification. Significant additions include new categories for physical hazards, such as "desensitized explosives."

Several appendices from the previous standard, including examples of precautionary statements, pictograms, and GHS label examples, have been removed. This streamlining effort focuses the standard on essential elements.

  RETURN TO TABLE OF CONTENTS

The standard outlines detailed procedures for assigning label elements, including symbols, signal words, and hazard statements, with specific guidance on presenting these elements, particularly when multiple hazards are present. The standard also aims to ensure consistency with GHS technical content and provides guidance for the classification and labeling of chemicals. Penalties are not mentioned in the update. Standard GB 30000.1—2024 will be implemented on 1 August 2025.

More information can be found here in Chinese.

Addition of six chemicals substances to the Inventory of Existing Chemical Substances (consultation)

The Ministry of Ecology and Environment has reviewed the application documents submitted by relevant units for the inclusion of new substances in the Inventory of Existing Chemical Substances in China (the Inventory), in accordance with the Measures for the Environmental Management Registration of New Chemical Substances (Order No. 12 of the Ministry of Ecology and Environment) and the applicable guidelines. The second 2024 batch comprises six chemical substances whose conditions comply with Article 3 of the measures:

- calcium tungsten oxide (CAS No. 7790-75-2)
- phosphonomycin (R)-1-phenethylamine salt (CAS No. 25383-07-7)
- N-methyl-1-(methylthio) -2-nitroethylen-1-amine (CAS No. 61832-41-5)
- 1,1-ethenediamine, N-[2-[[[5-[(dimethylamino)methyl]-2-furanyl]methyl]thio]ethyl]-N'-methyl-2-nitro- (CAS No. 66357-35-5)
- guanidine, hydrochloride (1:1), polymer with 1,6-hexanediamine (CAS No. 57028-96-3)
- ammonium vanadium oxide (CAS No. 12207-63-5)

The six new chemical substances are published for transparency and to provide the opportunity for public oversight. Stakeholders can verify the information published on the Ministry's government website. The public review period ended on 12 September 2024. Following the review period, approved substances will be added to the Inventory. There are no specific penalties mentioned in this update.

More information can be found here in Chinese.

India

Amendments to Quality Control Orders (published)

In August and September 2024, the Ministry of Chemicals and Fertilizers (MCF) published amendments to the Quality Control Orders (QCOs) for several chemical substances. These amendments, issued under the Bureau of Indian Standards (BIS) Act, 2016, extend the dates when these QCOs will come into force, providing industries with additional time to comply with the specified standards. The date when the QCOs for these substances has been extended as follows:

- acetic acid, methanol, aniline has been extended to 3 August 2025
- morpholine has been extended to 1 November 2024
- polypropylene materials for moulding and extrusion and poly vinyl chloride (PVC) homopolymers to 24 December 2024
- Polycarbonate to 12 March 2025

  RETURN TO TABLE OF CONTENTS

In addition, the Styrene-Butadiene Rubber Latex (Quality Control) Amendment Order, 2024 introduces an exemption to the existing regulation. Specifically, the order now states that the requirements shall not apply to the carboxylated styrene-butadiene rubber latex grade used in the manufacture of automotive lithium-ion batteries. This amendment, issued under Section 16 of the BIS Act, also comes into force from the date of its publication.

On 13 September 2024, the MCF published amendments to the Ethylene Dichloride (Quality Control) Order, 2021, and the Vinyl Chloride Monomer (Quality Control) Order, 2021. The amendments revise the dates on which their respective orders will come into force to 12 March 2025.

QCOs are gazette orders issued pursuant to Section 16 of the BIS Act. They are issued by the government 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 (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 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 Standard Mark under a License or a Certificate of Conformity from BIS is mandated.

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

Japan

Updates to the general chemical substance list (amendment)

On 31 July 2024, Japan has updated its general chemical substance list, adding 164 new substances, with three classified as specified general chemical substances that are considered highly toxic to human health and the environment. This update falls under Japan's Chemical Substance Control Law (CSCL), which manages chemical safety by regulating the production and import of substances based on their risk assessments. The aim of this law is to prevent harm to public health and the environment by monitoring chemicals and their potential risks.

The CSCL classifies chemicals based on their risk level, with substances that pose no significant threat added to the general list. Specified general chemical substances, however, are those deemed particularly harmful, necessitating stricter monitoring and control. The CSCL requires companies to notify authorities if they produce or import one tonne or more of these substances annually.

These three substances specified as general chemical substances are (CAS No. are not available):

- (eta(5)-cyclopentadienido)tris(n-methylmethanaminido-kappaN)zirconium
- 2-(4-aminophenyl)-1,3-benzoxazol-5-amine
- reaction products of hydrogen peroxide and 1,4-bis{[(prop-2-en-1-yl)oxy]methyl}cyclohexane, consisting of 80% or more of 2,2'-[cyclohexane-1,4-diylbis(methyleneoxymethylene)]bis(oxirane)

Companies handling these newly listed substances must adhere to strict reporting and safety requirements, including notifying the Ministry of Economy, Trade, and Industry (METI) if production or import volumes meet or exceed the one-tonne threshold per year. The substances were also evaluated for their degradability and bioaccumulation, with results published on METI's website.

Penalties for non-compliance have not been specified. There are no immediate deadlines for consultation.

Additional information can be found on Notification 6 here in English and in Japanese. Information on customs procedures for importing substances can be found here in English and in Japanese. The chemical substances list can be found here in English and in Japanese.

Designation of perfluorohexane sulfonic acid related substances as class I specified chemical substances (consultation)

Japan has proposed to designate perfluorohexane sulfonic acid (PFHxS; CAS No. 355-46-4) related compounds as class I specified chemical substances, which would result in a ban on the manufacture, import, and use of these compounds. The ban would also extend to ten specific products containing these substances. The Ministry of Health, Labor, and Welfare (MHLW), Ministry of Economy, Trade and Industry (METI), and Ministry of the Environment (MOE) jointly announced this proposal through a public consultation on 1 August 2024, which ended on 5 September 2024.

This proposed regulation aims to align with global efforts to reduce the environmental and health impacts of PFHxS-related compounds, which have been linked to persistent environmental contamination and health risks. Under Japan's Chemical Substances Control Law (CSCL), class I specified chemical substances are tightly regulated, with their use prohibited except for essential purposes approved by relevant ministries or for testing and research. MHLW, METI, and MOE have not identified any essential uses for PFHxS-related compounds, indicating the intention to completely phase out these substances in Japan.

The proposal will impact a range of industries, particularly those involved in surface treatment agents, etching agents for metal, and semiconductor processing. Manufacturers and importers of these compounds will be required to apply for permission from METI and notify the MOE upon approval. The application process will necessitate detailed information on the business, including the company's name, location, and the specific substances in question, as well as the capacity of manufacturing facilities. Importers must also submit similar forms, detailing the substance and the quantity to be imported.

There is no specified enforcement date for this regulation, with further discussions planned after 2025. There are no specified penalties for non-compliance at this stage.

More information on the proposal can be found here in Japanese.

Addition of 141 substances to the chemical substances list (published)

On 7 June 2024, Japan's Ministry of Health, Labor, and Welfare (MHLW) added 141 substances to the chemical substances list under the Industrial Safety and Health Act (ISHA). The newly added substances and details such as their chemical structures and official gazette serial numbers are now available on the MHLW workplace safety website. Following this update, the list now contains a total of 72,164 substances.

Under ISHA, businesses intending to manufacture or import chemical substances new to the Japanese market must notify the MHLW, providing the chemical name and hazard assessment results based on how the substance is used or handled. The notification is required prior to manufacture or import, and businesses must implement preventive safety measures for workers, informed by the results of risk assessments.

More information can be found in Japanese in this announcement from MHLW.

Saudi Arabia

Executive regulations for substances that deplete the ozone layer and hydrofluorocarbons (published)

On 5 September 2024, the Ministry of Environment, Water, and Agriculture of Saudi Arabia published the Executive Regulations for Ozone-Depleting Substances and Hydrofluorocarbons as part of the Environmental Law issued under Royal Decree No. M/165 dated 19 November 1441 H. The purpose of these regulations is to enforce compliance regarding the management, import, export, re-export, use, and disposal of controlled substances harmful to the environment.

The regulations outline penalties for violations such as importing, exporting, re-exporting, or storing controlled substances without approval, which are classified as severe. The list of violations includes the unauthorized use of recycled materials, the illegal handling of used equipment, and the failure to follow licensing or permitting requirements. Fines for these violations range from 10,000 to 5,000,000 SAR. The direct release of controlled substances into the environment can incur penalties ranging from 10,000 to 100,000 SAR.

Information can be found in English and in Arabic.

Singapore

Proposed regulations of six mercury-added products (consultation)

On 19 August 2024, the National Environment Agency (NEA) of Singapore launched a public consultation on the proposed regulation of six mercury-added products as hazardous substances under the Second Schedule of the Environmental Protection and Management Act (EPMA). This proposal is part of Singapore's efforts to comply with the Minamata Convention, an international treaty aimed at reducing mercury emissions and protecting human health and the environment. The public consultation closed on 19 September 2024.

As a party to the Minamata Convention, Singapore is obligated to control the use of mercury-added products, including those identified during the 5th Conference of Parties (COP-5). The NEA's proposal targets six specific types of fluorescent lamps used for general lighting purposes, which have been recognized for their potential to release toxic mercury that can bioaccumulate in ecosystems.

The proposed regulation outlines that, effective from 1 January 2027, the manufacture, import, and export of four types of mercury-added lamps, including compact fluorescent lamps and linear fluorescent lamps, will be prohibited. Additionally, by 1 January 2028, two further types of lamps, including triband phosphor non-linear fluorescent lamps, will also be phased out. NEA plans to gazette this legislative amendment by 2026, providing a two-year transitional period for companies to comply with the new regulations. This regulation will impact companies involved in the manufacture, import, or export of these lighting products, as they will need to cease operations involving the specified lamps by the respective deadlines.

The NEA intends to finalize the legislative changes by 2026, with the phase-out of the specified mercury-added products scheduled to take effect on 1 January 2027 and 1 January 2028. Penalties for non-compliance with the new regulation have not yet been specified.

  RETURN TO TABLE OF CONTENTS

Classification of formaldehyde in paint as a hazardous substance (consultation)

On 16 August 2024, Singapore's National Environment Agency (NEA) notified the World Trade Organization of a proposed regulation to classify formaldehyde in paints as a hazardous substance under the Environmental Protection and Management Act (comments due on 15 October 2024). This proposal aims to safeguard public health by regulating formaldehyde, a chemical classified by the World Health Organization as a Class 1 carcinogen, which is widely used as a preservative in building products.

The proposed regulation will prohibit the import, manufacture, and sale of interior paints containing equal to or more than 0.01% weight in weight of formaldehyde within Singapore, unless these paints are intended for export or re-export. In such cases, companies must apply for a hazardous substances license from the NEA to manage the paints legally.

For paints intended for outdoor or industrial use that contain equal to or more than 0.01% weight in weight of formaldehyde, compliance with relevant labelling requirements will be mandatory. However, these labelling requirements will not apply to paints imported or manufactured solely for export or re-export purposes.

Importers and manufacturers of interior paints will be required to submit test reports to the NEA upon request. These reports must demonstrate that the total in-can formaldehyde content in each interior paint product is less than 0.01% weight in weight. The test reports must be prepared by laboratories accredited by bodies that are signatories to the International Laboratory Accreditation Cooperation Mutual Recognition Arrangement.

The NEA plans to adopt this regulation in January 2025, with the regulations proposed to come into force in January 2026.

South Korea

Updates to the list of existing substances pre-registered under K-REACH (published)

The Ministry of Environment (MoE) published an updated list of existing substances pre-registered under K-REACH. This list consists of 81 pre-registered substances and covers additional changes made up to the second quarter of 2024. This list helps companies forming and running consortia for joint registration to see which substances have been pre-registered and information can be used to complete the registration process. The updates include substance name, CAS number, number of companies pre-registering, tonnage bands, whether a substance is carcinogenic, mutagenic, or reproductive toxic, physical risk, and health and environmental hazard information. Under K-REACH manufacturers and importers of existing substances in volumes of 100 tonnage to 1000 tonnage per year must complete the registration by 31 December 2024.

  RETURN TO TABLE OF CONTENTS

EUROPE

European Union

Regulation regarding fluorinated greenhouse gases (published)

Implementing Regulation (EU) 2024/2195
On 5 September 2024, the European Commission published Implementing Regulation EU 2024/2195 regarding the format for the reporting data on fluorinated greenhouse gases. Regulation (EU) 2024/2195 entered into force on 25 September 2024. The regulations provide for the reporting format under attached annexes and repeal the previous Implementing Regulation (EU) No 1191/2014. The reporting format covered under the annexes provides the following sections applicable to different roles in the supply chain:

- Section 1 – to be filled in by producers of gases
- Section 2 – to be filled in by importers of gases
- Section 3 – to be filled in by exporters of gases
- Section 4 – to be filled in by producers and importers of gases and by undertakings that reclaim gases
- Section 5 – quantities for uses exempted under Article 16(2) of Regulation (EU) 2024/573 and for producing metered dose inhalers for the delivery of pharmaceutical ingredients, to be filled in by producers and importers of hydrofluorocarbons
- Section 5a – quantities for uses exempted under Article 16(2) of Regulation (EU) 2024/573 and for producing metered dose inhalers for the delivery of pharmaceutical ingredients, to be filled in by recipients of hydrofluorocarbons
- Section 6 – categories of application of gases for the European Union (EU) market, to be filled in by producers and importers of gases
- Section 7 – to be filled in by feedstock users of gases
- Section 8 – to be filled in by undertakings having destroyed gases
- Section 11 – to be filled in by undertakings having placed on the market gases contained in products or equipment or parts thereof pursuant to Article 26(4) of Regulation (EU) 2024/573
- Section 12 – to be filled in by importers of refrigeration equipment, air conditioning equipment or heat pumps, or metered dose inhalers charged with hydrofluorocarbons, where the hydrofluorocarbons contained in the imported equipment or products had previously been exported from the EU and acquired by manufacturers of equipment or products directly from the exporting undertaking, and had been subject to the hydrofluorocarbon quota limitation for placing on the Union market
- Section 12a – to be filled in by importers of refrigeration equipment, air conditioning equipment or heat pumps, or metered dose inhalers charged with hydrofluorocarbons, where the imported equipment or products (including the charge of hydrofluorocarbons) had previously been placed on the EU market and subsequently been exported from the EU prior to the re-import

The data gathered regarding fluorinated greenhouse gases will allow for greater oversight of the sectors involved with production and use of such gases, and aid in the decision-making process of the European Commission. While there are no penalties associated with this update, affected parties should ensure they use the updated reporting format when reporting on fluorinated greenhouse gases.

  RETURN TO TABLE OF CONTENTS

Implementing Regulation (EU) 2024/2215
On 9 September 2024, the European Commission published the Implementing Regulation (EU) 2024/2215, which establishes the minimum requirements for issuing certificates to natural and legal persons involved in stationary refrigeration, air conditioning, heat pump equipment, organic Rankine cycles, and refrigeration units of refrigerated trucks, refrigerated trailers, light-duty vehicles, intermodal containers, and train wagons containing fluorinated greenhouse gases or their alternatives. This regulation replaces Commission Implementing Regulation (EU) 2015/2067 and applies across all Member States.

Pursuant to Regulation (EU) 2024/573, the certification requirements extend to activities such as leak checks, installation, repair, maintenance, and decommissioning of the aforementioned equipment. It also encompasses the use of alternative substances such as ammonia (NH_3), carbon dioxide (CO_2), and hydrocarbons. However, the regulation does not apply to manufacturing activities conducted at the equipment manufacturer's site.

The regulation outlines specific certificate types for natural persons, such as Certificate A1, which covers all activities involving fluorinated greenhouse gases and hydrocarbons, and Certificate B for activities involving carbon dioxide. It also specifies exemptions for individuals undergoing training or working under the supervision of certified professionals. Legal persons must also be certified if they conduct these activities for third parties, provided they employ sufficient certified personnel and have the necessary tools and procedures in place.

In terms of mutual recognition, certificates issued in one Member State must be recognized by others without additional evaluations or disproportionate administrative requirements. However, Member States may request a translation of the certificate into another official EU language. The regulation also ensures that refresher training or evaluation processes are in place to update the knowledge and skills of certificate holders from previous regulations.

The regulation is binding in its entirety and directly applicable across all Member States and came into force on 29 September 2024.

Implementing Regulation (EU) 2024/2174
On 3 September 2024, the European Commission published Implementing Regulation (EU) 2024/2174 that lays down rules for the application of Regulation (EU) 2024/573. This regulation sets out the format for labels on certain products and equipment containing fluorinated greenhouse gases and repeals the previous Implementing Regulation (EU) 2015/2068.

The regulation introduces specific requirements to ensure the visibility and clarity of labels, requiring that they include the text "contains fluorinated greenhouse gases" along with details such as the weight of the gases, their CO_2 equivalent, and their Global Warming Potential (GWP). The labels must be securely attached to the product and remain legible under normal operational conditions. Where products are subject to other labeling regulations, such as Regulation (EC) No 1272/2008 on classification, labeling, and packaging, the information required under this regulation must be incorporated into the supplemental information section of the existing label.

For smaller products, where label space is limited, the regulation allows the use of digitally readable links to provide the necessary information. Additionally, products containing recycled or reclaimed fluorinated gases must be labelled accordingly, with phrases like "100% Recycled" or "100% Reclaimed" included, depending on the nature of the gases. Products intended for military use, export, or medical purposes have specific labeling requirements to indicate their specialized functions.

Regulation (EU) 2024/2174 entered into force on 24 September 2024 and applies from 1 January 2025. It is binding in its entirety and directly applicable across all EU member states. Penalties are not mentioned in the update.

  RETURN TO TABLE OF CONTENTS

Classification and labeling intentions for rosin and rosin, oligomers (intention)

Two new intentions were announced in July 2024 for the substances rosin (EC No. 232-475-7; CAS No. 8050-09-7) and rosin, oligomers (EC No. 500-163-2; CAS No. 65997-05-9), both of which are used in various products including lubricants, greases, adhesives, and coating products. The proposed harmonized classification for both substances is "reproductive toxicity."

If these proposed classifications are approved, new labeling and packaging requirements may apply. Interested parties will have the opportunity to provide comments during the public consultation phase, and final decisions will be based on the opinion of the Committee for Risk Assessment.

Call for evidence on natural minerals and product with non-intentional presence of asbestos (consultation)

The European Chemicals Agency (ECHA) opened a call for evidence (comments due on 16 October 2024) to gather information on natural minerals and products with non-intentional presence of asbestos, as well as on identified exposure and risks from the following asbestos fibers:

- crocidolite (EC No. 601-649-8; CAS No. 12001-28-4)
- amosite (EC No. 601-801-3; CAS No. 12172-73-5)
- anthophyllite (EC No. 616-472-1; CAS No. 77536-67-5)
- actinolite (EC No. 616-471-6; CAS No. 77536-66-4)
- tremolite (EC No. 616-473-7; CAS No. 77536-68-6)
- chrysotile (EC No. 601-650-3; CAS Nos. 12001-29-5 & 132207-32-0)

The Netherlands intends to investigate the non-intentional presence of asbestos fibers in articles, materials, minerals, and mixtures. As such they are asking for information from all stakeholders, including private companies, non-government organizations, scientific organizations, and others on:

- the non-intentional presence of asbestos in natural minerals and products
- potential human inhalation exposure to asbestos fibers from such products
- associated risks to human health that are not adequately controlled

Information gathered from this consultation will be used to determine if additional risk management measures need to be taken against the above substances under REACH, potentially including new restrictions.

Harmonized classification and labeling for 8-methyldecan-2-yl propionate; 8-methyldecan-2-yl propanoate (consultation)

A classification and labeling consultation for 8-methyldecan-2-yl propionate; 8-methyldecan-2-yl propanoate (EC No. not available; CAS no. 81931-28-4) is open with comments due on 18 October 2024. This is an active substance in plant protection products. The proposed harmonized classification is:

- Aquatic Acute 1, H400, M = 10,
- Aquatic Chronic 1, H410, M = 10

If this harmonized consultation is approved, new labeling and packaging requirements might apply.

  RETURN TO TABLE OF CONTENTS

Amendment to Annex XVII of Regulation (EC) No 1907/2006 (REACH) to restrict perfluorohexane sulfonic acid, its salts, and related substances (published)

The European Commission has amended Annex XVII of Regulation (EC) No 1907/2006 (REACH) to restrict the manufacture, market placement, and use of perfluorohexane sulfonic acid (PFHxS; CAS No. 355-46-4), its salts, and PFHxA-related substances due to their hazardous nature. This regulation aims to reduce environmental and human exposure to these substances, particularly in firefighting foams, textiles, and food contact materials. This amendment to Regulation (EC) No 1907/2006 is effective from 10 October 2024.

The amendment highlights the hazardous properties of PFHxA, classified as "very persistent," mobile in the aquatic environment, and posing potential adverse effects on human health and the environment. While PFHxA itself is not registered or used in the European Union (EU), PFHxA-related substances are widely used in sectors such as food packaging, textiles, and firefighting foams.

The scope of the restriction includes PFHxA, its salts, and PFHxA-related substances: (a) having a linear or branched perfluoropentyl group with the formula C5F11- directly attached to another carbon atom as one of the structural elements; or (b) having a linear or branched perfluorohexyl group with the formula C6F13-. Substances excluded from this designation include: (a) C6F14; (b) C6F13-C(=O)OH, C6F13-C(=O)O-X' or C6F13-CF2-X' (where X' = any group, including salts); (c) any substance having a perfluoroalkyl group C6F13- directly attached to an oxygen atom at one of the non-terminal carbon atoms.

The restriction specifies concentration limits of:

- 25 parts per billion (ppb) for the sum of PFHxA and its salts
- 1,000 ppb for the sum of PFHxA-related substances, measured in homogeneous material

The phased timelines for the restriction are as follows:

- 10 April 2026: firefighting foams used for training and testing, with exemptions for certain industrial sites
- 10 October 2026: textiles, food contact materials, cosmetics, and mixtures for the general public
- 10 October 2027: additional restrictions on textiles, leather, and fur products not covered in earlier phases
- 10 April 2029: further restrictions for civil aviation firefighting foams

Public fire services are permitted to use PFHxA-containing firefighting foams only during interventions at industrial sites covered by Directive 2012/18/EU, and solely for that purpose. Existing products and mixtures placed on the market before these restriction dates are exempt from the regulation.

Amendments to Annex I of Regulation (EU) 2019/1021 to add methoxychlor and to revise the entry for hexabromocyclododecane (published)

On 27 September 2024, the European Commission published two amendments to Annex I of Regulation (EU) 2019/1021 of the European Parliament, which implements the Union's commitments under the Stockholm Convention on Persistent Organic Pollutants, an international treaty aimed at protecting human health and the environment by phasing out or restricting hazardous chemicals. The amendments add a new entry to Annex I for methoxychlor and revise the entry for hexabromocyclododecane to apply to concentrations of hexabromocyclododecane equal to or below 75 milligrams per kilogram (mg/kg; 0,0075 % by weight) where it is present in substances, mixtures, articles or as constituents of the flame-retarded articles. Both amendments come into force on 17 October 2024.

  RETURN TO TABLE OF CONTENTS

Four draft regulations to implement certification requirements under the F-gas regulation (consultation)

The European Commission has opened four public consultations on new implementing regulations required after the entry into force of the new F-Gas Regulations (EU) 2024/573). The public consultations, with comments due on 15 October 2024, concern four areas affected by Regulation (EU) 2024/573:

- new minimum certification requirements for air-conditioning systems in mobile equipment
- new certification requirements for solvents
- update of minimum requirements for switchgear
- update of minimum requirements for fire protection systems

These consultations were opened after it became clear that Regulation (EU) 2024/573 would need to be repealed and replaced to update the minimum certification requirements and to allow mutual recognition between Member States.

Ireland

Regulation on control of military exports (published)

Ireland has released the Control of Exports (National Military Export Control List) Regulations 2024 to establish a new framework regarding the control of military exports arising under the Control of Exports Act 2023. More precisely, the regulation establishes a national military export control list for any weapon, ammunition, or component thereof that constitutes a military item; the schedule gives the detailed listing of all controlled military items. This list is based upon and aligns with the European Union (EU) Dual-Use List.

The regulation aims to provide control over Ireland's military exportation, particularly those in the sensitive or restricted areas. It refers to firearms, smooth-bore arms, ammunition, and accessories, as well as stipulating what constitutes permitted usages and exemptions; an example of which would be the deactivated firearms or firearms used in animal tranquilization. It stipulates that items listed shall conform to international standards, especially those in the EU and Wassenaar Arrangement.

Penalties for non-compliance include potential fines and restrictions on export privileges.

Norway

Amendment to regulation on emission trading and quotas for greenhouse gas emissions (in force)

On 22 August 2024, the Ministry of Climate and Environment published an amendment to the regulation concerning emission trading and quotas for greenhouse gas emissions, Klimakvoteforskriften. The regulation entered into force on 16 August 2024 and amends the original regulation FOR-2004-12-23-1851, under the authority of the Klimakvoteloven (Law on Emission Trading and Quotas for Greenhouse Gas Emissions), Sections 3 and 3a. The amendment also includes references to the European Economic Area (EEA) Agreement, particularly Directive (EU) 2023/958, Decision (EU) 2023/136, and Regulation (EU) 2024/622.

The update introduces a new title for Chapter 11, now titled "Aviation. Rules for the market-based mechanism Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA)." This chapter applies to CO_2 emissions from

  RETURN TO TABLE OF CONTENTS

international flights between two countries, specifically for aircraft operators with an Air Operator Certificate issued by an EEA country, or those registered in an EEA country, with annual CO_2 emissions exceeding 10,000 tonnes. Exemptions are provided for flights involving aircraft with a maximum take-off weight of 5,700 kilograms or less, state flights, military flights, humanitarian operations, medical flights, firefighting flights, and any flights directly associated with these operations.

The regulation also references the application of EEA regulations on monitoring, reporting, and verification for international flights under CORSIA. Additionally, Regulation (EU) 2024/622 is implemented, covering the list of states recognized as applying CORSIA.

The regulation outlines requirements for operators to compensate for CO_2 emissions. For the period from 2021 to 2023, operators must compensate for emissions that exceed 2019 levels. From 2024 to 2026, compensation is required for emissions exceeding 85% of 2019 levels. Compensation is not required for flights already covered by the European Union emissions trading system. The regulation also specifies that by 30 November each year, authorities will determine whether compensation is required for that year. Operators must then compensate by purchasing and cancelling emission units. Deadlines are set for 31 January 2025 for the period 2021–2023, and 31 January 2028 for the period 2024–2026.

Finally, the amendment confirms that Norway will be the administrative authority for certain aircraft operators, including those registered in Norway or with an Air Operator Certificate issued by Norwegian authorities.

Information can be found here in Swedish.

Poland

Amendment to the act on the greenhouse gas emissions management system and allowance trading system (draft act)

The Poland Prime Minister's office published a draft act on 30 August 2024 to amend the act on the greenhouse gas and other substances emission management system and the act on the greenhouse gas emission allowance trading system. Comments were due on 20 September 2024, and the draft act is expected to be adopted in the third quarter of 2024. The draft act aims to implement the European Union Regulation (EU) 2023/956 of the European Parliament and of the Council of 10 May 2023 establishing a border adjustment mechanism for CO_2 emissions (OJ L 130, 15.05.2023, p. 52), referred to as the "CBAM Regulation", as well as any related regulations. The CBAM Regulation establishes the CBAM mechanism known as the carbon border tax. It will apply to imports of certain goods imported into the customs territory of the EU from the iron and steel, aluminum, and hydrogen sectors, amongst others.

The main points of the draft include how the CBAM mechanism will work during the transition period, from 1 October 2023 until 31 December 2025, established in Article 32 of the CBAM regulation. It also establishes that the Director of the Tax Administration Chamber will be responsible for granting authorized CBAM declarant status, and what administrative fees will apply.

More information can be found here in Polish.

  RETURN TO TABLE OF CONTENTS

Spain

Order DEF/828/2024 establishes exemptions for compliance with chemical regulations for defense purposes (published)

On 7 August 2024, the Ministry of Defense (MoD) published Order DEF/828/2024, establishing exemptions for compliance with chemical regulations for defense purposes, expanding upon Law 7/2022 on waste and contaminated soils. This update implements the defense-related exemption provisions in the REACH Regulation (EC) No 1907/2006. It replaces Royal Decree 1237/2011 and ensures that defense activities can bypass certain chemical safety regulations while maintaining environmental and human health protection. The law addresses the need for flexibility in defense-related chemical usage while upholding obligations under the REACH and classification, labeling, and packaging (CLP) Regulations.

The order outlines the process for applying for defense-related exemptions from chemical regulations. The MoD, through the General Directorate of Armament and Material (DIGAM), is responsible for handling requests for exemptions regarding the use of substances, mixtures, or articles for defense purposes. DIGAM is supported by the Subdirección General de Inspección, Regulación y Estrategia Industrial de Defensa (SDGINREID), which advises DIGAM and ensures proper application of exemption criteria. Additionally, a working group (GTEX) under SDGINREID is established to conduct detailed analyses and support the exemption process. The Permanent Secretariat within SDGINREID maintains records and coordinates the activities of GTEX.

Applications must detail the substance, its use, and its safety profile, including a technical report outlining the risks to human health and the environment, along with safety measures throughout the substance's lifecycle. The MoD reviews these applications and may consult with experts to ensure comprehensive risk assessments are conducted.

Exemptions are granted for a standard period of three years, with the possibility of renewal based on ongoing need and compliance with the original conditions. The MoD must resolve and notify the applicant of the decision within six months. If no decision is communicated within this timeframe, the application is deemed denied due to the potential risks associated with the substances in question.

The update specifies that the implementation of these procedures will not result in increased staff or public spending, as the responsibilities will be managed within existing resources. Additionally, the costs associated with opening exemption files will be borne by the applicants, following the guidelines established in Order DEF/182/2012.

Order DEF/828/2024 will come into effect on 3 February 2025, 180 days after its publication in the "Boletín Oficial del Estado." Penalties for non-compliance are not explicitly detailed in this update; however, the implication of administrative silence leading to a denial emphasizes the importance of adherence to the process to avoid potential risks to human health and the environment.

More information can be found here in Spanish.

  RETURN TO TABLE OF CONTENTS

United Kingdom

Survey on Great Britain classification, labeling, and packaging regulation (consultation)

The Health and Safety Executive (HSE) has launched a survey to collect feedback on current Great Britain (GB) classification, labeling, and packaging (CLP) regulation (due date was 18 September 2024). The information will help HSE understand the impact of potential changes to GB CLP. HSE is specifically interested in the following areas:

- notification (not relevant for downstream users and distributors)
- relabeling
- label formatting
- chemicals under pressure
- explosives not in transport configuration
- precautionary statements

There are no penalties associated with this update.

NORTH AMERICA

Canada

Amendment to the Domestic Substances List to unmask the identities of 198 substances listed confidentially on Part 3 (consultation)

On 10 August 2024, the Canadian Department of the Environment published a notice pursuant to section 317.2 of the Canadian Environmental Protection Act (CEPA), 1999, intending to amend the Domestic Substances List (DSL). The update proposes to unmask the identities of 198 substances currently listed confidentially in Part 3 of the DSL. These substances, originally listed under masked names to protect confidential business information, will be deleted from Part 3, and added to Part 1 of the DSL under their Chemical Abstracts Service (CAS) numbers once the final order is published.

Comments were due on 9 October. Any person submitting comments could have requested confidentiality for any sensitive information. The request should clearly specify which information to remain confidential, accompanied by a justification based on the criteria outlined in subsection 313(2) of CEPA.

Any person objecting to the unmasking of any of the listed substances may submit a masked name application for each substance. The application should adhere to the Masked Name Regulations (SOR/94-261) and comply with the requirements outlined in section 7.2.2 of the Guidance Document for the New Substances Notification Regulations (Chemicals and Polymers). No fee is required for this application.

Draft safety standards regarding design, manufacture and use of United Nations standardized packaging for transport of dangerous goods (proposed)

The Canadian General Standards Board has opened a consultation period for the draft safety standard concerning the design, manufacture and use of the United Nations (UN) standardized packaging for the transport of dangerous goods. This standard is incorporated into the Transportation of Dangerous Goods Regulations (SOR/2001-286) which aims to promote public safety when dangerous goods are being handled, offered for transport, or transported.

The draft safety standard updates requirements for the use of UN standardized packaging such as drums, jerricans, boxes, bags, combination packaging, composite packaging, and other packaging for transporting dangerous goods with the following classifications:

- Class 3: Flammable liquids
- Class 4: Flammable solids, substances liable to spontaneous combustion, and water reactive substances
- Class 5: Oxidizing substances and organic peroxides
- Class 6.1: Toxic and infectious substances (a solid or liquid that is toxic through inhalation, by skin contact or by ingestion)
- Class 8: Corrosive substances
- Class 9: Miscellaneous products, substances, or organisms

A transition period of six months will apply once the standard comes into force. Interested parties who may be involved in the design, manufacture, or use of small containers for the transport of dangerous goods are encouraged to leave comments before 28 October 2024.

United States

Draft risk evaluation for di-isononyl phthalate (consultation)

The United States Environmental Protection Agency (EPA) issued a draft risk evaluation for Di-isononyl phthalate (DINP – also known as 1,2-benzene-dicarboxylic acid, 1,2-diisononyl ester – CAS No. 28553-12-0), primarily used as a plasticizer in the manufacture of polyvinyl chloride (PVC) products. This draft assessment describes the conditions under which EPA preliminarily determines that DINP may pose an unreasonable risk to human health, particularly in occupational exposure and consumer uses, pursuant to the Toxic Substances Control Act. The draft is open for public comment until 4 November 2024.

The assessment focuses on hazards posed to workers and consumers in specific applications, such as exposure through PVC products, building materials, and other plastic products. EPA explains concerns related to occupational exposure and consumer uses that raise potential risks to sensitive human populations. Companies involved in the use of DINP in their manufacturing processes should monitor this evaluation closely, as significant regulatory actions may be taken based on the final findings.

Delay the start of reporting period under the Toxic Substances Control Act Section 8(a)(7) Reporting and Recordkeeping requirements for per- and polyfluoroalkyl substances (consultation)

On 5 September 2025, the United States Environmental Protection Agency (EPA) published rules delaying the start of the reporting period described under the Toxic Substances Control Act (TSCA) Section 8(a)(7) Reporting and Recordkeeping

  RETURN TO TABLE OF CONTENTS

Requirements for per- and polyfluoroalkyl substances (i.e., PFAS) from 12 November 2024 to 11 July 2025. The lengths of the reporting periods are not changed and remain six months or twelve months depending on applicability. The published rules also make a minor correction regarding OECD[1] Harmonized Templates.

The rules have been published to allow more time for the development of the reporting tool intended to be used by reporting entities. EPA believes an extension is necessary to ensure a fully functional reporting application, which in turn is in the best interest of all parties involved. As such, the rule has been published as a direct final rule.

The direct rule will have a significant impact on the manufacturing, importing and chemical industries currently working to meet their reporting obligations under TSCA Section 8(a)(7), and will allow for additional time to collect the data needed to meet the requirements.

Significant new use rules on certain chemical substances (consultation)

On 21 August 2024, the World Trade Organization (WTO) published a notification from the United States Environmental Protection Agency (EPA) on a proposal concerning significant new use rules (SNURs) under the Toxic Substances Control Act (TSCA). Comments were due on 19 September 2024.

EPA is proposing SNURs for chemical substances that were subject of premanufacture notices (PMNs) and a Microbial Commercial Activity (MCAN) which are subject to TSCA. This requires persons who intend to manufacture or process any of these chemical substances for any activity that is proposed as SNURs to notify EPA's evaluation of the conditions of use for the chemical substances 90 days before any activity commencement.

Additionally, the commencement of manufacturing or processing for these SNURs may not be possible until EPA has conducted a review of the required notification, made an appropriate determination, and taken actions as required by that determination.

OCEANIA

Australia

Version 3 of the Australian Industrial Chemicals Introduction Scheme (AICIS) Categorization Guidelines (published)

Australia published Version 3 of the Australian Industrial Chemicals Introduction Scheme (AICIS) Categorization Guidelines on 24 September 2024. These guidelines outline the technical requirements for categorizing industrial chemical introductions in Australia and are essential for compliance with the Industrial Chemicals (General) Rules 2019. Initially announced in March 2024, the update was delayed by six months to allow industry members time to prepare for the

[1] The Organization for Economic Co-operation and Development (OECD) is an international organization that works with policy makers, stakeholders, and citizens to establish international standards and find solutions to social, economic, and environmental challenges.

  RETURN TO TABLE OF CONTENTS

changes. The update also reflects recent vaping reforms, removing all references to chemicals used in vaping products, as these are no longer considered for industrial use under the law.

Version 3 introduces several changes, including the addition of approximately 600 chemicals to the List of Chemicals with High Hazards for Categorization, aligning with international standards, such as the European Commission Endocrine Disruptor List (List I). Companies will be required to review these chemicals during the categorization process.

Furthermore, the guidelines refine the requirements to demonstrate the absence of specific target organ toxicity and bioaccumulation potential. An updated online guide for categorizing chemical importation and manufacturing will also be released to accompany the new version. No penalties are mentioned, but compliance is necessary for businesses introducing industrial chemicals in Australia.

Three substances added to the Australian Inventory of Industrial Chemicals Inventory (published)

On 23 August 2024, the Australian Industrial Chemical Introduction Scheme (AICIS) issued a notice adding three chemical substances to the Australian Inventory of Industrial Chemicals (AIIC), in accordance with Section 82 of the Industrial Chemicals Act 2019:

- castor oil, dehydrated, polymer with phthalic anhydride, soybean oil, trimethylolpropane and vinyl toluene (CAS No. 68927-41-3)
- fatty acids, C18-unsatd., dimers, hydrogenated, polymers with ethylenediamine, piperazine, polypropylene glycol diamine and sebacic acid (CAS No. 873893-91-5)
- 2-propenoic acid, butyl ester, polymer with ethenylbenzene and 2-methyl-1,3-butadiene, tert-Bu 2-ethylbutaneperoxoate-initiated (CAS No. 2180952-57-0)

The AIIC is a searchable database of around 40,000 chemicals used in industrial applications in Australia. Chemicals listed in the AIIC can be introduced by registered introducers (manufacturers or importers). According to the Industrial Chemicals Act 2019, introducers must be registered with AICIS before introducing an industrial chemical into Australia. If a chemical is not listed in the AIIC, an introducer must apply for an assessment certificate from the Executive Director of AICIS.

The added substances are subject to specific information requirements. Importers and manufacturers are obliged to notify authorities within 28 days if the circumstances of their importation or manufacture differ from those outlined in the assessment.

New Zealand

Reduction in lead levels allowed in paints (published)

The New Zealand Environmental Protection Authority (EPA) has reduced the permissible lead impurity levels in paints and tightened regulations for children's art materials such as chalk, crayons, and felt-tip pens, as part of updates to group standards that regulate hazardous substances. These changes aim to further protect public health and align with international standards.

Lead, even at low levels, poses serious risks to human health, including neurological and kidney damage, and is also toxic to plants, animals, and microorganisms. It has been linked to potential cancer risks, making stringent regulation crucial.

  RETURN TO TABLE OF CONTENTS

The key changes include reducing the allowable lead impurity in paints, including corrosion inhibitors, to 0.009% (90 parts per million), in line with regulations in countries like Australia, Canada, and the United States. Companies must now provide test results or evidence proving compliance with these new levels. Additionally, all graphic materials marketed to children will now fall under the Graphic Materials Group Standard, which prohibits hazardous substances.

EPA has also resolved an inconsistency in the requirement for importers of art materials to notify the EPA of lead leaching test results, bringing New Zealand's regulations in line with international regulators. Paints are regulated by group standards such as the Surface Coatings and Colorants Group Standard, which covers substances like adhesives, inks, and pigments.

The new regulations take effect on 1 March 2025, and importers, suppliers, retailers, and consumers must safely dispose of non-compliant products by 1 September 2025. Penalties are not mentioned in the update.

  RETURN TO TABLE OF CONTENTS

DISCLAIMER

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

  RETURN TO TABLE OF CONTENTS