

Epoxy Resins producers information on

UBA-BAUA RESTRICTION PROPOSAL

Background

The German Federal Environmental Protection Agency (Umweltbundesamt, UBA) in cooperation with the German Federal Institute of Occupational Safety and Health (Bundesamt für Arbeitsschutz, BAUA) announced plans for restricting uses of BPA that lead to releases of BPA to the environment. However, the actual scope of the restriction was only outlined broadly and not defined to a greater level of detail.

Following that announcement, stakeholders are invited to provide data on their uses and provide data related to the use of BPA and/or BPA-based polymers. Of special interest to the authorities are a description and quantification of use scenarios which do or do not release BPA to environmental compartments such as water, air, sediment and soil." (see "Call for Evidence" below).

The intention for the restriction has been submitted by BAUA and [published on the ECHA website](#).

Possible Timeline:

- BAUA and UBA anticipate submission of the Annex XV restriction dossier on October 1, 2021 at the latest, followed by a conformity check and subsequently followed by a formal public consultation of the dossier (early 2022)
- Parallel to the public consultation, the Risk Assessment Committee (RAC) and the Socio-Economic Analysis Committee (SEAC) will develop their opinions and provide them via ECHA to the EU Commission (late 2022 / early 2023)
- The EU Commission will develop a restriction proposal for the amendment of Annex XVII within 3 months after receipt of the committee opinions and taking into account the results of the public consultation (2023 final dossier to Commission)
- The final decision on the restriction proposal is taken through the comitology process. Upon conclusion of this process, the restriction is added to REACH Annex XVII (anticipated earliest autumn 2024)

Possible Impact on Epoxy technology

While the scope of the restriction is not clear based on the information provided in the announcement or in the published intention, additive uses of BPA in general, but possibly including hardeners formulated with BPA, are anticipated to be subject to the proposed restriction. Where applicable, ERC members have, or are in the process of, reformulating such products in line with market developments.

The ERC will follow-up with UBA to better understand the reference to limits for release rates of BPA to the environment from articles.

Based on data produced by the ERC and provided to the UBA, releases of BPA from articles is minimal. Recent modelling studies, also shared with UBA, have shown that less than 1% of the emissions to the environment are related to polymerised materials. Any data available in the value chain that further corroborates this aspect should be provided to the process (see below).

Calls for Evidence:

Within the above-mentioned stakeholder consultation UBA/BAUA also announced an informal "Call for Evidence" as part of the restriction drafting. This informal process will likely be initiated in 2020 and is expected to last for 3 months. Stakeholders are invited to provide evidence concerning Hazard and Risk related to uses, economic and technical impact, costs, and alternatives (see addendum for more details). ERC may reach out to stakeholders to understand what additional information is available in the value chain possibly relevant for this process.

EChA has now opened the call for comments and evidence to allow interested parties to signal their interest and express their views and concerns in the preparatory phase of the restriction proposal. The process has been launched on October 14th and will close on January 15th 2021. The information gathered will provide an input into developing Annex XV restriction dossiers or other documents.

<https://echa.europa.eu/fr/calls-for-comments-and-evidence>

STATEMENT

The Epoxy Resin Committee (ERC) will actively participate in this Call for Evidence and provide data to support this. ERC will also continue the discussion with UBA on the restriction proposal with the goal of clarifying and simplifying the proposed restriction such that it achieves the goal of reducing the level in the environment without affecting uses of epoxy unnecessarily.

In addition, the ERC strongly encourages other industry stakeholders to contribute to the Call for Evidence with useful information supporting the design of a science facts-based and risk-proportionate restriction proposal.

For any further information Please contact:

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Addendum: Call for Evidence by UBA

Restriction - bisphenol A

Call for evidence

Hazard & Risk	Costs	Alternatives
<ul style="list-style-type: none"> • Description of uses • Quantities used • Quantified release estimates <ul style="list-style-type: none"> ⑩ Production ⑩ Service life ⑩ End of life • Market share • Share of imported products in the market • Relevance of exports 	<ul style="list-style-type: none"> • Economic impacts expected <ul style="list-style-type: none"> ⑩ Annual ⑩ over 20 years • Investments needed • Impact of different transitional periods • Impact of performance loss • Impact on imports/exports • Other consequences 	<ul style="list-style-type: none"> • Availability of alternatives <ul style="list-style-type: none"> ⑩ what alternatives ? ⑩ information on hazards and risks of alternatives • Detailed substitution plan (in case of longer transition period) • Obstacles to substitution <ul style="list-style-type: none"> ⑩ Costs ⑩ Impact on performance ⑩ Other

➔ Derogations are considered use specific – not user specific. It is important to gather individual information on emissions, costs and availability of alternatives. But it is also important to understand, how your submitted data relates to the overall market for a specific use.

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Extracted from UBA presentation (September 2020)