



What's New From 2008?

***REACH Training Development
Workshop
October 15, 2009***

Objective



- This section will highlight what has changed in the primary sections of the AIA REACH Training Material (Sections 1 - 6) since it was last updated on July 10, 2008
- If anyone already familiar with REACH or this training package does not have sufficient time to review the entire package, they can use this section as a reference for the areas of REACH that are new or modified within the last year
- However, it is advised that all sections be reviewed to obtain the most detailed information on all topics as of the date of this presentation

***This Section is an Overview,
Not a Stand-Alone Training Package***

Section 1 – Introduction: UPDATES



- REACH Overview:
 - Adopted December 2006; effective date June 1, 2007
 - Pre-Registration took place from June 1 2008 – Dec 1 2008
 - First Candidate List of substances released October 28 2008
 - Second Candidate List expected to be released by the end of 2009
 - First Authorization list of substances is expected to be released by the end of 2009
- The EU is setting global standards on the environment
 - Beginning to see legislation in the US reflecting “REACH-like” language being introduced to Congress
 - Must plan for REACH impacts beyond the borders of the EU

Major Impact on International Commerce

Section 1 – Introduction: UPDATES



- Each Member State is responsible for the enforcement of REACH within its borders
- Most Member States have developed enforcement guidelines and penalties
- Companies must self-enforce themselves and their supply chains to mitigate this risk
- Defense exemptions may be an option to mitigate REACH requirements for certain products
- Each member state will administer this separately and set its own criteria for allowing exemptions
- No expectation for a global defense exemption process for any product



***REACH Compliance Being Enforced,
Do Not Plan on Exemptions to Avoid Compliance!***

Section 2 – **REACH** at a Glance: Evaluation Summary



- ECHA, with support from Member State authorities, will review the registration dossiers for completeness, accuracy, and compliance with REACH requirements
 - Evaluation expected for ~5% of all registered substances to decide on possible further actions
- Two types of Evaluation possible:
 - Dossier evaluation: Check testing proposals
 - Compliance evaluation: Check for compliance; national enforcement action is possible as a result
- Both options will result in the request for more information from the registrant
- May result in additional information being passed onto other authorities, or additional action being taken
 - Additional Action could be in the form of Authorization or Restriction being proposed for the substance being evaluated



Section 3 – Registration: UPDATES



- The pre-registration period was June 1 – December 1, 2008
 - ~65,000 companies pre-registered ~150,000 substances
 - 2,700,000 total pre-registrations
 - Late pre-registration option **only** available for substances **new** to the EU market
 - If you did not pre-register and do not qualify for late pre-registration, you **must** complete full registration **now**, prior to entering the EU Market
 - Companies that fail to do so are in violation of the REACH law as of June 1, 2008
 - EU manufacturers and importers who did complete pre-registration for a substance will be forming “Substance Information Exchange Forums” (SIEFs) to share information and minimize testing in advance of Registration
 - Will comprise any company that pre-registered a substance; likely a few larger companies who M/I the majority of the substance, and a myriad of others who utilize or import smaller amounts
 - Larger companies may form consortia to minimize duplicative testing for a substance
 - If the primary consortia does not address your needs, you may need to develop a “mini-

Section 4 – Authorization: Summary & Updates



- First 15 Substances were added to Candidate List of SVHCs on Oct 28, 2008
 - Additional updates to the Candidate List are expected on a regular basis
- Process by which a substance is added to Annex XIV for Authorization:
 - Substance added to Registry of Intentions for the next update to the Candidate List
 - Substance added to the Candidate List as a SVHC
 - Substance added from the Candidate List to the Priority List for addition to Annex XIV
 - After a review period, substances on the Priority List are submitted to the European Commission for final approval & official addition to Annex XIV, requiring Authorization by a sunset date in order to continue the use of that substance in the EU
- According to Article 58(3), priority for inclusion in Annex XIV for substances on the Candidate List shall normally be given to substances with:
 - PBT or vPvB properties
 - Wide Dispersive Use
 - High Volumes
- Imported articles are not subject to Authorization

Section 4 – Restriction: Summary & Updates

- Substances posing an unacceptable risk can be restricted in their manufacture, distribution, or use
- Restrictions already exist from heritage legislation
 - Existing restrictions include lead in paint, asbestos
- New substances being added to Annex XVII
 - Requires awareness of updates to determine potential impacts and develop mitigation plans
- Distinctions between Restriction & Authorization:
 - Restriction is for a specific use of the substance
 - Restriction does not have a waiver or authorization procedure; it must be removed from the product
 - Restricted substances may or may not be derived from the Candidate List of SVHCs
 - Imported articles are subject to Restriction



Section 4 - Proposed Substances for 2nd Candidate List



Proposal for 2nd Candidate List for Substances of Very High Concern (SVHC)*

Name of SVHC and CAS # listed below

1. Anthracene oil – 90640-80-5
2. Anthracene oil, anthracene paste, distn. Lights – 91995-17-4
3. Anthracene oil, anthracene paste, anthracene fraction – 91995-15-2
4. Anthracene oil, anthracene-low – 90640-82-7
5. Anthracene oil, anthracene paste – 90640-81-6
6. Coal tar pitch, high temperature – 65996-93-2
7. Acrylamide – 79-06-1
8. Aluminosilicate, Refractory Ceramic Fibres
9. Zirconia Aluminosilicate, Refractory Ceramic Fibres
10. 2,4-Dinitrotoluene - 121-14-2
11. Diisobutyl phthalate – 84-69-5
12. Lead chromate – 7758-97-6
13. Lead chromate molybdate sulphate red (C.I. Pigment Red 104) – 12656-85-8
14. Lead sulfochromate yellow (C.I. Pigment Yellow 34) - 1344-37-2
15. Tris(2- chloroethyl)phosphate – 115-96-8

Section 5 – Communication Requirements: Summary



Substance of Very High Concern (SVHC)

Communication

SVHC contained within the article in concentrations >0.1% w/w of the article

Communication Obligations:

- Immediately provide available information to the downstream recipients
- Any consumer of your product upon request, free of charge within 45 days
- Must include (at a minimum) the name of the substance and safe use information for the product

Notification

SVHC contained within the article in concentrations >0.1% w/w, AND article being M/I > 1 tonne / year per legal entity

Obligation to Notify EU Chemicals Agency:

- Except if already registered for that use OR there is no exposure
- At the earliest June 1, 2011 and then six months after SVHC added to candidate list

Agency may require Registration

Section 6 - **REACH** Management in Aerospace: Current Collaboration



AIA REACH Working Group



Summary



- Understand your Role in Complying to REACH
 - Know the responsibilities you have to suppliers & customers
- Communicate Internally & Externally
 - Pass key information up and down relevant supply chains
- Determine Risk and Develop Long-Term Strategies
 - Be sure suppliers are also implementing risk-mitigation plans
- Activities Shifting Away from Pre-Registration
 - Focus is on SIEFs for Registration, and compliance to Candidate List driven obligations for Communication & Authorization

***REACH Cannot Be Ignored
The Time To Act Is Now!***

Questions

