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ALLOYS, ORES AND PEOPLE



ERAMET



The Industry response to REACH

An example of implementation in an international Group



The regulatory framework

- ❑ Moving from a vision focused on industrial sites environmental impact control to a more comprehensive approach
 - Products assessment & risk management
 - Life cycle logical: “From cradle to grave”
 - Interaction between industrial sites

- ❑ European Union ambition : to be “the” leader
 - Growing importance of health aspects combined with environmental ones
 - Protection of the most sensitive people: young children, elderly people, people suffering from asthma, etc.

- ❑ Public sensitivity concerned by the global context of climate change impact, NGO’s views

- ❑ Metals industry especially affected by these evolutions :
 - Due to its field of activity: natural resources extraction and transformation
 - Due to its products characteristics: some of them may be hazardous, high tonnages
 - Due to its industrial processes : less flexible and high energy intensive

REACH: achievements and main concerns

- ❑ After 5 years of strong, complex political and technical debate, REACH is the result of a wide compromise:
 - Between all political parties at European Parliament
 - Between all Member States

- ❑ Strong political pressure to substitute CMR substances falling under authorization
 - CMR : Carcinogenic, Mutagenic, toxic for Reprotoxic

- ❑ IMnI part of this debate :
 - IMnI regular members implication
 - IMnI OHES Manager since Nov. 2007
 - IMnI participation to Brussels network

REACH: not fully finalize

❑ REACH adoption in December 2006 does not mean that the debate is closed

- Despite its volume, REACH needed clarification to be “workable”
 - ⇒ a learning by doing process
- REACH implementation will be based on the outcome of the “RIPs” (REACH Implementation Programs)
 - ⇒ Dozen of working groups gathering all stakeholders: authorities, industry, NGO's
 - ⇒ Will provide methodological support and guidance but not binding
 - ⇒ Not yet completed (end of 2007 ?) , very complex and detailed work, issue of consistency

❑ Fundamental to have a common and appropriate interpretation

- continued efforts needed to ensure that REACH is workable also for the metals industry and can be applied to metals in a scientifically correct way

REACH : A complex work of interpretation

❑ The metals specificity has been politically recognized but its transposition in the text itself is only partial

- Metals are non standard chemical substances
- REACH is originally designed for chemicals but strong advocacy has brought some recognition in the legal text of the specificity of metals and metals industry

❑ Some essential stakes for metals industry

- Recognition of alloys as “special preparations” but no clear status, assessment methodology to be defined: a key issue for Mn industry
- Exclusion of ores and concentrates from registration obligation but still potentially liable to authorization
- Still unclear status for by-products, secondary raw materials and waste (valorization and recycling activities – waste directive)
- Continued active participation in the REACH Implementation Projects (RIPs)
 - ⇒ Objective to introduce the methodologies to assess metals into the Technical Guidance Documents (TGD) : HERAG and MERAG projects.
 - “MERAG” is dedicated to environmental risk assessment
 - “HERAG” is dedicated to health risk assessment
 - Inclusion n RIP 3.3

REACH implementation: the industry response

- ❑ **To anticipate and prepare REACH implementation is probably one of the industry main concerns for 2007-2008**
- ❑ **The priority issues for all industry professional organizations:**
 - ⇒ Participation in REACH implementation and interpretation working groups in Brussels
 - ⇒ Identification and defense of our products status with regard to REACH interpretation
 - ⇒ Preparation of consortia including legal aspects
 - ⇒ Identification of appropriate budget and human resources
 - ⇒ Subsidiary principle application: who is doing what and how to ensure coordination ?
 - ⇒ Data gaps inventory and costs associated (health and environment aspects)
 - Specific issue of CMR status for Mn and its compounds
 - ⇒ Internal and external communication

REACH implementation: the industry response

❑ At each company level:

- ⇒ Need to contribute and participate actively in professional organizations network
- ⇒ Need to establish the list of “products” affected by REACH
- ⇒ Need to secure the entire supply chain
- ⇒ Need to have a good knowledge of the usage of our products
- ⇒ Need to determine strategy towards consortia set up: participation or non-participation, partnership, legal protection against free-riders

❑ ERAMET response :

- **Active contribution to professional organizations network on REACH since 2001**
 - ⇒ **IMnI , Euroalliages, Nickel Institute, CDI, Eurometaux, Mo Assoc., Copper Ass. etc**
- **Implication on advocacy activities at national levels (member state contribution to EU decision) to protect our business**
- **Contribution of our Group lawyers to the set up of REACH consortia**
- **Set up of “REACH PTF” – Progress Task Force since 2006, leaded by the Environment Group Coordinator**

ERAMET way to anticipate REACH

❑ REACH PTF first objectives:

- ⇒ To have people from all divisions involved in the REACH implementation
- ⇒ To inventory all products manufactured and/or imported by the Group falling under REACH requirements
- ⇒ To determine their status (substances, intermediates, preparations, alloys, articles ...)
- ⇒ To detect the substances potentially candidates for authorization included in preparations, alloys and/or intermediates and/or end products / articles
- ⇒ To identify the life cycle from raw materials up to downstream users

❑ Timetable : end June 2007

ERAMET way to anticipate REACH

❑ REACH PTF next steps

- ⇒ To set up our strategy for the different products
- ⇒ To identify the consortia we need to join
- ⇒ To know the applications of our products (own and downstream uses) and the organization of the supply chain
- ⇒ To manage confidentiality issues
- ⇒ To prepare appropriate communication tools, especially for customers and suppliers
- ⇒ To work with consortia to identify data gap to support the CSR & CSA file for registration of the concerned substances
- ⇒ To gather our sites data for “exposures scenarios “ requirements
- ⇒ To prepare pre-registration files of substances (before Dec 08) with consortia held by professional organizations.

❑ Timetable : at least end 2007

To know more about timing

