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Öffentliche Eingaben im Zuge der möglichen Aufnahme von Trichlorethylen in den Annex XIV bis zum 14. September 2011

Sehr geehrter Herr Täube,

im Vorfeld der dritten von der Agentur zu erarbeitende Empfehlung zur Aufnahme von Stoffen in den Anhang XIV von REACH, ruft die Europäische Chemikaliengentur im Rahmen der öffentlichen Anhörung interessierte und involvierte Parteien auf, Ihre Kommentare zum Einsatz von Trichlorethylen einzureichen.

Stellungnahmen verarbeitender Unternehmen sind von enormer Wichtigkeit, um die Aussagen der Hersteller zu verdeutlichen und den nachhaltigen und sicheren Einsatz von Trichlorethylen in der Zukunft zu unterstützen.

Bitte senden Sie Ihre Eingaben bis zum 14. September direkt an die Europäische Chemikalienagentur.

Sollten Sie Fragen haben oder weitere Informationen benötigen, stehen ihr regionaler Ansprechpartner und ich gerne zur Verfügung.

Mit freundlichen Grüßen

SAFECEM Europe GmbH


ppa. Ferdinand Pree
Technical Manager

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Potential Submission of Trichloroethylene to Authorisation

Information Letter No. 4

- *For customer with uses which eventually become subject to authorization*

ECHA invites interested parties to comment on Trichloroethylene as part of the consultation process regarding the drafted 3rd recommendation for inclusion of substances in Annex XIV of REACH

Dear Valued Customer,

we want to follow-up on our 3rd information letter you recently have received by providing you more details about ECHA's call for comments on its drafted 3rd recommendation for inclusion of substances in Annex XIV. And we want to invite you to participate in ECHA's consultation of interested parties.

Commenting from downstream users is very valuable as it puts the interest of supplying industry into perspective and it is important to support the continuous safe use of Trichloroethylene. Deadline for comments is September 14th 2011.

The comments will serve ECHA to develop its recommendation to the EU commission for the entry into Annex XIV of REACH. This recommendation will have to contain - in accordance with Article 58(1)- proposals for:

- uses exempted from authorisation requirements, if any
- the sunset date: date from which placing on the market is prohibited unless authorisation is granted,
- the application date: date by which applications for authorisation must be submitted to allow continued uses after the sunset date until a decision on the application for authorisation is taken,
- review periods for certain uses, if appropriate

Comments received may specifically influence ECHA's proposals on exemptions, the sunset date and review periods.

Your use of Trichloroethylene has been identified as a use which eventually becomes subject to authorization. In order to influence ECHA's proposals as well as to prepare the ground for an authorization request we ask you **to provide comments to ECHA on your particular use.**

This public consultation is probably the last official opportunity to submit comments from industry and downstream users before Trichloroethylene will be included into ANNEX XIV. In order to already explain that your use is safe and risk is adequately controlled, as well as discussing issues with substitution and downsides of potential substitutes, we propose to submit your comments now. You might want to lay down a potential timeline for substitution if necessary so that ECHA can take into consideration a respective determination of the sunset date and application date.

Regarding the later authorization request, we expect that it can be sufficiently demonstrated that the risk of certain uses is adequately controlled based on the

- respective safe use calculation in the chemical safety report (CSR),
- the fact that an OEL of 10ppm was published by SCOEL, is part of the REACH dossier as long-term worker DNEL and will be included into the 4th ATP of the chemical agents directive 98/24/EC. The safe use calculations and respective risk measurement measures in the CSR are based on this OEL,

and therefore an authorisation will be granted based on the REACH Regulation, which states in Article 60 (Granting of Authorization):

... Authorisation for a use of a substance will be granted if the applicant can demonstrate that the risk from this specific use is adequately controlled ... as documented in the applicant's chemical safety report, taking into account the opinion of the Committee for Risk Assessment.

According to Article 62 (Application for Authorization) the potential Authorisation request should include:

(e) an analysis of the alternatives considering their risks and the technical and economic feasibility of substitution and including, if appropriate information about any relevant research and development activities by the applicant

In summary you might want to consider sending comments:

- on your particular conditions of safe use, minimization of exposure, implementation of RMM's.
- Substitution issues, potential negative effects/downside of substitutes and potential timeline if substitution is unavoidable. Please also include comments on whether the transfer to alternatives would result in reduced overall risks to human health and the environment as this is the aim of substitution.
- Other socio-economic effects on your business (financial impact on your business, potential employee reduction etc). The CEFIC guidance document on authorization states: even if an applicant considers that the risk is adequately controlled, it would still be good to provide also evidence on socio-economic benefits outweighing the risks.
- Specific advantages of Trichloroethylene versus other solvents (cleaning effectiveness, recyclability, therefore low volume use in comp. with other solvents etc).
- Arguments which may influence the review period like the need for longer review periods to protect investments and ensure competitiveness, etc.

You can submit your comments directly to ECHA via the ECHA homepage:

http://echa.europa.eu/consultations/authorisation/draft_recommendations/recommendations_en.asp