



Chromium Trioxide Authorization

Outlook on chromates applications

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Background & Economic Aspects of Chromium Trioxide



0 Manufacturers within Europe

➔ **10 Importers, who manufacture outside of Europe**

➔ **20 Formulators for “Surface Treatment” solutions**

➔ **> 2000 Downstream Users, that do “Surface Treatment”**

➔ **Millions of Articles that use chrome plated or passivated parts**

⇒ **Substance value << 0,1 % of consumer article**

⇒ **Risk limited to workplace safety at Downstream Users site**

What is the motivation for Importers to file an AfA ?

Chromium Trioxide Authorization Consortium CTAC

The Consortium consists of ca. **150 Members** of all groups of the supply chain that do fulfill the preconditions to file an Application for Authorization (AfA): Importer, Only Representative, Formulator, Dealer, User;

The objective of the consortium is to compile the CSR, AoA and SEA documents necessary for an Application for Authorization, comprising six uses of Chromium Trioxide:

- 1) Formulation of mixtures
- 2) Functional chrome plating
- 3) Functional chrome plating with decorative character
- 4) Surface treatment for applications in the aeronautics and aerospace industries, unrelated to Functional chrome plating or Functional plating with decorative character
- 5) Surface treatment (except ETP) for applications in various industry sectors namely architectural, automotive, metal manufacturing and finishing, and general engineering
- 6) Passivation of tin-plated steel (ETP)

For filing the application („joint application“) an independent submission group is formed out of the CTAC consortium expected to have up to 10 members (CTAC Sub).

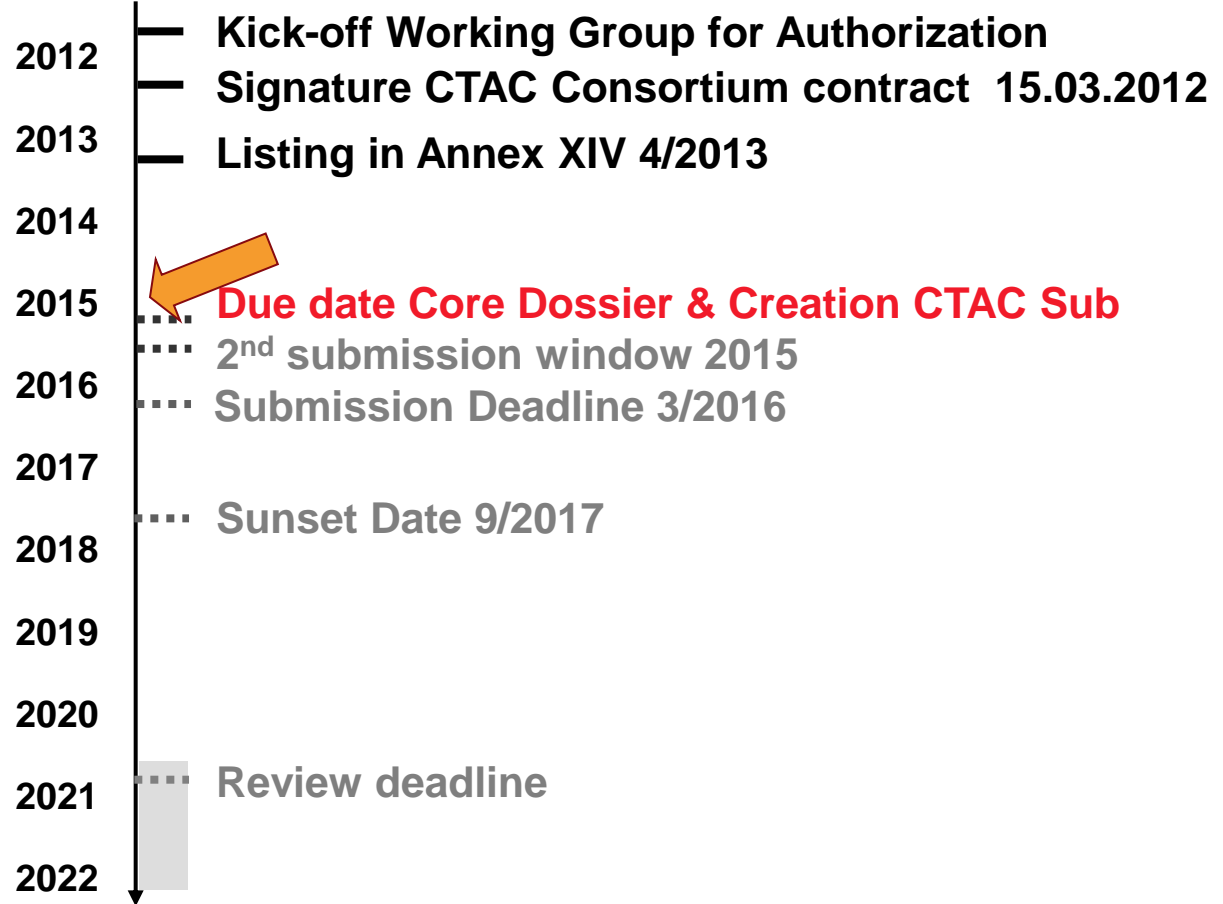
Further, independent applications for authorization are possible.

Substances like Sodium Dichromate or Strontium Chromate have been evaluated by the Consortium for REACH Authorization of Miscellaneous Chromium VI Compounds for Surface Treatment (CCST)

Timeframe of Chromium Trioxide Authorization Process in Industry

Industry activities within Authorization have been driven by upstream actors

- Two-Step Process of Consortium formation
 - Pre-contract for feasibility study & to evaluate form and scope of cooperation
 - Consortium contract published 15.01.2012; go-life 15.06.2012; 154 members
 - CSR, AoA, SEA finalized January 2015
- Third step: upstream joint application with LANXESS as Lead.
=> 11 signatures on Lol



CTAC Submission group: Approaching the challenges in a complex supply chain.

Applicants

- Directed at Up-stream players (Importer / Formulator)
- Open to every CTAC Member or LoA holder

Contract design

- Contracted to JonesDay; review by Lead Applicant and two CTAC members

Scope of Application

- CTAC majority vote

Payment issues

- Contracted to Jones Day
- Escrow account

Filing & ECHA reference point

- Contracted to ENVIRON;
- Full access to CTAC Data and Know How pool

Schedule

- Contracted to JonesDay; strict deadline enforcement
- Signature asap after CTAC Dossier finalization

Conclusions: Go ahead with joint application

Upstream Application

- Will cover majority of surface treatment at Importer level
- Safeguards broad availability of Chromium Trioxide

Joint Application

- Important preconditions acknowledged by ECHA e. g. start of review period, separate authorization numbers
- **Savings through discount compensate full scope and contractor services**

Open Application

- Formulator and other DU can join

JAN

CTAC Sub contract

FEB

Signature CTAC Sub

MAR

Payment CTAC Sub

APR

PSIS

MAY

Submission window

JUN

Impact on Surface Treatment sector and documentation requirements

EC Decision positive: all surface treatment companies covered that
=> are within the technical scope of the granted authorization
=> apply adequate Risk Management Measures (RMM)

REACH Authorization requirement

- Downstream user to notify ECHA on continued use of a substance subject to authorization
- => How to establish a system to ensure that exposure is minimized (§ 60.10 REACH) ?**

Inspection requirement

- Demonstrate use covered by granted authorization
- Demonstrate adequate RMM

Proactive DU measures

- Compare own situation to published requirements
- => Individual Application for Authorization necessary?**
Act before last submission date (1st window 2016)

Lessons learned

Communication & Comprehension

- DU and/or SME are still not aware of authorization requirements and impacts
- Collection of data is difficult even within a consortium

=> Language of communication needs to be adjusted to the auditorium

Format & Content

- Industry is very uneasy about necessary level of detail, quality of evidence, and visualization in the documents
- The more a potential activity lacks behind state of the art the less proof is documented for this fact

=> Example cases would be better than guidance documents

Scope

- Of original 7 uses 2 were discontinued, 2 reorganized, 1 additional use identified.

=> More niche applications with unknown economic importance will appear over the next two years

Specific improvements of the authorization process relevant to CTAC or similar scenarios

=> Authorization process should not lead to relocation of risks

Article clause for simplified AoA

- Chromium Trioxide in Surface Treatment does not qualify for Intermediate because it is transformed into an article
 - Article not subject to any regulation, can be imported at any time
- => If an article is available via import, AoA should be limited to identical articles (not to equivalent performance)**

=> Communication deficits at DU SME must not cause end of business

Extension of sunset date

- Complex supply chain and versatile use of chromates e.g. as oxidants will lead to cases where the authorization requirement will become known only at time of enforcement.
- => Option to apply for extension of sunset date with case by case decision (low volumes, niche application) of ECHA**

General improvement of the authorization process

RMOA

- RMO analysis to be completed before SVHC candidate listing / prioritization

=> Address risk via optimum process (REACH Annex XIV or Annex XVII, Workplace safety law....)

Small volumes simplified process

- “Notification” for lowest volume band (e. g. 10 kg/a)
- Simplified application with cut-off volume (e. g. 1 t/a)

=> e. g. via scaling tool provided by ECHA and/or associations

Exposure Control & Controlled Use

- Substances to be replaced in general better evaluated than alternatives
- In case of CTAC, exposure control at DUs more advanced than description in public space

=> Option to achieve authorization via improved exposure control should be more pronounced

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