Message

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Subject: News Articles (For EPA Distribution Only)

BNA DAILY ENVIRONMENT REPORT ARTICLES

Maine, Vermont Join Plastic Bag-Ban Bandwagon

By Adrianne Appel

Posted June 17, 2019, 6:35 PM

Maine and Vermont are the third and fourth U.S. states to ban single-use plastic bags in an effort to limit plastic pollution in oceans and waterways.

Vermont to Have Nation's Toughest School Lead Level

By Adrianne Appel

Posted June 17, 2019, 4:55 PM

Vermont will launch the toughest school lead testing program in the nation under a law signed June 17 by Gov. Phil Scott (R).

New Framework Advocates for Phasing Out PFAS Chemicals

By Maya Goldman

Posted June 17, 2019, 1:48 PM

A new framework for mitigating the harmful effects of PFAS suggests that companies stop using nonstick chemicals in products where they're not essential.

INSIDEEPA.COM ARTICLES

Trump Executive Order Could End Host Of EPA Advisory Committees

Key EPA advisory committees governing air quality policy, children's health, environmental justice and environmental finance are among more than a dozen facing elimination after President Donald Trump issued an order requiring EPA and other agencies to disband one-third of their federal advisory committees (FACs) by Sept. 30.

Critics Hint At Suit On EPA Plan To Curb Workers' Methylene Chloride Risks

Environmental and labor groups are suggesting they may sue the agency if it proceeds with its proposed training program for commercial users of paint-stripping products containing methylene chloride, charging the agency has failed to justify its approach after the Obama administration found the chemical posed unreasonable risks to workers.

EPA seeks advisors to review updates to economics guide

EPA is planning to ask a new SAB panel to review broad changes to its guidelines for how it assesses the costs and benefits of its regulations.

Senators urge IG to probe EPA's use of TRI data

"We request that the IG examine how EPA currently uses and historically has used TRI, NATA, and other information to identify and respond to potential threats to human health," the senators write.

HSIA details issues in suit over EPA's methylene chloride ban

A chemical industry group is detailing the issues it wants a federal appellate court to address as it weighs its challenge to EPA's ban on consumer uses of methylene chloride in paint strippers.

Former EPA Chiefs' Warnings Spur Democrats To Vow Science Oversight

House Democrats are vowing to pursue new oversight hearings of the Trump EPA's deregulatory agenda after a bipartisan group of former agency administrators testified that the administration is bypassing sound science in favor of cutting industry costs, though the lawmakers did not identify steps that could limit or reverse the rollbacks.

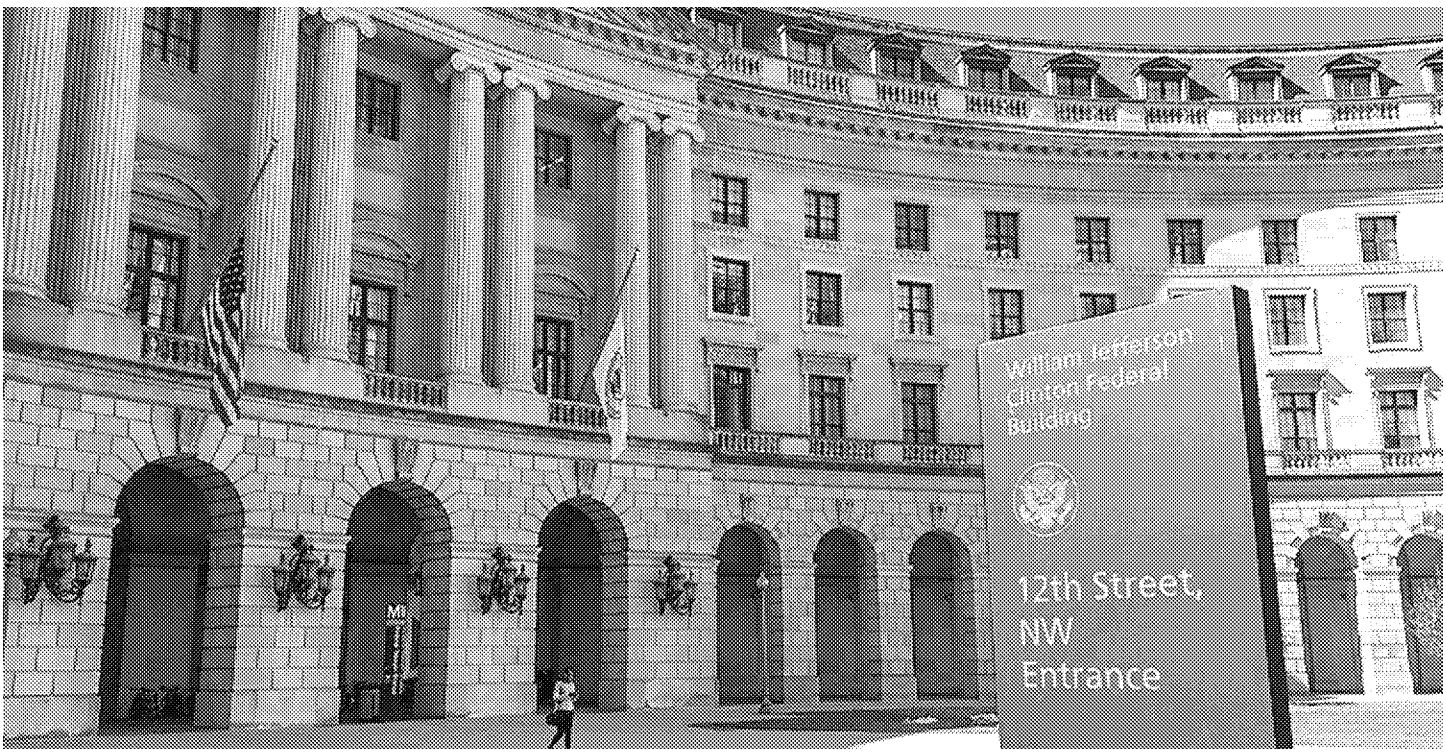
EPA Advisors Urged To Weigh Data For Key TSCA Risk Finding On PV29

Environmentalists are urging EPA science advisors ahead of their upcoming meeting to examine whether the agency provided adequate data for its draft conclusion that pigment violet 29 (PV29) does not pose unreasonable risk, stepping up their long-running effort to challenge EPA's first assessment of an existing chemical under the revised toxics law.

GREENWIRE ARTICLES

Trump order targets advisory committees

Niina H. Farah, Kevin Bogardus and Michael Doyle, E&E News reporters Published: Monday, June 17, 2019



EPA headquarters in Washington. Robin Bravender/E&E News

More than half of EPA's science advisory committees could be vulnerable to repeal by the end of the fiscal year under an executive order released Friday.

The president is requiring federal agencies to make swift and deep cuts to the number of panels that provide regulators with independent policy guidance.

The order mandates that agencies review the effectiveness of committee and eliminate by Sept. 30 "at least" a third of eligible panels established under the Federal Advisory Committee Act.

Trump's order also caps the total number of advisory bodies across the government at 350. That's a sharp decrease from approximately 1,000 total committees at federal agencies at any given time, according to the General Services Administration.

https://www.eenews.net/greenwire/2019/06/17/stories/1060612379

CHEMICAL WATCH ARTICLES

ClientEarth appeals EU ruling on DEHP authorisation in recycled PVC

Judgment creates loopholes for easier recycling of toxic chemicals

18 June 2019 / Europe, Plastics, REACH, SVHCs

NGO ClientEarth is appealing a court decision to uphold the European Commission's authorisation for uses of the phthalate DEHP in recycled PVC – a ruling it says risks prolonging exposure to banned toxic chemicals through waste.

The environmental law charity says the European Court of Justice (CJEU), by refusing an annulment of the authorisation decision in its judgment on 4 April, is "opening a loophole" that would make it easier for companies to recycle toxic waste into new products.

In an appeal filed on 14 June, ClientEarth says the court's judgment on the 2016 authorisation "undermines" the objectives of REACH and is in "clear contradiction" of the principle to put the responsibility on industry to provide the necessary information on risks.

REACH is not meant to prolong the exposure of people and the environment to dangerous chemicals by contaminating recycling streams, it argues.

DEHP, a plastic-softening chemical used to make PVC items, is a substance of very high concern due to its reprotoxic and endocrine-disputing properties.

ClientEarth had sought to overturn the authorisation – granted to waste recycling companies VinyLoop Ferrera, Stena Recycling and Plastic Planet until 2019 – indirectly by challenging the Commission's refusal of its request for an internal review of the decision.

As an NGO it could not challenge the authorisation decision directly before the EU court, but had argued that this was a logical consequence of its legal action.

The court, however, dismissed ClientEarth's arguments as unfounded or inadmissible, saying it could not annul a decision that is not the subject of a direct action, nor could it order the Commission to revoke the authorisation.

NGO barriers

In its appeal against that ruling, ClientEarth complains about the lack of legal tools available to NGOs to try to overturn Commission decisions they disagree with.

Access to EU courts is "already extremely limited", it says, and the DEHP judgment "raises even more barriers" for NGOs to obtain a ruling that the initial decision was "illegal".

"This is not effective access to justice," said ClientEarth lawyer Anne Friel.

"This judgment confirms that the administrative review procedure, which is supposed to compensate for not-for-profit organisations' lack of direct access to the EU courts, is insufficient."

The landmark case has laid bare the conflict between the REACH goal to phase out harmful chemicals on the one hand, and the Commission's ambition to create a circular economy on the other. The decision to allow toxic chemicals in waste streams also contradicts the aim to build a non-toxic environment in the future.

In a recent expert focus column for Chemical Watch, Marcus Navin-Jones, a partner at law firm Keller and Heckman, says that the ClientEarth/DEHP case has far-reaching implications, especially for the concept of "use" in recycled waste.

ClientEarth had disputed the Commission's logic of granting the authorisation on the basis of DEHP's "function" in the recovered material to reduce the amount of plasticisers added in the production of soft PVC articles, whereas REACH only allows SVHC authorisation for intentional use.

But the court has now essentially held that there is still "use" of the SVHC where the substance has a function in a mixture, Mr Navin-Jones says.

This opens up the question of when, if ever, the presence of an SVHC in a recovered or recycled product is so low that it cannot be regarded as having a function within it, he argues.

Clelia Oziel

Europe correspondent

Related Articles

- ClientEarth loses landmark case on recycled PVC authorisation
- ClientEarth seeks to overturn DEHP authorisation
- NGOs call for EU non-toxic strategy before Commission's term ends
- Expert Focus: Key REACH authorisation judgments offer lessons for companies

Further Information:

- Press release

New faces lead Echa teams in management shake up

18 June 2019 / CLP Regulation, Enforcement, Europe, REACH

Echa has appointed Erwin Annys as the head of its newly formed support and enforcement unit.

Mr Annys, who previously served as director of REACH/chemical policy at Cefic from 2008, took up his job in Helsinki earlier this month.

This unit was formed following Echa's reorganisation at the beginning of 2019. It is responsible for:

- giving advice to industry on BPR, CLP and REACH and on the correct use of IT tools for the submission of dossiers and compliance with Echa processes;
- providing support to the secretariat to the BPR, CLP and REACH helpdesks' network (HelpNet); and
- managing the secretariat of the Enforcement Forum to facilitate harmonised enforcement activities by national authorities throughout the EU/EEA.

Echa has also implemented several other management changes recently, including the appointment of Peter Van Der Zandt as director for the risk management directorate in May.

The other new heads of unit are:

- Tiago Pedrosa in the submission and processing unit;
- Stella Jones in the hazard assessment I unit;
- Mark Blainey in the risk assessment I unit; and
- Frank Buchler in the governance, strategy and relations unit (former the executive office).

Additionally, Echa director of evaluation Leena Ylä-Mononen left the agency for the role of director general in the Finnish Ministry of Environment. Meanwhile, cooperation director Andreas Herdina has retired.

Further Information:

- Echa directorates and units

Big Interview: Marco Mensink – steering Cefic in a kaleidoscope world

Mamta Patel speaks to Cefic's director general, Marco Mensink, ahead of its Mid-Century Strategy report launch

18 June 2019 / Europe, Plastics, REACH

Coming into an organisation as an outsider with a mandate to reform is challenging, risky and exhilarating. Two years into his post, this heady mix is in clear evidence when I speak to Marco Mensink on the top floor of the trade association's bespoke designed office in Rue Belliard 40, overlooking the rooftops of central Brussels with (almost) a clear view over to the European Commission's Berlaymont building. The new base symbolises a makeover for Cefic, leaving behind its home of many years in a fusty building in the quiet business district of Auderghem, several kilometres away from the centre of EU policy making.

Described in his official profile as a 'seasoned public affairs professional', I anticipated that Mr Mensink would be adept at portraying the chemical sector association in a positive light and would not wish to dwell on its negative points. I was not wrong. But while he speaks quietly and effortlessly, there is nothing quiet or easy about Mr Mensink's agenda.

Advocacy just got harder

The office move is not just a matter of institutional ego but designed to put Cefic literally in the face of the EU's decision-making institutions because advocacy just got harder. "We at Cefic have a simple goal in life: we are here to engage with policy makers." He speaks expertly of the change in tactics needed when Jean-Claude Juncker took over as European Commission president: "The Juncker Commission is very different to the previous regime under José Manuel Barroso. [Under Barroso] you could engage with policy makers during interservice consultation, flowers grew from the bottom up. But under Junker, now the cabinet gives a box and desk officers can only colour in the box. It means you have to now engage with the cabinets in Berlaymont as well as the desk officers. It means we had to get closer to the centre of Brussels."

Similarly, he says, lobbying for votes in the Council of Ministers or the European Parliament is more complex than a decade ago, when it was usually just a matter of sitting down with the major voting blocs of the UK or Germany with their sizeable chemical manufacturing industries to get them to see your point of view. Now it's a matter of convincing several smaller states that do not have significant chemicals industries and therefore are likely to be less empathetic to industry needs. Months before the European Parliament elections that took place in May, Mr Mensink anticipated the erosion of votes for the big blocs and 'grand coalitions' resulting in a very split parliament and the Greens emerging as kingmakers in several countries. The next Commission, he predicts, will choose between a focus on big issues, such as refugees, security, and the US and global politics, or decide to dig deeper into the detail of its policy and legislation. Either way, "the story is of fundamental change, which means go to the city centre, be where you need to be."

He stops to note: "I don't think I am smarter than others. I have been brought in because what worked in the past is not working now. We need to kick industry to its next growth curve."

Taking stock

What does this future look like? And, for that matter, what was the problem with what industry has done until now? Mr Mensink took his first six months of office to tour Europe to ask these questions of many CEOs and all 31 national member trade associations as well as corporate pundits in Brussels. He continues to be a frequent flyer. He re-evaluated Cefic's vision and mission and then re-evaluated them again a year later. Its public affairs and communications operations have been put on a new footing. He has also hired aggressively, seeking top talent and making it a goal to diversify Cefic, to ensure that 31 nationalities are represented across its 157 staff. He has also commissioned probing studies of the industry's historic growth and future prospects as well as a comprehensive stakeholder review and deep-dives into potentially game changing topics such as blockchain.

It is difficult to imagine his predecessor, who came from within the industry, having had the appetite for such a root and branch review. For many years, and despite the strenuous efforts of some of its leading companies, the sector has struggled to shed its murky image as a profit-led, water abstracting, energy-intensive, carbon dioxide-emitting manufacturer, a source of 'toxic' pollutants and culprit behind several historic industrial accidents. Its flagship voluntary corporate Responsible Care programme was borne out of the public furore surrounding the Bhopal tragedy in 1984. This has since made significant progress but not enough to prevent serious accidents at facilities, even in developed countries and by signatories to Responsible Care.

There is still a way to go on product safety too. The EU's REACH law, the chair of the International Council of Chemical Associations' (ICCA) Responsible Care Leadership Group acknowledged to me during the negotiations leading up to its

adoption, was acknowledged to be a consequence of the industry's failure to deliver on its Product Stewardship programme voluntarily. A global stakeholder opinion survey commissioned by the ICCA in 2005, just a year before the law was adopted, concluded that the industry was still seen at best as 'a necessary evil'. The most recent European Commission Eurobarometer survey on chemical safety, published in 2017, concluded that two out of three EU citizens are concerned about exposure to hazardous chemicals and less than half feel well-informed on the subject.

These perceptions have rumbled on even as, in the last decade, the European chemical industry has fought a number of more recent global challenges, including product commoditisation and loss of competitive lead to Asian manufacturers with cheaper labour and energy costs and likewise to US players when cheap shale gas came on the scene. Market prospects have changed, raw material supplies and energy prices have become unpredictable and currency fluctuations have prematurely aged many company economists. The industry has often bemoaned the loss of its share of the world chemicals market – using this as a lobbying point to stave off stricter regulation as an additional pressure it doesn't need at the moment – even though actually, what it has now is a smaller slice of a much bigger pie.

Looking ahead

'You will never hear me saying the strategy of the past was wrong but you will hear me saying it doesn't work anymore'

Mr Mensink does not like looking back: "You will never hear me saying the strategy of the past was wrong but you will hear me saying it doesn't work anymore."

In the last two years, a 'new issue' has captured boardrooms across the sector – the planetary-scale outcry over plastic waste. That Mr Mensink ascribes this to 'the Blue Planet phenomenon' – the emotive TV documentary showing scenes of contaminated doomed whales – is part of his shark-like tendency to keep moving forward. The looming issue of plastic waste pollution, particularly in developing countries, has been visible and talked about for many years before this. But as a chemical industry representative noted during a Helsinki Chemicals Forum debate in May, no one used to think in terms of linear versus circular economies.

Another long-running and urgent planetary drama – global warming – is focusing corporate minds more than ever on future risks and opportunities fuelled by energy demand projections, governmental policies and effective provocation from, most recently, student strikes and dramatic campaign group activities drawing attention to the need for urgent action. The chemical sector has long been forcing the energy intensity of chemicals production downwards and has been active in the EU's carbon emission trading scheme. But it has been keen for some time to change the conversation on how it can help other sectors – its customers – to do the same and reduce carbon dioxide emissions. Descriptors such as the 'industry of industries' and 'solutions provider' are now frequently tested and Cefic plans to bring them home.

Similarly, he wants to turn REACH compliance from a challenge into an opportunity. At the end of the first decade of compliance with one of the EU's most complex and ambitious laws, the chemical industry continues to face criticism, most recently in a new campaign by German group Bund about non-compliant registration dossiers. Some in the industry have felt aggrieved at the continuing attacks, after what they feel have been strenuous efforts to comply with the law through a process that has required learning on the part of both regulators and companies. Cefic says it is working on an action plan to address dossier quality issues.

While the organisation takes seriously Echa's view of the need to improve dossier compliance, Mr Mensink says, he wants the agency to support the industry in pursuing a bigger agenda in future. In Helsinki in 2018, he announced a memorandum of understanding with the agency, pledging to continue to work closely with them on its journey to assess and manage the safety of chemicals on the EU market. Alongside this, he sought regulatory and policy support to create a "smart REACH foreign policy".

Smart REACH foreign policy

Europe is taking a different path to other major economies, he observes. Its direction is dictated by the economic, planetary and societal forces described above, specific resource constraints such as the lack of cheap gas reserves for fuel and feedstock and anticipated disruptive geopolitical forces. "We are moving to a much more fragmented world," he told Chemical Watch's Global Business Summit in March. Alongside the sporadic trade spats already being witnessed and the growth potential of China and India, he drew particular attention to African development. "Very soon we will have more Nigerians than Europeans but by the end of the century we will have eight times more Africans than Europeans ... The most gigantic market is opening up just south of Europe which we either leave to the Chinese ... or Europe takes charge and starts supplying that market." He pointed to Jean-Claude Junker mentioning an Africa policy for Europe in last year's state of the union address, concluding "we don't think Europe is going to change course on this policy."

In this fragmented world, he says: "You have something weird going on. You have Europe doing its own thing." That 'thing' is its insistence on higher environmental and health standards and its pledge on a circular economy. No other economic bloc appears to be prioritising these issues. "We can either shout 'it is all horrible in Europe' or we can find a solution."

A multi-stakeholder survey Cefic commissioned last year delivered some additional food for thought about the association's views particularly concerning the need for regulation. The Delphi foresighting exercise was run by the Copenhagen Institute for Future Studies and asked more than 300 people, around two thirds of whom were experts from the chemical industry, whether they agreed or disagreed with several key assumptions made in a previous study on what the chemicals industry should and would look like in 2050. The sole and key area of difference between chemical industry and non-chemical experts that the survey report highlights is that: "Chemical experts tended to view regulation as a constraint whereas non-chemical experts perceived increasing regulatory requirements as a driver for innovation and competitive differentiation."

Mr Mensink concurs that industry has a regulatory "burden" and that "I don't like it." His train of thought is: "If we in Europe are going to go in a different direction to the rest of the world, which I think we will; if policies develop differently, which I think they do; then you need smart regulation, you need to properly enforce it and then governments should support us in the global market and make sure we get a passport to the world because we have complied with their regulations." For example, Cefic believes the European Commission and EU governments should insist on compliance with chemical standards, such as the GHS, as a prerequisite for trade deals with other countries. That way they would be levelling the playing field for their own industry.

The ICCA also has a key role to play in this levelling effort. In the last year, Mr Mensink has been instrumental in getting China and India to join the body currently with 'observer' status alongside the Russian Federation and begin to play an active role in promoting Responsible Care. It provides another mechanism for capacity building and raising standards globally so that European companies are not unfairly penalised for complying with more stringent rules.

The Delphi report was a key step in helping Cefic to finalise two years of work to guide the chemical industry to future prosperity, led by Dow Chemical's chief economist Rafael Cayuela. This collective thinking is embodied in a heavily trailed Mid-Century Strategy report due to be launched in June. The report constitutes a proposal to redefine 'the European way' and signpost how the European chemicals industry can get ahead of events to help shape them rather than just reacting to them.

The kaleidoscope

The starting point for Cefic's thinking was accepting that the days of comfortable scenarios and economic and political forecasts is over. It's now a case of foresighting rather than forecasting, Mr Mensink explains.

'If you look at all the trends that could potentially have an impact on the chemicals sector and if each trend is represented by a different colour then the world looks different depending on the turn of events and disruptors'

"If you look at all the trends that could potentially have an impact on the chemicals sector and if each trend is represented by a different colour then the world looks different depending on the turn of events and disruptors." To make this point he presented me with a cardboard kaleidoscope – a gift he also gave to each of Cefic's members to make the same point.

How to steer a course through such times? It requires a lot of work and a willingness to pose questions for which there are, as yet, no answers, he says. For example, Cefic last launched a report in combination with 11 energy intensive manufacturing sectors such as steel, glass, cement and glass, to assess how much energy they are projected to need to meet their growth ambitions. It concluded that they will need five times as much power as today but without relying on nuclear, coal or lignite fuels. "How can we do this? We don't know the answer. That is the reality. So the question becomes how do we engage with policy makers to enable us to meet our needs, for example, how can we create hydrogen grids across Europe? That is a much more fun place to be than reacting to policy and regulation. But it also means that Cefic's structure needs to change; that industry will need to work with government; and society will need to recognise that [the products and services] it needs and wants come at a cost."

Integration is a big part of the solution – or 'Verbund square' – as Mr Mensink refers to it, citing BASF's famous Verbund concept of manufacturing which links plants and transport on a site to optimise use of feedstocks, byproducts, waste, energy efficiency and logistics. Only he sees this being applied across Europe. The industry, he says, has always looked inwards to find answers to new challenges. It needs to look up and see the huge unused advantages that exist on its doorstep. "We are not going to beat the US on shale gas, the Chinese on the number of engineers, or the US on the number of lawyers. So what will be the European thing that drives us forward? The answer is that we believe we are rather smart and we all live close together. We also have a massive untapped resource: waste. Circularity then becomes a key solution for chemicals, cement, steel and many other sectors. But you have to go outside your borders and comfort zones to achieve the solutions. If we can find a way to use waste as a feedstock at a reasonable price, then why not see that as an opportunity?" Extracting value from waste is not a new concept and has already been successfully exploited by many other sectors, "so we know it can be done".

Innovation by integration

Integration as a theme has gained traction globally in recent years and is already happening, he notes. For example, several Cefic members have just signed up to the Alliance to End Plastic Waste alongside waste players. While Cefic is coming up with a plan to guide its membership, many of its member companies are already way ahead in pursuing similar visions. He points to case studies such as Arcelor-Mittal and Dowworking to take waste gases from steel plants to capture these and re-use them as a feedstock. There is a project to convert textiles to new polyethylene and cellulose feedstocks. Solvay and Covestro have been working with the aerospace sector to develop a solar powered plane, spurring the foundation of the World Alliance for Efficient Solutions, itself attracting a mix of chemicals, materials, energy and waste companies. Another project is exploring recycling of wind turbine blades and solar panels which threatens to become a 'plastics issue' of the future unless a solution is found. Europe made a big mistake in allowing production of these new technologies to escape to China, he opines. Instead manufacturing should have benefited here, and then again from the dismantling and re-use of materials. It is no accident that another trade body, Wind Europe, leases office space in Cefic's new building alongside a number of other useful associations.

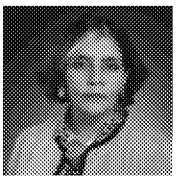
But where the integration rubber hits the road is when it is applied to the concept of chemical recycling, Mr Mensink says. He is excited by its potential not only to tackle the waste challenge but to provide a cheaper feedstock, while neatly addressing the problems caused by hazardous chemicals in legacy products. The concept involves the generation of new feedstocks from waste materials using solvent-based, pyrolysis-based, or syngas-based technologies.

Cefic has joined forces with Plastics Europe (also based at Rue Belliard 40) to lead a European Alliance for Chemical Recycling which already has 23 trade body members. Shortly to be launched, the body brings together upstream chemical firms with downstream product manufacturers, energy and waste companies. "All the big firms are working with us which is super-cool." A lot of work will be needed to take the concept to a Europe-wide solution and Cefic knows it will have to address scepticism that chemical recycling is a way to get around substituting hazardous chemicals, that it is incineration by another name and questions around the mass and energy balances of technologies. The organisation wants the European Commission to work with it to develop a package of policies and regulations to enable the potential of chemical recycling within two years. It needs a legal definition for chemical recycling, interpretation of volume credit systems, standards to be agreed, sorting practices to be defined. It also needs regulatory and financial support to fund pilot projects. Chemical recycling can become part of the solution alongside mechanical recycling and incineration, he says. "We see an enormous opportunity for new feedstocks. We don't like the term 'non-toxic environment' and are therefore pushing the Commission really hard to work with us on an innovation strategy for the chemicals sector, part of which involves circularity."

Nowhere left to hide

Another global driver that will force the industry to deal with legacy hazardous chemicals as well as help it to manage their risks and those of present and future chemicals is digitalisation – a key theme of the Mid-Century Strategy report. "Digitalisation is about to explode. Transparency will increase. Data availability will grow exponentially. The world is becoming a very small place. Meanwhile, monitoring technology is evolving rapidly to facilitate detection of chemicals in humans, wastewater, ecosystems in ways never before possible.

"Consumers are going to have so much more data. Look at the enormous database at Echa – it is not a question of if, but when it can apply artificial intelligence to start using this powerfully. In future, will you be able to have toxic substances in a product coming from China and presume the consumer won't know? The answer is no." The strategy will emphasise that "as a concept of the future it makes a lot of sense that we put a lot of effort into understanding where our chemistry goes and when it comes back and how we treat it. And this is besides cleaning up our legacy."



Mamta Patel

CEO Chemical Watch

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Japanese companies transferring registrations to EU27 ORs ahead of Brexit

No 'critical difficulties' expected but some disruption may arise

18 June 2019 / Brexit, Chemical production & transport, Japan

Japanese chemical consultancy, Sumika Chemical Analysis Service, has told Chemical Watch it believes Brexit will have a minimal effect on Japanese chemical companies because those that had UK-based only representatives (ORs) have transferred their registrations to companies outside the UK in a "timely manner".

One major chemical company in Japan operating globally supported this view. A spokesman said that more than half of the company's chemical substances were previously registered by ORs in the UK but, since April, it has moved these to ORs outside of the UK. As a result, the company believes it has taken the steps required to prepare for EU REACH compliance in the event of a no-deal Brexit.

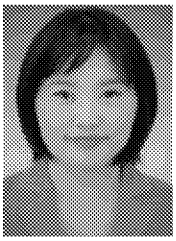
But the spokesman said a number of issues could still arise post-Brexit, including disruptions in logistics, the introduction of tariffs, expiration of licences and registrations, and changes in standards and certifications.

The company is preparing for possible disruption by increasing stock. It is also reorganising internally and making arrangements for any REACH-like regulations the UK introduces after it leaves the EU, the spokesman said. And it is not currently considering adjustments in production or changes to its supply chain.

The Japan Chemical Industry Association (JCIA) – the country's major industry association – said that, while it is endeavouring to support its member companies by sharing relevant information and conveying their concerns regarding Brexit to the authorities, such as the Ministry of Economy, Trade and Industry (Meti), they have not heard about any "critical difficulties" from member companies in that process.

In December 2018, the EU and Japan signed a multi-billion dollar Economic Partnership Agreement, which removed trade barriers between the two. The UK will no longer be a partner to the agreement after it leaves the EU, which is expected on 31 October.

According to data compiled by Nomura Research Institute for Meti, Japan was ranked as the third largest chemical distributor in the world as of 2017, behind China and the US. Japan exported a total of US$10bn worth of chemical products to the EU in 2015, representing 10% of its total exports.



Miyo Ikushima

Reporter

Further Information:

- JCIA website

Swedish chemicals agency extends mercury ban exemptions

18 June 2019 / Alternatives assessment & substitution, Metals

The Swedish chemicals agency (Kemi) has extended certain exemptions from its national ban on mercury by three years.

A general ban on mercury use in the country has been in place since 2009, but exceptions have been made.

Kemi has previously granted a number of time-limited exemptions for certain analytical chemicals, instruments and equipment. Following a review it has decided to extend these for another three years.

The exceptions extended until 31 December 2022 are:

- mercury compounds for analysis according to international standard methods in pharmaceuticals. Some of these standard methods require that mercury compounds be used;
- mercury compounds for analysis of Chemical Oxygen Demand (COD) and in ampoules for COD analysis. COD is a method for measuring how much organic material is present in wastewater and sludge. There are statutory requirements that such a measurement should be done when cleaning waste water and there is still no fully functional alternative to COD analysis without the use of mercury; and
- mercury for analysis and research and development in medical diagnostics. The substance is still used in the diagnosis of eight hereditary diseases with the collective name porphyria. New analytical methods without mercury are being developed, but it can take up to three years before the use of mercury can be phased out altogether.

Related Articles

- Sweden extends three exemptions from mercury ban
- Global treaty on mercury enters into force

Further Information:

- Press release (in Swedish)

EU plastic ban 'bad' for circular economy – Belgian trade body

18 June 2019 / Alternatives assessment & substitution, Europe, Personal care, Plastics, REACH, Substances of concern

The EU's plastic ban includes many "legal ambiguities" which go "against" the principles of the circular economy, the Belgian federation of polymer producers and plastic processors said.

Essenscia PolyMatters' criticism follows the publication of the single-use plastics Directive on 12 June. This introduces restrictions on products, such as plastic plates, straws and balloon sticks. It also requires manufacturers to avoid using hazardous chemical substances in sanitary towels, tampons and tampon applicators, in the interest of women's health.

The federation said the legislative act is "unclear". In particular, the definition of plastic may lead to the ban of "perfectly recyclable plastics", which is not in line with the circular economy. And, it added, the Directive is mainly "symbolic", as Europe is only responsible for 2% of the plastic waste in the sea.

To tackle this problem first "investment in waste collection and recycling in Asia and Africa" are required, the director of Essenscia PolyMatters said. It is not "by prohibiting certain materials that the amount of litter automatically decreases. This requires a change in mentality," she added.

EU member states now have two years to transpose the Directive. The association also called on Belgian authorities not to prohibit valuable packaging materials.

Speaking at the Helsinki Chemicals Forum last month, Daniel Calleja, director general of the European Commission's DG Environment, said EU policy makers and the chemicals industry need to ensure the safety of products under a circular economy model to instil confidence among consumers.

Related Articles

- EU publishes Directive to restrict single-use plastics
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Further Information:

- Essenscia press release (in Dutch)

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