

# International Environment Council Deadline within REACH

'Recycling is a very difficult subject for those dealing with REACH, and REACH is a very difficult subject for those dealing in recycling,' it was acknowledged at the latest meeting of the International Environment Council. However, guest speakers in Düsseldorf looked to provide their recycling industry audience with a tailored insight into the EU's chemical regulation which is now entering a crucial phase.

**A** message for all European recyclers: by the time this issue of Recycling International lands on your doorstep, you should still have time - and it may be time very well spent - to assess your options in relation to the EU's regulation on the Registration, Evaluation and Authorisation of Chemicals.

Devoted almost entirely to this regulation more commonly referred to as REACH, the Düsseldorf meeting of the International Environment Council (IEC) was indeed timely because it coincided with renewed advice on the subject from the European Commission and because it provided the opportunity to underline the importance of an associated and rapidly-approaching 'pre-registration' deadline.

## Relief for recyclers

The aim of REACH is to make persons placing chemicals on the market - such as manufacturers and importers - responsible for understanding and



BIR's Environmental & Technical Director Ross Bartley (left) and the newly-elected Chairman of the International Environment Council Olivier François of Galloometal in Belgium.

managing the risks associated with their use. In effect, the regulation applies to such operators the burden of 'proof of safeness'.

Chemical substances on their own, in preparations and those which are intentionally released from articles must be registered with the European Chemicals Agency (ECHA) by December 1 2008. The regulation applies to substances manufactured in, or imported to, the EU in annual quantities of 1 tonne or more per company, unless the regulation indicates otherwise.

REACH provides relief for recyclers by exempting from registration recovered substances that have been registered previously. But since there is no certainty that registrations would have already been completed by December 1 this year, final recovery installations are being advised to pre-register their manufactured substances in order to cover their activities until registration of those substances has taken place. The European Commission recently reiterated the need to pre-register recovered substances that have ceased to be waste under the EU's REACH regulation by the start of next month. At the Düsseldorf meeting, the IEC's new Chairman, Olivier François of Galloometal in Belgium, underlined the importance to recyclers of paying due attention to this pre-registration advice. 'We have to be on the safe side,' he explained.



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Given that companies which pre-register their substances can benefit from extended registration deadlines, 'this will give us two years to prepare for the future'.

## Free of charge

Pre-registration is a simple, free-of-charge procedure and requires provision of only limited data such as contact details, name of substance and tonnage band, it was stressed in Düsseldorf. Guest speaker Kees Wielenga of Netherlands-based FFact Management Consultants noted that pre-registration of substances by December 1 2008 would secure not only an extended deadline for registration but also the certainty of access to the market. And he urged recyclers not to wait until the final available day to pre-register because website access could be slow.

It could be argued that substances emerging from recovery and recycling processes have all been put on the market by a manufacturer or importer at some earlier point in their life-cycle, and that therefore the responsibility of registration lies with these parties. Indeed, there is no obligation to register the same substance a second time - but its registration status should be checked and companies handling it should be in a position to supply their clients with data on its safe use, Mr Wielenga explained.

## Salient issues

Dr Otto Linher, Head of Sector at Unit G.1 REACH within the European Commission's DG Enterprise and Industry, acknowledged the complexity of REACH for those working within the recycling industry. For this reason, he used his own guest presentation and a subsequent question-and-answer session at the IEC meeting in Düsseldorf to tackle some of the relevant issues surrounding this regulation. In terms of specific materials, he noted that pure metals such as iron are substances under REACH even if containing impurities, whereas alloys will normally be regarded as preparations. 'It will be necessary to distinguish between substances in a preparation and impurities,' he pointed out.

Dr Linher also noted that cellulose pulp is specifically exempted from pre-registration and registration requirements under REACH. For plastics, meanwhile, pre-registration and registration procedures will apply to monomers rather than polymers because of the huge number of permutations of the latter. □

IEC's guest speaker Kees Wielenga of Netherlands-based FFact Management Consultants.

