NEWSLETTER

Global Environmental and Chemical Regulations, Policies, and Standards
June 2021

IAEG INTERNATIONAL AEROSPACE ENVIRONMENTAL GROUP
10-YEAR ANNIVERSARY

WHO IS IAEG?

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

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

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

IAEG WORK GROUP 9 NEWSLETTER

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

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

This Newsletter summarizes environmental and chemical regulations relevant to the AD industry. Contact Lisa Brown at myrna.l.brown@lmco.com or Lindsey Bean at lindsey.bean@ngc.com for question on this Newsletter. For general assistance on IAEG matters, contact Christer Hellstrand at chellstrand@iaeg.com or Amanda Myers at Amanda.Myers@sae.org.

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ASIA

China

Announcement on supplementing the "Inventory of Existing Chemical Substances in China"

Legal Status: In Force

The Chinese Ministry of Ecology and Environment has released an amendment to add 255 substances to the Inventory of Existing Chemical Substances in China. This is a list of the substances currently recognized as being in use in China. Any substance not on this list will be classed as a new substance.

More information can be found at (in Chinese):
Announcement:
http://www.mee.gov.cn/xxgk2018/xxgk/xxgk01/202106/t20210623_841359.html
Substance list:
http://www.mee.gov.cn/xxgk2018/xxgk/xxgk01/202106/W020210623376490432555.pdf

Chemical Weapons (Convention) Ordinance (Amendment of Schedule 1) Order 2021

Legal Status: Published

The Chemical Weapons (Convention) Ordinance (Cap.578)'s Schedule 1 has been amended. The Ordinance is Hong Kong's implementation of the Chemical Weapons Convention that aims to prohibit the development, production, acquisition, stockpiling, possession, transfer and use of chemical weapons in addition to destruction of existing chemical weapons. The amendments are as follows:

- minor technical amendment where "<C10" has been replaced with "equal to or less than C10" in English text of Schedule 1 to the Ordinance
- four entries added to Schedule 1, Part A which contains list of chemicals that require a permit for production or use at a licensed facility:
  - p-alkyl (H or equal to or less than C10, incl. cycloalkyl) N-(1-(dialkyl (equal to or less than C10, incl. cycloalkyl) amino)) alkylidene (H or equal to or less than C10, incl. cycloalkyl) phosphonamidic fluorides and corresponding alkylated or protonated salts
  - o-alkyl (H or equal to or less than C10, incl. cycloalkyl) N-(1- (dialkyl (equal to or less than C10, incl. cycloalkyl) amino)) alkylidene (H or equal to or less than C10, incl. cycloalkyl) phosphoramidofluoridates and corresponding alkylated or protonated salts
  - methyl-(bis (diethylamino) methylene) phosphonamidofluoridate
  - carbamates (quaternaries and bisquaternaries of dimethylcarbamoyloxypyridines):
    - quaternaries of dimethylcarbamoyloxypyridines: 1-[N,N-dialkyl (equal to or less than C10)-N-(n-(hydroxyl, cyano, acetoxy) alkyl (equal to or less than C10)) ammonio]-n-[N-(3- dimethylcarbamoxy-αpicolinyl)-N,N-dialkyl (equal to or less than C10) ammonio] decane dibromide (n=1-8)
    - bisquaternaries of dimethylcarbamoyloxypyridines: 1,n-Bis[N-(3- dimethylcarbamoxy-αpicolyl)-N,N-dialkyl (equal to or less than C10) ammonio]-alkane-(2,(n-1)- dione) dibromide (n=2-12)

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Penalties for non-compliance include fines and imprisonment.

More information can be found at:
https://www.gld.gov.hk/egazette/pdf/20212523/es22021252388.pdf

Environmental Affairs Office Solid Letter (2021) No.237 - Notice on the implementation of the "Stockholm Convention on Persistent Organic Pollutants" prohibiting the production and use of hexabromocyclododecane

Legal Status: In Force

On 8 June 2021, the offices of Ministry of Ecology and Environment, Ministry of Industry and Information Technology, Ministry of Housing and Urban-Rural Development, and the State Administration for Market Regulation announced that the production, use, import and export of hexabromocyclododecane (HBCDD) will be stopped and prohibited entirely from 26 December 2021. HBCDD is commonly used as a flame retardant. The "Stockholm Convention on Persistent Organic Pollutants" HBCDD amendments entered into force on 26 December 2016 wherein the production, import, export and use of HBCDD were prohibited with exemptions for the production and use of olefins, styrene and extruded polystyrene.

Starting from 26 December 2021, the county-level ecological and environmental departments and the industry, information technology, and market supervision departments will conduct joint inspections on HBCDD or production enterprises containing HBCDD.

The following substances are in scope:

- hexabromocyclododecane (CAS No. 25637-99-4)
- 1,2,5,6,9,10-hexabromocyclododecane and its main diastereomers (CAS No.: 3194-55-6)
- α-hexabromocyclododecane (CAS No: 134237-50-6)
- β-hexabromocyclododecane (CAS No.: 134237-51-7)
- γ-hexabromocyclododecane (CAS No.: 134237-52-8)

Penalties for non-compliance include suspension of activities, fines, revocation of business license, and criminal prosecution.

More information can be found at (in Chinese):
http://www.mee.gov.cn/xxgk2018/xxgk/xxgk06/202106/t20210608_836846.html

Announcement on the public collection of information on priority-controlled chemicals

Legal Status: Announcement

The Ministry of Ecology and Environment Solid Waste and Chemical Products Management Centre published a call for companies to provide information on the production, use status of nine priority chemicals and their substitutes. Priority control chemicals are substances deemed to be intrinsically hazardous, highly bio-accumulative, and considered to pose the greatest risk to the environment and human health. The collected data will inform priority control chemicals regulation design and further strengthen the research on "one product, one policy" of priority control chemicals.

Chemicals in the scope:

- 2,4,6-tri-tert-butylphenol; 732-26-3; use: rubber antioxidant
- 1,4-benzenediamine, N,N'-bis(methylphenyl)-; 27417-40-9; use: rubber antioxidant

- pentachlorobenzenethiol; 133-49-3; use: rubber plasticize
- tris(2-chloroethyl) phosphate (TCEP); 115-96-8; use: flame retardant
- isopropylated triphenyl phosphate (IPPP); 68937-41-7; use: flame retardant
- dichloromethane (DCM); 75-09-2; use: soft polyurethane foam plastics
- nonylphenol; 25154-52-3; use: nonylphenol polyoxyethylene ether and other
- phenol, 4-nonyl-, branched; 84852-15-3
- hexachlorocyclopentadiene; 77-47-4
- mercury; 7439-97-6
- mercury dichloride; 7487-94-7

Companies can participate in the research of environmental risk control measures for priority control chemicals. Enterprises interested in providing support can send relevant data and materials to chemicals@meescc.cn.

More information can be found at (in Chinese):
https://www.meescc.cn/zhxx/tzgg/202105/t20210525_834375.shtml

Solicitation for comments on addition of 9 chemicals to Priority Controlled Chemical List

Legal Status: Draft amendment

The Solid Waste and Chemicals Management Center (SCC) in China is soliciting information from the public on the production and use status and alternatives to nine kinds of priority-controlled chemicals. The chemicals are subject to one or more of the following control measures:

- environmental risk management measures
- review the clean producing conditions of the chemical and disclose the relevant information
- restrict the use or encourage alternatives of the chemical

The nine chemicals are:

- 2,4,6-tri-tert-butylphenol (CAS 732-26-3); rubber antioxidant use
- N,N'-bis(methylphenyl)-1,4-benzenediamine (CAS 27417-40-9); rubber antioxidant use
- pentachlorothiophenol (CAS 133-49-3); rubber peptizer use, etc.
- tris(2-chloroethyl) phosphate (CAS 115-96-8); flame retardant use
- phenolisopropylatedphosphate (CAS 68937-41-7); flame retardant use
- dichloromethane (CAS 75-09-2); flexible polyurethane foam foaming agent
- 4-(2,6-Dimethylheptyl)phenol(O and P) (CAS 25154-52-3, 84852-15-3); use except as raw material for nonylphenol polyoxyethylene ether
- hexachlorocyclopentadiene (CAS 77-47-4)
- mercury and mercury compounds (CAS 7439-97-6 (Hg), 7487-94-7 (HgCl))

Anyone who would like to provide the information on the nine kinds of priority controlled chemicals shall send data materials to SCC via email to chemical@meescc.cn, or make a phone call to 010-84660795 before 31 July 2021.

More information can be found at (in Chinese):
https://www.meescc.cn/zhxx/tzgg/202105/t20210525_834375.shtml

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Japan

FY2020: GHS classification results by METI, MHLW, and MOE

Legal Status: Published

Japan's Ministries of Economy, Trade, and Industry (Meti), Health, Labour, and Welfare (MHLW) and Environment (MoE), along with the National Institute of Technology and Evaluation have come together to publish the latest list of additions and revisions to classifications under their implementation of GHS. There were 127 additions and 126 revisions. The full list can be found at the link provided below.

More information can be found at:
https://www.nite.go.jp/chem/english/ghs/r2_list_e.html

Philippines

2021 updated Philippine Inventory of Chemicals and Chemical Substances (PICCS)

Legal Status: Published

The Philippine Environmental Management Bureau under the Department of Environment and Natural Resources (DENR-EMB) published the latest update to the Philippine Inventory of Chemicals and Chemical Substances (PICCS). This update adds 52 new chemicals to the list expanding the total number of substances to 22,777. PICCS is a list of all existing chemicals and chemical substances used, sold, distributed, imported, processed, manufactured, stored, exported, treated, or transported in the Philippines. Businesses can check whether their substances are listed there using the online search tool.

For chemicals listed on the PICCS, their manufacturers or importers will be exempt from notification requirements as long as those chemicals are not subject to the Priority Chemical List or Chemical Control Orders. Penalties for non-compliance include fines (up to 50,000 Pesos), imprisonment up to 20 years, and disqualification from ever holding an elective or appointive position.

More information can be found at:
https://chemical.emb.gov.ph/wp-content/uploads/2021/05/EMB-MC-2021-08-2021PICCS.pdf

Russia

Draft Federal Law N1116605-7 "On Limiting Greenhouse Gas Emissions"

Legal Status: Draft law

The bill "On limiting Greenhouse Gas Emissions" aims to create sustainable development of the economy while reducing the level of greenhouse gas emissions. The proposed measures to control greenhouse gas (GHG) emissions include:

- state accounting of GHG emissions
- setting targets for reducing GHG emissions
- support of activities to reduce GHG emissions and increase absorption of GHGs

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Regulated organizations are classified as such when GHG emissions are equivalent to the mass of 150 thousand tons of carbon dioxide (CO_2) per year or more up to 1 January 2024 and 50 thousand tons of CO_2 per year or more from 1 January 2024. Economic and other activities accompanied by the GHG emissions are also used to classify the regulated organizations.

Regulated organizations annually submit reports on GHG emissions by 1 July of the year following the reporting year to the authorized federal executive body.

More information can be found at (in Russian):
http://www.consultant.ru/law/hotdocs/69249.html

Singapore

Environmental Protection and Management Act (Amendment of Second Schedule) Order 2021

Legal Status: Published

The Singapore Minister for Sustainability and the Environment has made amendments to the second schedule of the Environmental Protection and Management Act. The second schedule of the Act contains the list of hazardous substances and specific exemptions (Part I), general exemptions (Part II), and information for labels (Part IV). The amendments are as follows:

- Part I: Change in the lead content limit in paints – reduced from 0.06% to 0.009% by weight of the paint except in case of copper-based anti-fouling paint or zinc-based anti-corrosion paint
- Part II: Modified general exemption regarding anti-fouling compositions to include anti-fouling paints containing lead compounds
- Part III: Changed text of the label for copper-based anti-fouling paint and zinc-based anti-corrosion paint
- renaming of the label information section from Part IV to Part III because Part III had been repealed in 2008

Penalties for non-compliance include conviction fines up to $50,000 plus daily fines of up to $1,000 for every day in which the offence continues after conviction.

More information can be found at:
https://sso.agc.gov.sg/SL-Supp/S365-2021/Published/20210603?DocDate=20210603

South Korea

Partial amendment to the enforcement regulations and enforcement decree of the Act on Registration and Evaluation of Chemical Substances (Proposed) Legislative Notice

Legal Status: Draft amendment

The South Korean government published a draft amendment to K-REACH enforcement regulations making the following changes:

- appeal against the assessment result. Material information can be communicated as material safety data sheet (MSDS) with registration number provided when a person hands over the following substances:
  - existing substances that have not been registered during the grace period
  - substances that were registered without risk information according to the Item 1 Article 14 of K-REACH

- protection of Confidential Business Information (CBI). An application for CBI protection is exempt when a change has been made in the status of a registered substance (i.e., quantity, purpose, etc.) but the content of CBI protection remains the same.

The government published a draft amendment to K-REACH enforcement decree making the following changes:

- high molecular compounds to be manufactured and imported at an annual rate of less than 1,000 tons are exempt from the submission of risk information in the registration dossier. The risk information can be submitted if a register owns it
- biocidal substances previously approved according to Korea Biocidal Products Regulation, whose registration dossiers are being submitted as chemical substances under K-REACH do not need to submit information on physio-chemical properties and hazard information, risk, safety, use and exposure
- nanomaterial registration: The Enactment regulation created a new substance category, Nanomaterial, to support the registration of this substance in application forms. The registration of a nanomaterial requires the following information: particle size; particle size distribution; particle shape; and aspect ratio. The information must be also communicated with downstream users

More information can be found at (in Korean):
Original text for enforcement regulation:
https://www.iaeg.com/elements/pdf/Korea_partial_amendment_to_enforcement_regulations.pdf
English Translation:
https://www.iaeg.com/elements/pdf/Korea_partial_amendment_to_enforcement_regulations_en.pdf
Original text for enforcement decree:
https://www.iaeg.com/elements/pdf/Korea_partial_amendment_to_registration_and_evaluation_decree.pdf
English Translation:
https://www.iaeg.com/elements/pdf/Korea_partial_amendment_to_registration_and_evaluation_decree_en.pdf

Taiwan

Draft amendments to the "Designation and Operation Management Measures for Priority Management Chemicals"

Legal Status: Draft Amendment

Taiwan's Ministry of Labor is consulting to make changes to the Regulations Governing Designating and Handling of Priority Management Chemicals that was designed to tighten controls over the handling of priority management substances that may pose serious hazards to the health and safety of workers. The draft amendments are updated to the categories of priority management chemicals and their corresponding thresholds.

As proposed, the priority management chemicals will be:

- chemicals classified according to the Taiwan Chinese National Standards (CNS) 15030 Classification and Labeling of Chemicals Standards as carcinogenic, mutagenic, or toxic (CMRs), or possessing hazards of Category 1 respiratory sensitization, Category 1 serious eye damage/eye irritation, or Category 1 specific target organ systemic toxicity-repeated exposure with the content (w/w) and annual handling quantities for any type of operation reaching the thresholds as specified in Appendix 2 (newly added), and designated and published by the central competent authority
- chemicals classified according to the CNS 15030 possessing physical hazards or health hazards with the maximum handling quantities reaching the thresholds as specified in Appendix 3 (currently the Appendix 2, partially updated), and designated and published by the central competent authority

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Other proposed changes are:

- updating the form for basic information of handlers and the form for handling information
- adding definitions of handling, handler, disposal, and maximum handling quantities
- updating the due date for reporting
- offering grace period for implementation of the revisions

More information can be found at (in Chinese):
https://gazette.nat.gov.tw/egFront/detail.do?metaid=124795&log=detailLog

Draft amendments to regulations for New and Existing Chemical Substances Registration

Legal Status: Draft amendment

A draft has been published amending Taiwan's Regulations of New and Existing Chemical Substances Registration. The main points of interest are highlighted below:

- The amended Regulation will not apply to:
  - controlled chemicals as prescribed in the Occupational Safety and Health Act
  - chemical substances regulated by the Montreal Protocol under the Air Pollution Control Act
  - environmental agents as defined by the Environmental Agents Control Act
  - toxic and concerned chemical substances as defined by the Toxic and Concerned Chemical Substances Control Act (TCCSCA)
- The appendixes of the Regulation will be combined to avoid overlapping information
- For new chemical substances:
  - the valid period of the new chemical substances registration approval will be 5 years
  - to extend the valid period of the registration approval, registrants shall make an application to the central competent authority 3 to 6 months prior to its expiration
  - a new chemical substance may be included in the inventory of existing chemical substances if it has been at least 5 years after the registration is filed and completed
- For existing chemical substances:
  - if the annual production or importation of an existing chemical substance is of 100 kilograms or more, a registration approval shall be obtained within 6 months
  - after obtaining a Phase 1 registration number of the existing chemical substance, a registrant shall complete the information items specified in Appendix 3 within 4 years; they will then receive a completion number
  - afterwards, registrants shall submit information items specified in Appendix 4, proactively or as prescribed by the central competent authority by an appointed due date
  - the List of Existing Chemical Substances can be found in Appendix 9
- Chemical substances information that involves confidential matters on national defense or business secrets shall be kept confidential:
  - the standard confidential period will be 5 years
  - a registrant may apply for the extension of the confidential period 3 to 6 months prior to its expiry
  - the total maximum confidential period will be:
    - 10 years for an existing chemical substance
    - 15 years for a new chemical substance
    - 15 years for a new chemical substance that has been included in the inventory of existing chemical substances
- The central competent authority shall review application documents for all applications accepted under the Regulations:
  - if the review procedure finds documents inadequate, mistaken, or unspecific, the central competent authority shall require the registrant to provide a correction

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  - said correction shall be submitted within 30 working days
  - corrections to an application will only be allowed 3 times
- The registrant shall submit a report annually on the manufactured or imported quantity in the previous year for the registered substances. Where the information reported by the registrant does not comply with the relevant regulations, the competent authority shall notify the registrant to make a correction within a prescribed period

No adoption or entry into force date has been proposed yet.

More information can be found at (in Chinese):
Original text:
https://www.iaeg.com/elements/pdf/Taiwan_Draft_Amend_to_Regns_for_Chemical_Substances_Reg.pdf
English Translation:
https://www.iaeg.com/elements/pdf/Taiwan_Draft_Amend_to_Regns_for_Chemical_Substances_Reg_en.pdf

Notice No. 1108200542 to commence a period of public comments for the draft amendment of "Regulations for New and Existing Chemical Substances Registration"

Legal Status: Draft amendment

The Taiwan Environmental Protection Agency of the Executive Yuan announced the draft amendment to the "Registration Measures for New Chemical Substances and Existing Chemical Substances." The amendment suggests extending the deadline to register Priority Existing Chemicals (PECs), granting companies a four-year period to submit required documents. Further suggestions to make changes to the title, certain definitions, and exclusions are made. In addition, requirements for the registration of new chemical substances have been revised.

The validity period for the approval of registration and the confidentiality of information in each registration category will be five years. The total period for the confidentiality of data before and after the inclusion of new chemical substances will be capped at 15 years.

Suggested changes to Schedules:

- Schedule 2 is added and provides weight guidance for the standard registration of new chemicals
- changes to Schedule 3 are made modifying required data for standard registration of new and existing chemical substances
- Schedule 4 is added requiring additional data on hazard and exposure for new and existing chemical substances standard registration
- Schedule 7 is simplified reducing the number of items required in the first stage of registering existing chemical substances
- Schedule 8 is added and provides weight guidance for the standard registration of existing chemical substances
- under the revised draft per Schedule 9, a Phase 1 registration is a standard application for substances of 1 tonne/year or more. Companies that obtained their Phase 1 registration number before 31 December 2019 would have until 31 December 2023 to complete the information required under Schedule 3.

More information can be found at (in Chinese):
https://gazette.nat.gov.tw/egFront/detail.do?metaid=124226

EUROPE

European Union

EU Commission revised the polymers of low concern (PLC) proposal before member states meeting

Legal Status: Announced

In January 2021, the European Commission published an initial version of the criteria for polymers of low concern (PLCs). It included four criteria related to:

- molecular weight,
- reactive functional groups,
- approved polyesters, and
- composition, iconicity, degradation and hazard classification

On 8 June 2021, a new version of the CLP proposal was circulated and will be discussed in the next member states meeting. The revised proposal adds one more criterium to the list to prevent highly water absorbent polymers being qualified as PLCs. According to the initial version, the polymers built from listed reactants can be identified as PLCs, regardless of other criteria. The new version removed some reactants from the initial list of reactants. More changes applied to the molecular weight cutoff of the PFAS polymers, which was set to 1,500 daltons as opposed to 100 daltons for other polymers.

More information can be found at:
Initial version of CLP criteria
https://circabc.europa.eu/ui/group/a0b483a2-4c05-4058-addf-2a4de71b9a98/library/f7233cb1-f7d8-429e-a7c8-0dc285b24045/details
Revised version of CLP criteria (08 June)
https://circabc.europa.eu/ui/group/a0b483a2-4c05-4058-addf-2a4de71b9a98/library/55ff270d-4fd2-45f7-9d48-2627ccb3ff2e/details

Commission Regulation (EU) 2021/979 of 17 June 2021 amending Annexes VII to XI to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)

Legal Status: Published

In June 2019, The European Commission and the European Chemical Agency observed the need to provide more clarity on the obligations of registrants and the role and responsibilities of the Agency. The objective of Commission Regulation (EU) 2021/979 amendments is to clarify specific information requirements and increase the legal certainty of the evaluation practices.

Amendments to Annexes VII to X made changes and clarified standard information requirements for substances manufactured or imported in quantities of 1 tonne or more, 10 tonnes or more, 100 tonnes or more and 1,000 tonnes or more (these annexes contain the standard information requirements for registration of substances manufactured or imported in various quantities). Changes made to Annex XI affect the general rules for adaptation of the standard testing

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regime (Annex XI contains the general rules for adapting the standard testing regime set out in Annexes VII to X for evaluation of dossier).

Amendments ensure that animal testing is performed at appropriately high dose levels. Newly introduced information requirements for metals and sparingly soluble metal compounds request information on transformation/dissolution in aqueous media. The requirements aim to improve information on the physicochemical properties of the substances.

The study waiving options based on classification are aligned with the terminology of Article 3 of Regulation (EC) No 1272/2008 (CLP Regulation).

The new criteria for fate and behavior in the environment study waiver are introduced, indicating that the study may not be waived based on the low octanol-water partition coefficient alone.

Additional changes to annexes also affect:

- criteria for in vitro and in vivo studies
- criteria for the sub-chronic toxicity studies (90 days)
- criteria for nanoforms toxicokinetic investigations
- requirements for conducting reproductive toxicity studies
- Annex XI rules and criteria concerning data used to generate evidence and fulfill the information requirements

Penalties for non-compliance vary by member state.

More information can be found at:
https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32021R0979

European Commission published the 17th Adaptation to Technical Progress

Legal Status: Published

The European Commission published the 17th Adaptation to Technical Progress (ATP) of the CLP regulation. This ATP aims to amend Table 3 of Part 3 of Annex VI to CLP by adding 22 entries, updating 41 existing entries, and deleting one entry. Annex VI Part 3 contains the list of harmonized classification and labelling of hazardous substances.

Penalties for non-compliance vary by member state and are independently determined.

More information can be found at:
https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv%3AOJ.L_.2021.188.01.0027.01.ENG&toc=OJ%3AL%3A2021%3A188%3ATOC
Entries:
https://www.iaeg.com/elements/pdf/EUR_17th_ATP_Entries.xlsx

Commission Delegated Directive (EU) 2021/884 amends Annex IV to Directive 2011/65/EU

Legal Status: Published

The Commission Delegated Directive (EU) 2021/884 of 8 March 2021 amends Annex IV of Directive 2011/65/EU regarding the validity period of an exemption for the use of mercury in electric rotating connectors used in intravascular ultrasound imaging systems. Annex IV contains the applications exempted from the restrictions under the legislation, specific to medical devices and monitoring and control instruments. The amendment extends Exemption Number 42 that is for

mercury in electric rotating connectors used in intravascular ultrasound imaging systems capable of high operating frequency (> 50 MHz) modes of operation. The expiration date was extended from 30 June 2019 until 30 June 2026.

There are no penalties associated with this provision.

More information can be found at:
https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv%3AOJ.L_.2021.194.01.0037.01.ENG&toc=OJ%3AL%3A2021%3A194%3ATOC

Laying down rules for the application of Regulation (EC) No 1907/2006 as regards applications for authorisation and review reports for the uses of substances in the production of legacy spare parts and in the repair of articles and complex products no longer produced and amending Regulation (EC) No 340/2008

Legal Status: Published

The European Commission published an implementing rule that simplifies REACH authorization applications for substances that are used in the production of legacy spare parts or in the repair of products that are no longer manufactured. The authorization application includes simpler analysis of alternatives and socio-economic analysis. The application fee is also 50% less than a regular application. The European Chemical Agency (ECHA) has identified 38 substances or substance groups that have an extended application deadline of 1 September 2021 and a sunset date of 1 March 2021, which is the last date of producing the article or the complex product.

The simplified application rule applies to the following uses of the substances:

- producing spare parts to repair products that are no longer produced
- repairing products that are no longer produced

The new format for alternative and socio-economic analysis will be published by ECHA on 5 July 2021.

More information can be found at:
https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32021R0876

Electrical equipment – Revoking exemptions for mercury in single capped (compact) fluorescent lamps for general purposes

Legal Status: Draft Act

Further changes have been proposed to the Restriction of Hazardous Substances (RoHS) regulation, which restricts the level of certain substances in electronics and electronic equipment. Exemption I regarding mercury in single capped (compact) fluorescent lamps is planned to be phased out 12 months after the adoption of this proposal.

Comments may be provided by interested parties.

More information can be found at:
https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13091-Electrical-equipment-Revoking-exemptions-for-mercury-in-single-capped-compact-fluorescent-lamps-for-general-purposes_en

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Commission Regulation (EU) …/…of XXX amending Annexes VI to X to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)

Legal Status: Draft amendment

The European Commission has published a draft legislation that amends REACH Annex XIV that contains the list of substances subject to authorization. The draft legislation proposes to add the following five additional substances to the Annex:

- tetraethyllead | EC No: 201-075-4 |CAS No: 78-00-2
- 4,4'-bis(dimethylamino)-4''- (methylamino)trityl alcohol (with ≥ 0,1% of Michler's ketone (EC No 202-027-5) or Michler's base (EC No 202-959-2)) |EC No: 209-218-2 |CAS No: 561-41-1
- reaction products of 1,3,4- thiadiazolidine-2,5-dithione, formaldehyde and 4- heptylphenol, branched and linear (RP-HP) (with ≥ 0,1% w/w 4-heptylphenol, branched and linear) | No CAS/EC available
- 2-ethylhexyl 10-ethyl-4,4- dioctyl-7-oxo-8-oxa-3,5-dithia-4-stannatetradecanoate (DOTE) | EC No: 239-622-4 |CAS No: 15571-58-1
- reaction mass of 2- ethylhexyl 10-ethyl-4,4- dioctyl-7-oxo-8-oxa-3,5- dithia-4- stannatetradecanoate and 2-ethylhexyl 10-ethyl-4-[[2- [(2-ethylhexyl)oxy]-2- oxoethyl]thio]-4-octyl-7- oxo-8-oxa-3,5-dithia-4-stannatetradecanoate (reaction mass of DOTE and MOTE) | No CAS/EC available.

More information can be found at:
https://ec.europa.eu/growth/tools-databases/tbt/en/search/?tbtaction=search.detail&Country_id=EU&num=806&dspLang=EN&basdatedeb=&basdatefin=&baspays=HUN&basnotifnum=30&basnotifnum2=&bastypepays=&baskeywords=&CFID=316568&CFTOKEN=c48da9882ec73098-3B3D0103-FFE5-4D9E-252747AF728011AB

Submitted restrictions under consideration: 1,6,7,8,9,14,15,16,17,17,18,18-Dodecachloropentacyclo [12.2.1.16,9.02,13.05,10] octadeca-7,15-diene (“Dechlorane Plus”™, EC No. 236-948-9, CAS No. 13560-89-9)

Legal Status: Proposed

Norway has submitted a proposal to the European Chemical Agency (ECHA) to restrict the manufacture, use, and placing on the market of dechlorane plus (DP) as substances, constituents of other substances, mixtures, and articles. Dechlorane plus is used as a flame retardant in adhesives and polymers and also as an extreme pressure additive in greases. In these applications DP is used in motor vehicles, aircrafts, and electrical and electronic equipment.

More information can be found at:
https://echa.europa.eu/restrictions-under-consideration/-/substance-rev/28201/term

Commission Regulation (EU) …/…of XXX amending Annexes VI to X to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)

Legal Status: Draft Amendment

In June 2019, the European Commission (EC) and the European Chemicals Agency concluded in the REACH Evaluation Joint Action Plan 2 that some information requirements in the Annexes should be amended to provide more clarity on the

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obligations of registrants regarding the submission of information. The EC drafted amendments to clarify unclear or inconsistent wording in the REACH Annexes VI to X (these annexes contain the standard information requirements for registration of substances manufactured or imported in various quantities). These draft amendments are open for feedback for four weeks. All received comments will be available on the EC website. Feedback will be considered when finalizing the initiative. All interested parties should submit the feedback no later than 19 July 2021.

More information can be found at:
https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12764-Chemicals-safety-regulation-clarification-of-unclear-inconsistent-wording-in-REACH-information-requirements_en

EU initiatives for mercury exemptions open for comments

Legal Status: Draft act

The European Commission has opened several initiatives for comments on the addition of expirations dates to exemptions for mercury in various uses.

- 2(b)(3): Non-linear tri-band phosphor lamps with tube diameter > 17 mm (e.g. T9): 10 mg | to expire 3 years after adoption
- 2(b)(4)- I Lamps for other general lighting and special purposes (e.g. induction lamps): 15 mg | to expire 3 years after adoption
- 2(b)(4)- II Lamps emitting mainly light in the ultraviolet spectrum: 15 mg | to expire 5 years after adoption
- 2(b)(4)- III Emergency lamps: 15 mg | to expire 5 years after adoption.
- 3(a) short length (≤ 500 mm): 3.5 mg in EEE placed on the market before [TBA: Date of adoption of the Delegated Directive] | to expire 5 years after adoption
- 3(b) medium length (>500 mm and ≤1500 mm): 5mg in EEE placed on the market before [TBA: Date of adoption of the Delegated Directive] | to expire 5 years after adoption
- 3(c) long length (> 1,500 mm): 13 mg in EEE placed on the market before [TBA: Date of adoption of the Delegated Directive] | to expire 5 years after adoption
- 4(a) mercury in low pressure non-phosphor coated discharge lamps, where the application requires the main range of the lamp-spectral output to be in the ultraviolet spectrum: up to 15 mg mercury may be used per lamp | to expire 5 years after adoption
- 4(c)I-III mercury in other high-pressure sodium (vapor) lamps for general lighting purposes not exceeding (per burner) | to expire 5 years after adoption
- 4(e): mercury in metal halide lamps (MH) | to expire 5 years after adoption
- 4(f) is sub categorized into smaller parts and will expire:
  - mercury in other discharge lamps for special purposes not specifically mentioned in this Annex | to expire 3 years after adoption
  - mercury in high pressure mercury vapor lamps used in projectors where an output ≥2000 lumen ANSI is required | to expire 5 years after adoption
  - mercury in high pressure sodium vapor lamps used for horticulture lighting | to expire 5 years after adoption
  - mercury in high pressure sodium vapor lamps emitting light in the ultraviolet spectrum | to expire 5 years after adoption

More information can be found at:
Electrical equipment - mercury in metal halide lamps (RoHS exemption)
https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13080-Electrical-equipment-mercury-in-metal-halide-lamps-RoHS-exemption-_en

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Electrical equipment - mercury in non-linear tri-band phosphor lamps (RoHS exemption)
https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13075-RoHS-exemption-for-mercury-in-non-linear-tri-band-phosphor-lamps_en
Electrical equipment - mercury in fluorescent lamps for other general lighting & special purposes (RoHS exemption)
https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13076-RoHS-exemption-for-mercury-in-fluroscent-lamps-for-other-general-lighting-and-special-purposes_en
Electrical equipment - mercury in cold cathode & external electrode fluorescent lamps (RoHS exemption)
https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13077-RoHS-exemption-for-mercury-in-cold-cathode-fluorescent-lamps-and-external-electrode-fluorescent-lamps_en
Electrical equipment - mercury in other low pressure discharge lamps (RoHS exemption)
https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13078-RoHS-exemption-for-mercury-in-other-low-pressure-discharge-lamps_en
Electrical equipment - mercury in other high pressure sodium lamps for general lighting purposes (RoHS exemption)
https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13079-RoHS-exemption-for-mercury-in-other-high-pressure-sodium-lamps-for-general-lighting-purposes_en
Electrical equipment - mercury in other discharge lamps for special purposes (RoHS exemption)
https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13081-RoHS-exemption-for-the-use-of-mercury-in-other-discharge-lamps-for-special-purposes_en

Persistent organic pollutants (POPs) – setting limit values in Annex I (update)

Legal Status: Draft act

The European commission rules implement the European Union's international commitments under the Stockholm Convention on Persistent Organic Pollutants. Hexachlorobenzene, a substance used in pesticides, is listed in Annex A to the Stockholm Convention (elimination) and in Annex I to EU Regulation 2019/1021 (list of substances subject to elimination). This initiative amends Annex I with setting limit values, which currently does not set a limit value for the presence of hexachlorobenzene as unintentional trace contaminant in substances, mixtures, and articles.

Currently, the initiative is in preparation and the feedback on the draft act will be opening soon.

More information can be found at:
https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13063-Persistent-organic-pollutants-setting-limit-values-in-Annex-I-update-_en

Draft Commission implementing decision on the identification of resorcinol as a substance of very high concern pursuant to Article 57, point (f), of Regulation (EC) No 1907/2006 of the European Parliament and of the Council

Legal Status: Draft law

The European Commission has adopted the decision that:

- resorcinol is identified as a substance of very high concern due to its endocrine disrupting properties. It has shown probable serious effects to human health
- resorcinol shall be included in the candidate list indicating the reason for inclusion: Endocrine disrupting properties (Article 57, point (f)- human health of Regulation (EC) No 1907/2006)

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More information can be found at:
https://ec.europa.eu/growth/tools-databases/tbt/en/search/?tbtaction=search.detail&num=803&Country_ID=EU&dspLang=EN&BASDATEDEB=&basdatedeb=&basdatefin=&baspays=EU&basnotifnum=803&basnotifnum2=803&bastypepays=EU&baskeywords=

Austria

Amendment of the ordinance on bans and restrictions on partially fluorinated and fully fluorinated hydrocarbons and sulfur hexafluoride

Legal Status: Published

The Austrian Government published an Amendment of the ordinance on bans and restrictions on partially fluorinated and fully fluorinated hydrocarbons and sulfur hexafluoride. The changes are highlighted below:

- the scope of the legislation is clarified by specifying it applies to stationary refrigeration and air conditioning systems and devices as well as heat pumps
- the deadline for applying for an exemption for the use of polyurethane foam has been specified as 31 December 2022

This ordinance will expire at the end of 31 December 2022. There are no penalties associated with this provision.

More information can be found at:
Original
https://www.ris.bka.gv.at/Dokumente/BgblAuth/BGBLA_2021_II_234/BGBLA_2021_II_234.html
English translation
https://www.iaeg.com/elements/pdf/AUT_Amendment_on_bans_and_restrictions_on_HFCs_en.pdf

Netherlands

Substances of Very High Concern (ZZS) list updated

Legal Status: Published

The Dutch National Institute for Public Health and the Environment (RIVM) has added 13 entries for individual or groups of chemicals to its substances of very high concern (ZZS) list. The ZZS list is created under the Dutch Activities Decree Environmental Management legislation and contains substances whose use and/or emissions must be reduced according the REACH Regulation (EC 1907/2006), POPs Regulation (EU 2019/1021), and Water Framework Directive (EC 2000/60).

The 13 new entries are as follows:

- perfluoroheptanoic acid
- sodium borohydride
- aromatic hydrocarbons
- calcium, branched alkylphenate sulfide
- distillates (petroleum), cracked stripped steam-cracked petroleum distillates
- distillates (petroleum), steam-cracked
- diesel oil
- distillates (petroleum), heavy, direct distillation

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- distillates (petroleum), full range straight-run middle
- a complex combination of hydrocarbons obtained by distillation of aromatic streams. It consists predominantly of aromatic hydrocarbons having carbon numbers predominantly in the range of C9 through C16, boiling in the range of approximately 165°C to 290°C
- kerosene
- combination of hydrocarbons C10-C13, > 1% naphthalene
- respirable crystalline silica dust (cristoballite, tridymite, quartz)

There are now 1,669 entries on the list, including group entries for substances.

More information can be found at (in Dutch):
https://rvs.rivm.nl/nieuws/zzs-lijst-bijgewerkt-mei-2021
https://rvszoeksysteem.rivm.nl/ZZSlijst/TotaleLijst

Switzerland

Consultation 2021/14 on Amendment to the Ordinance on protection against dangerous substances and preparations (Chemicals Ordinance, ChemV)

Legal Status: Draft act

The Chemicals Ordinance, ChemV, regulates the requirements for placing dangerous substances and preparations on the market. The Swiss Federal Council started on 3 March 2021 a consultation regarding amendments to substance notification and labeling requirements.

Per planned updates, substances already registered in the European Union (EU) in accordance with the EU REACH regulation or exempt from the registration under REACH would no longer be required to be notified in Switzerland. However, all substances that are not registered in the EU will be subject to the notification. Furthermore, substances will be subject to registration if they exceed the upper limit of the registered quantity category.

Intermediate products, insofar, are to remain exempt from the notification requirement in Switzerland. Furthermore, custom-made paints prepared in limited quantities for a specific consumer or professional user, made up at the sale point, may also be exempt from mandatory communication.

New labelling requirements determine that labels will have to be in the official language(s) of the area where the products are placed on the market. Exemptions apply to the mandatory labeling of chemicals in Romansh. Fragrances and dyes that are not harmful to health will not be required to be labeled with their chemical names.

The update includes the reclassification of lactic acid (CAS no. 79-33-4) as skin corrosive 1C (weak) and will be marked as H314. However, for products with a lactic acid concentration in the range from 5-10%, it is advisable not to use the calculation method (5%) for the classification but rather to check it with the available in vitro tests for the corrosive effect on the skin.

Companies can submit their comment electronically to the following email address within the consultation period: RRM@bag.admin.ch and gever@bag.admin.ch. For any queries and any information, companies can contact Mr. Dag Kappes (Tel. 058 462 96 45; dag.kappes@bag.admin.ch)

More information can be found at (in French):
https://www.fedlex.admin.ch/fr/consultation-procedures/ongoing#https://fedlex.data.admin.ch/eli/dl/proj/2021/14/cons_1

United Kingdom

United Kingdom REACH Work Programme of 2021-2022

Legal Status: Published

The UK's authority for chemicals registration, Health and Safety Executive (HSE), will conduct random compliance checks on at least 20% of the registration dossiers in each tonnage band with more focus on novel substances. The 2021-2022 work plan includes a list of ten substances that will be considered for substances of very high concern (SVHC) identification:

- phenol, alkylation products
- 2-(4-tert-butylbenzyl)propionaldehyde and its individual stereoisomers
- 2,2-bis(bromomethyl) propane1,3-diol (BMP); 2,2-dimethylpropan-1-ol, tribromo derivative/3-bromo-2,2-bis(bromomethyl)-1-propanol (TBNPA); 2,3-dibromo-1-propanol (2,3-DBPA)
- 1,4-dioxane
- glutaral
- orthoboric acid, sodium salt
- 4,4'-(1-methylpropylidene) bisphenol; (bisphenol B)
- resorcinol
- bis(2-(2-methoxyethoxy)ethyl)ether
- dioctyltin dilaurate, stannane, dioctyl-,bis(coco acyloxy) derivatives

More information can be found at:
https://www.hse.gov.uk/reach/resources/work-programme-2021-22.pdf

Article 37A (GB mandatory classification and labelling of substances) proposal: GBCLP 001

Legal Status: Proposed

The United Kingdom Health and Safety Executive (HSE) published a proposal for the Great Britain mandatory classification and labelling (GB MCL). The hazard classes open for consultation are identified in the proposal document. The HSE is conducting public consultations on this GB MCL report to gather information on:

- the scientific and technical aspects of proposed classifications: All interested parties (for example industry, other stakeholders, members of the public) are encouraged to take part in the public consultation. Comments can be submitted on general issues (such as substance identification, or the clarity of the information within the proposal), and on the proposed classification and labelling
- the policy and socio-economic aspects of such a proposal: Consulting on the policy, wider socio-economic and other aspects of new or revised classifications enables HSE and the ministers of England, Wales and Scotland to understand the potential economic impacts of new or revised GB mandatory classification and labelling, before deciding whether to accept new and revised GB MCLs.

The deadline for comments is 20 August 2021.

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More information can be found at:
https://consultations.hse.gov.uk/crd-clp/clp-001-cinmethylin-gb-mcl-proposal/?utm_source=govdelivery&utm_medium=email&utm_campaign=guidance-push&utm_term=hse-consultation&utm_content=clp-21-jun-21

NORTH AMERICA

Canada

Canada Environmental Protection Act (CEPA), 1999 - Ministerial Condition No. 20679

Legal Status: In force

The Canadian Ministers of the Environment and of Health assessed information regarding the substance 1,3-propanediol, 2-ethyl-2-(hydroxymethyl)-, polymer with oxirane, 4-(dimethylamino)benzoate (CAS 2067275-86-7). The ministers suspect that the substance is toxic or capable of becoming toxic under Section 64 of CEPA, 1999. The ministers permit the manufacture or import of the substance subject to the following restrictions:

- only allowable use is as a photo initiator in ultraviolet curable systems
- substance or waste containing the substance shall not be released to the environment
- waste collected must be disposed of at an engineered hazardous waste landfill facility or through incineration in accordance with local laws
- if release of the substance or its waste to the environment occurs, immediate steps must be taken to prevent further release and an enforcement officer must be informed

Other requirements are:

- if physical possession of the controlled substance or its waste is transferred to another person, the recipient must be informed in writing of these ministerial conditions and their written confirmation received prior to transfer
- electronic or paper records regarding the manufacture, import, distribution, sale, and use of the above-mentioned substance must be kept for at least 5 years

Penalties for non-compliance under CEPA include fines of up to $1 million a day for each day an offence continues and/or imprisonment for up to three years.

More information can be found at:
https://gazette.gc.ca/rp-pr/p1/2021/2021-06-12/html/notice-avis-eng.html#ne2

Department of the Environment, Canadian Environmental Protection Act (CEPA), 1999, Order 2021-87-06-02 Amending the Non-domestic Substances List

Legal status: In force

As part of Canada's substance lists maintenance, the Minister of the Environment amended Part I of the non-domestic substances list (NDSL) under CEPA, 1999 by deleting the following substances from the NDSL:

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- 2,6-naphthalenedicarboxylic acid, dimethyl ester, polymer with 1,4-benzenedicarboxylic acid and 1,2-ethanediol (CAS 27289-84-5)
- copper, [29H,31H-phthalocyaninato(2-)-N29,N30,N31,N32]-, brominated chlorinated (CAS 68512-17-4)
- N,N-dimethyl-D-glucamine (CAS 76326-99-3)
- 2,6-naphthalenedicarboxylic acid, polymer with 1,4-benzenedicarboxylic acid, 1,4-benzenediol and 4-hydroxybenzoic acid (CAS 86013-04-9)

The non-domestic substances list is an inventory of substances that are not on the domestic substances list but are in commercial use internationally. Substances that are not on the domestic substances list but are listed on the NDSL are subject to lesser information requirements.

Penalties for non-compliance under CEPA include fines of up to $1 million a day for each day an offence continues and/or imprisonment for up to three years.

More information can be found at:
https://gazette.gc.ca/rp-pr/p1/2021/2021-05-22/html/notice-avis-eng.html#na1

Draft federal environmental quality guidelines for certain substances

Legal Status: Draft amendment

The Government of Canada published the draft federal environmental quality guidelines (FEQGs) for certain substances listed below:

- aluminum
- selenium
- siloxane-D4

More information can be found at:
https://gazette.gc.ca/rp-pr/p1/2021/2021-06-12/html/notice-avis-eng.html#ne1
FEQGs
https://www.canada.ca/en/health-canada/services/chemical-substances/fact-sheets/federal-environmental-quality-guidelines.html#a6

United States

Modification of significant new uses of certain chemical substances (20-2.M, 20-5.B, 20-6.B, 20-7.B)

Legal Status: Published

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

SNUR Batch 20-2-M consists of the following substances:

- sulfonyl azide intermediate (generic)
- titanate [Ti6O13 (2-)], dipotassium

- cyclohexane, oxidized, by-products from, distn. Residues
- 1,2,4,5,7,8-hexoxonane, 3,6,9-triethyl-3,6,9-trimethyl-
- polyfluorohydrocarbon (generic)
- 1,2,4,5,7,8-hexoxonane, 3,6,9-trimethyl-, 3,6,9-tris(alkyl) derivs. (generic)

SNUR Batch 20-5.B consists of the following substances:

- cyclohexane, 1,4-bis(ethoxymethyl)-
- 2-butanone, 3-methyl-, peroxide
- 2-propenoic acid, 2-methyl-, dodecyl ester, polymer with ammonium 2-methyl-2-[(1-oxo-2-propen-1-yl)amino]-1-propanesulfonate (1:1), N,N-dimethyl-2-propenamide and .alpha.-(2-methyl-1-oxo-2-propen-1-yl)-.omega.-(dodecyloxy)poly(oxy-1,2-ethanediyl)
- iso-alkylamine, N-isoalkyl-N-methyl (generic)
- octadecanoic acid, 9(or 10)-(dibutoxyphosphinyl)-, 1,1'-(2,2-dimethyl-1,3-propanediyl) ester
- 1,3-benzenedicarboxylic acid, polymer with 3-methyl-1,5-pentanediol
- oxirane, 2-methyl-, polymer with oxirane, mono(3,5,5-trimethylhexanoate)

SNUR Batch 20-6.B consists of the following substances:

- formaldehyde, reaction products with 1,3-benzenedimethanamine and p-tert-butylphenol
- 2-propanol, 1-butoxy-, 2,2'-ester (generic)
- haloalkane (generic)
- ethanamine, N-ethyl-, 2-hydroxy-1,2,3-propanetricarboxylate (1:?)
- copper, [[2,2',2"-(nitrilo-.kappa.N)tris[ethanolato-.kappa.O]](2-)]- (P-19-109, chemical A)
- copper, bis[2-(amino-.kappa.N)ethanolato-.kappa.O]- (P-19-109, chemical B)
- carbonic acid, di(lithium-6Li) salt
- lithium chloride (6LiCl)

SNUR Batch 20-7.B consists of the following substances:

- tar acids (shale oil), C6-9 fraction, alkyl phenols, low boiling
- 2-propenoic acid, mixed esters with heterocyclic dimethanol and heterocyclic methanol (generic)
- alkane, diisocyanato-(isocyanatoalkyl)- (generic)
- phenol, polymer with formaldehyde, 5-methyl-1,3-benzenediol-terminated, sodium salts (generic)
- N-Alkyl heteromonocyclic diphenolamide, polymer with bisphenol A, haloaryl-substituted sulfone, compd. with cyclic sulfonate ester, polyaryl alcohol terminated (generic)
- 1,3,5-triazine-2,4,6(1H,3H,5H)-trione, 1,3,5-tris[3-(2-oxiranyl)propyl]-
- 2-propenoic acid, cycloalkyl ester (generic)

Penalties for non-compliance include imprisonment up to 15 years and/or a fine of up to $250,000; a convicted organization may be subject to a fine of up to $1,000,000.

More information can be found at:
https://www.regulations.gov/document/EPA-HQ-OPPT-2020-0302-0021
https://www.regulations.gov/document/EPA-HQ-OPPT-2020-0222-0020
https://www.regulations.gov/document/EPA-HQ-OPPT-2020-0251-0024
https://www.regulations.gov/document/EPA-HQ-OPPT-2020-0303-0026

Implementing statutory addition of certain per- and polyfluoroalkyl substances (PFAS) to the Toxics Release Inventory beginning with reporting year 2021

Legal Status: Published

The Environmental Protection Agency (EPA) is adding three per- and polyfluoroalkyl substances (PFAS) to the list of chemicals subject to toxic chemical release reporting under the Emergency Planning and Community Right-to-Know Act and the Pollution Prevention Act. The reporting is conducted as part of the Toxics Release Inventory (TRI) Program which tracks the industrial management of toxic chemicals that may cause harm to human health and environment. The three chemicals added are:

- perfluorooctyl iodide (CAS 507-63-1)
- potassium perfluorooctanoate (CAS 2395-00-8)
- silver (I) perfluorooctanoate (CAS 335-93-3)

The reporting obligations lie with the owners and operators of facilities. Penalties for non-compliance include a fine up to $25,000 each day the offence occurs.

More information can be found at:
General information
https://www.federalregister.gov/documents/2021/06/03/2021-11586/implementing-statutory-addition-of-certain-per--and-polyfluoroalkyl-substances-pfas-to-the-toxics
Reporting form and instructions
https://www.epa.gov/toxics-release-inventory-tri-program/reporting-tri-facilities
Explanation of form elements
https://ecfr.federalregister.gov/current/title-40/chapter-I/subchapter-J/part-372#subpart-E

Significant New Use Rules on Certain Chemical Substances (21-1.5e)

Legal Status: Draft amendment

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

The substances covered are:

- 1,3-propanediol, 2-ethyl-2-(hydroxymethyl)-, polymer with ethyleneamine, 2-(chloromethyl)oxirane, 2-[[4-(1,1-dimethylethyl)phenoxy]methyl]oxirane, 2,2'-[1,6-hexanediylbis(oxymethylene)]bis[oxirane], 4,4'-(1-methylethylidene)bis[phenol], alkyl ether amine, and 2-[(2-methylphenoxymethyl]oxirane (generic)
- 1,4-benzenedicarboxylic acid, 1,4-bis(2-phenoxyethyl) ester
- 1,4-benzenedicarboxylic acid, 1,4-dipentyl ester, branched and linear
- 1-butanamine, N-butyl-N-[(triethoxysilyl)methyl]-
- 1-octadecanaminium, N,N-dimethyl-N- [3-(triethoxysilyl)propyl]-, chloride (1:1)
- 2-propenoic acid, 2-methyl-, 3-methyl-3-buten-1-yl ester
- aldehyde, polymer with mixed alkane polyamines, 2,2'-[1,4-alkanediylbis(oxyalkylene)]bis[oxirane], 2-(alkoxyalkyloxirane, 4,4'-(1-alkylidene)bis[phenol], 2,2'-[(1-alkylidene)bis(4,1-alkyleneoxyalkylene)]bis[oxirane] and 2-(aryloxyalkyl)oxirane, acetate (salt) (generic)

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- alkanedioic acid, compds. with substituted arylalkylamine-arylalcohol disubstituted alkane-the diglycidyl ether of a arylalcohol disubstituted alkane-epichlorohydrin-aldehyde-2,2'(1-alkylidene)bis[4,1-aryleneoxy(alkyl-2,1-alkanediyl)oxyalkylene]]bis[oxirane]-alkanepolyamine polymer-1-[[2-[(2-aminoalkyl)amino]alkyl]amino]-3-aryloxy-2-alcohol reaction products (generic)
- alkenoic acid, polymer with (alkyl alkenyl) polyether (generic)
- alkenylamide (generic)
- alkyltin dodecylthioester (generic)
- alkyltin tetradecylthioester (generic)
- amidoamino quaternary ammonium salt (generic)
- amines, polyethylenepoly-, triethylenetetramine fraction, polymers with guanidine hydrochloride (1:1)
- benzenepropanoic acid, 3-(2H-benzotriazol-2-yl)-5-(1,1-dimethylethyl)-4-hydroxy-2,2-bis(hydroxymethyl)butyl ester
- dialkyltin dialkylcarboxylate (generic)
- dibromoalkyl ether tetrabromobisphenol A (generic)
- halogenated aromatic amine (generic).Start Printed Page 31253
- hindered amine alkyl ester compounds (generic)
- hydroxy alkanoic acid, compds. with aminoalkoxyalcohol-epoxy polymer-alkanolamine reaction products (generic)
- isoalkylaminium, N-isoalkyl, -N, N-dimethyl chloride (generic)
- mixed metal oxide (generic)
- N-alkyl-dialkyl piperidine (generic)
- octonal, 7(or 8)-formyl-
- phenol, 4,4'-(1-methylethylidene)bis-, polymer with 3,6,9,12-tetraoxatetradeca-1, 13-diene, glycidyl ether
- poly(oxy-1,2-ethanediyl), .alpha.-nonyl-.omega.-hydroxy-, branched and linear
- polyazaalkane with oxirane and methyloxirane, haloalkane (generic)
- sulfonium, trisaryl-, 7,7-dialkyl-2-heteropolycyclic-1-alkanesulfonate (1:1) (generic)
- tetraalkylpiperidinium halide (generic)
- tetraalkylpiperidinium hydroxide (generic)
- tri alkyl, mono alkoxy, fatty acid ester, ammonium salt (generic)
- undecanol, branched

More information can be found at:
https://www.federalregister.gov/documents/2021/06/11/2021-12147/significant-new-use-rules-on-certain-chemical-substances-21-15e

Addition of 1-bromopropane to Clean Air Act Section 112 HAP List

Legal Status: Draft amendment

The US Environmental Protection Agency (EPA) has added 1-bromopropane (1-BP) to the Hazardous Air Pollutants (HAP) List of section 112 of the Clean Air Act (CAA). Under the CAA, EPA is required to regulate emissions of hazardous air pollutants. A consultation has opened for interested parties to inform the EPA of their usage, emission controls and costs in order to inform the process of the upcoming addition. The main uses of 1-BP are as a cleaning or degreasing agent. This is a broad scope and so this may fall into use in the aerospace industry.

The risks of non-compliance would be a fine, however no legal change has currently occurred. When finalized, this will have an immediate effect on regulatory compliance for facilities that emit this substance.

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More information can be found at:
https://www.federalregister.gov/documents/2021/06/11/2021-12287/addition-of-1-bromopropane-to-clean-air-act-section-112-hap-list

Availability of the IRIS Assessment Plan for inhalation exposure to vanadium and its compounds

Legal Status: Notice

The US Environmental Protection Agency (EPA) has released its plan for assessing inhalation exposure to Vanadium and its compounds under the Integrated Risk Information System (IRIS) program. This document communicates information on the scoping needs identified by EPA program and regional offices and the IRIS Program's initial problem formulation activities. The agency opened a 30-day public comment period on the plan and said it will soon announce the date for a virtual public science meeting.

More information can be found at:
https://www.federalregister.gov/documents/2021/05/28/2021-11383/availability-of-the-iris-assessment-plan-for-inhalation-exposure-to-vanadium-and-compounds

PFAS Free Military Purchasing Act

Legal Status: Proposed

Two US senators introduced legislation to reduce exposure to per- and polyfluoroalkyl substances (PFAS): The PFAS Free Military Purchasing Act. The Act prohibits the Department of Defense from procuring, purchasing, and selling items that contain PFAS substances. Items covered under this Act are:

- food packaging and non-stick cookware or foodservice ware
- carpets, rugs, curtains and upholstered furniture
- cosmetics, such as dental floss, toothpaste, and sunscreen
- cleaning products
- furniture, floor, car, and ski waxes
- car window treatments
- umbrellas
- luggage and bags
- shoes and clothing containing nonessential PFASs

More information can be found at:
https://www.blumenthal.senate.gov/imo/media/doc/5.25.21%20-%20PFAS%20Free%20Military%20Purchasing%20Act.pdf

EPA announces environmental justice consultations on risk management rulemakings for trichloroethylene and perchloroethylene

Legal Status: Proposed

The US Environmental Protection Agency (EPA) evaluates the risks associated with chemicals on the market using the available scientific facts. The risk evaluation occurs before taking any action to address the risks. The final risk evaluation for trichloroethylene (TCE) and perchloroethylene (PCE) were issued by EPA in November and December 2020, respectively. The risk evaluations identified unreasonable risks to workers and occupational non-users under certain conditions of use.

The next step for EPA will be risk management, in which environmental justice communities and stakeholders have been invited in consultation to develop risk management actions.

During the environmental justice consultation period (18 May to 20 August 2021), EPA holds two consultation webinars to provide an overview of the risk management requirements, TCE and PCE final risk evaluation findings, and the tools available to manage risks. EPA is also holding an open public comment period and a consultation with small businesses, state and local governments, and tribes on risk management regulations.

TCE and PCE are mostly used as solvents in commercial and industrial processes and products such as cleaning/degreasing products, lubricants, adhesives, paints and coatings, and sealants. They are also in consumer products such as cleaning and furniture care products, arts and crafts spray coatings, automotive care products (e.g. brake cleaners), and polishes.

More information can be found at:
EPA Announcement
https://www.epa.gov/chemicals-under-tsca/epa-announces-environmental-justice-consultations-risk-management-rulemakings-2
Registration for webinars and comment submission
https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/risk-management-existing-chemicals-under-tsca

Oceania

Australia

Recycling and Waste Reduction (Export—Waste Plastic) Rules 2021

Legal Status: Published

The Government of Australia published the Recycling and Waste Reduction (Export-Waste Plastic) Rules under the Recycling and Waste Reduction Act 2020. The purpose of the Rules is to regulate the export of plastic waste from Australia. The Rule prescribes waste plastic as a regulated waste material. The export of regulated waste plastic is prohibited unless the exporter holds a waste plastic export license that covers the plastic and for each group plastic that is exported, the exporter has given the Minister an export declaration for the consignment.

Export permit means the same as it does under the Hazardous Waste (Regulation of Export and Imports) Act 1989 which implements Australia's obligations under the Basel Convention.

Waste plastic means:

- plastic that is discarded from an industrial or commercial activity; or
- plastic that is surplus to, or a by-product of, an industrial or commercial activity; or
- processed engineered fuel.

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Processed engineered fuel means waste material that:

- is waste plastic that is processed with any other waste material; and
- is intended for use as fuel.

Penalties for non-compliance include imprisonment up to 5 years and/or penalty units (see section 20 of the Recycling and Waste Reduction Act 2020).

More information can be found at:
https://www.legislation.gov.au/Details/F2021L00625

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