Nickel Institute Workshop:

Listing & Authorisation

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Exchange of experience with the Cobalt industry

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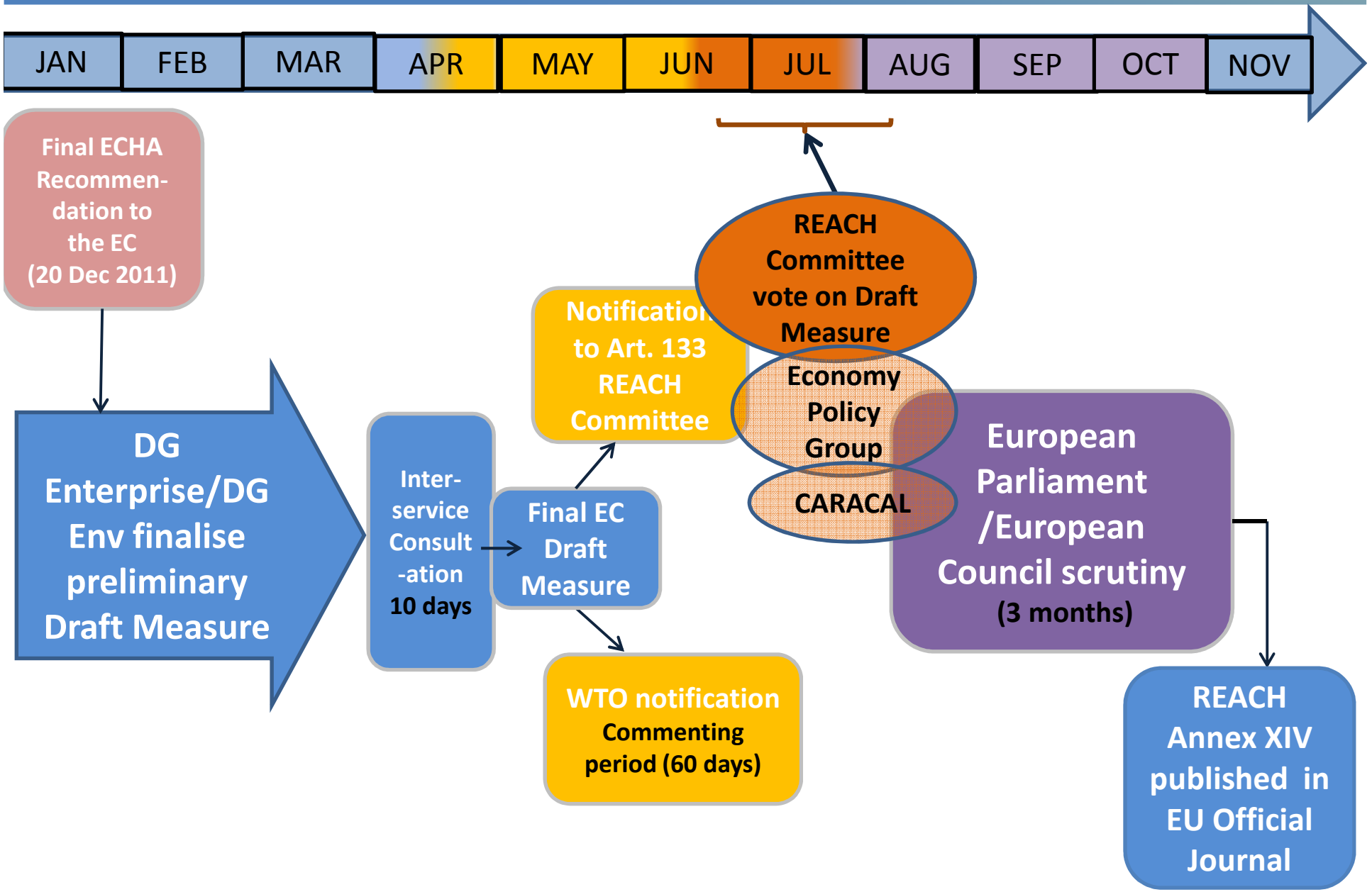
Authorisation Update

- Five cobalt salts = cobalt dichloride, cobalt sulphate, cobalt dinitrate, cobalt carbonate, cobalt diacetate
- After much discussion, ECHA and the *majority* of Member State Committee (MSC) members agreed that all five cobalt salts would go forward → recommendation for addition to Annex XIV of REACH.
- *See ECHA press release issued 21 December 2011*
- Minority opinions expressed:
  - opposing the prioritisation and highlighting the need to fully assess the additional information provided by industry.
  - objecting the prioritisation of cobalt diacetate, if not a substitute for other cobalt salts.
- *The final decision will eventually be made by the European Commission (EC) later this year (Q4 2012).*
- Not much opportunity for industry input at this second stage.
- Most of the continuing efforts will be advocacy-related, with outreach to <u>all</u> 27 MS (i.e. qualified majority vote).

EC Legislative Proposal: overall process



Authorisation-related Activities

- Advocacy & Outreach Activities
- Messages & Communications
- Exemption/Derogations & Intermediates
- Exposure Scenarios & CSRs
- New Technical Studies:
  - Stakeholder mapping, interchange-ability, WDU, etc.
  - Supply chains, **surface treatment sector**, etc.
  - SEA, Substitution, Analysis of Alternatives, etc.
- Workplan for 2012 → on-going support & new projects
- Scoping a potential new work programme in near future
- Examine several options for new structures & cost-sharing mechanisms

Advocacy

- Advocacy strategy depends on the measures the EU Commission proposes.
- Need to agree and **develop new messages**, tailored to the new audiences (EC, DG-Env, DG-Ent, MS CA, etc.).
- The EC will want to see **new information to justify a deviation** from the ECHA recommendation.
- Messages also need to be **conveyed via Industry Associations** (e.g. CPME, ECMA, CETS, Aerospace, Pigments & Frits, Inks & Paints).
- The vote at REACH Committee will cover the overall package, NOT just the cobalt salts (e.g. chromium compounds and trichloroethylene).
- Negotiations can also look towards the **transitional measures**: latest application date; and review periods for specific uses.
- Proposed latest Application Date (AD) is date of Annex XIV listing plus 24 months, and the sunset date is AD plus 18 months.
- Major technical points: surface treatment (WDU/safe handling of salts) and interchangeability to the cobalt diacetate

New Reporting – Summary of stakeholder comments from public consultation (2011)

- **Supply Chain diagrams** for all five cobalt salts.

- **Annex XIV Consultation Summaries (**spreadsheet) details the comments across seven key areas:
  - Approach for prioritisation
  - Transitional arrangements
  - Inter-changeability of cobalt salts
  - Availability of alternatives
  - Novel uses (i.e. those not identified during the CoRC registration)
  - Socioeconomic implications of Authorisation
  - Sustainability and Innovation Implications of Authorisation
- **Use specific exemption requests** (spreadsheet) details use specific exemptions for each of the salts across various industry sectors.
- Also prepared accompanying five (5) short **weight of evidence summary documents** for each of the cobalt salts (~4 page each).

New Survey → Cobalt salts in surface treatment

Key issues (according to the EC) to be addressed are:

- How widespread is the use of cobalt salts?
- Where in the supply chain is the potential for inhalation exposure to workers?
- Are the salts interchangeable?

- Consultant engaged to draft the questionnaire and to conduct the survey of the EU and national associations.
- Academic expert to conduct a literature search and provide a short review/commentary on the results of the survey (including statements on innovation and inter-changeability of the diacetate).
- Both the results of the survey and its review to be provided to the MS Competent Authorities.
- **Timelines are to provide to DG Enterprise this month (by 29th February at the latest).**
- Survey will continue afterwards to collect more information...

Substitution in Surface Treatment

Exchange of experience with the Co industry

- Any questions regarding the process?
- Comments regarding specific applications?
- Lack of interchangeability?
- Comments regarding Wide Dispersive Use?
- Interest to participate in advocacy & outreach?

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