

REACH, a status report from Nynas - April 2008

What is Reach?

Thousands of chemical substances are manufactured and imported by industries in Europe every year. In order to create common rules for the management of these substances, the EU has decided to introduce new chemicals legislation. It is called Reach – “Registration, Evaluation, Authorisation and Restriction of Chemicals” – and means that all chemicals should be registered with a new agency in Helsinki. The major change is that the companies themselves have to collect information about the substances they manufacture and import. They must also assess the risks that exist and suggest measures to minimise the risks. The aim of the legislation is to provide the best possible protection for people and the environment, both now and in the future.

When does the new legislation come into effect?

Reach is implemented in steps with a start date of 1st June 2007. Before 1st December 2008 the companies concerned by the legislation should have submitted a pre-registration of all the substances they manufacture or import into the EU area in quantities larger than 1 tonne per year. The final registration should be finished by 2018. However, for substances exceeding 1,000 tonnes the due date is 30th November 2010.

Who is affected by Reach?

The new legislation concerns all companies who manufacture, import, distribute or use chemical substances. This means that Nynas is affected in various ways. We produce some substances, import others, while a third category is purchased to be used in our processes and products. There are also companies who make their own preparations, meaning mixtures or solvents comprising two or more substances. They are considered so-called downstream users and not manufacturers. This means that Nynas is affected in various ways. We manufacture some substances, import others, while a third category is purchased to be used in our processes and products.

How is registration carried out?

In order to register, an extensive description of the substance, how it will be used and its health and environmental risks is first required. The larger the quantity, the more stringent the demands on collecting and presenting facts. For substances manufactured or imported in volumes larger than 10 tonnes per year, a chemical safety report is required, which gives a full picture of all health and environmental risks.

When is authorisation a permit needed?

For substances of high concern with particularly large risks, authorisation is required to allow any use whatsoever. Application for authorisation permit for a substance and a particular use must be submitted before a certain date. After this date, it is forbidden to release the substance on the market and to use it, unless the authorisation has been granted you have received a permit. The consideration of authorisation permissibility concerns all substances that are carcinogenic, can affect the genes (mutagens) and/or reproduction (reproductive toxins), as well as some environmentally hazardous substances.

What is required of manufacturers and importers?

The main responsibility for living up to the demands in Reach lies with manufacturers and importers of chemical substances. That responsibility includes pre-registration, collection of facts about the substance and its impact, registration, and communication dissemination of information (primarily through safety data sheets). Companies who use a chemical in a mixture, product or in their production are called downstream users. It is important that downstream users ascertain that the supplier has in fact registered the substance and its use. The users must also apply the safety measures described in the safety data sheet.

What is meant by identified uses?

At the time of registration, there must also be information about how the substance will be used. This is called "identified uses" and guarantees that the substance's field of application has been properly mapped out and the risk assessed. The downstream user should inform the supplier in writing about its field of application in order for it to be considered an identified use. The user must provide the supplier with exposure data, enabling the supplier to make a correct judgement. If the supplier deems the use inappropriate, or the buyer doesn't want to reveal it to the supplier for competitive reasons, responsibility is transferred to the buyer, who must undertake its own registration and produce a chemical safety report.

How is Nynas affected?

- Nynas is primarily a manufacturer of chemical substances, but we are also a downstream user and in some cases an importer. An intensive preparation effort is currently under way in order for us to pre-register and then later register all substances that we manufacture and import.
- A large part of Nynas' work with Reach is conducted within Concawe, which is the oil companies' trade organisation for health, safety and the environment. All member companies actively contribute to the

effort and Nynas is represented by Product HSE in all Concawe's Reach working groups. Although Nynas must carry out its own registrations, just like all other companies, a lot can be prepared jointly. For example, Concawe collects information from the member companies and coordinates the work on making risk assessments and chemical safety reports.

- When it comes to bitumen products, Nynas is active in the trade organisation Eurobitume. Their task is to gather information which is then sent on to Concawe. It is mainly done by describing various situations when bitumen products are used (exposure scenarios). This makes it easier to identify risks and suggest safety measures. However, the few products used at very high temperatures are not included in the examination. Eurobitume has entered into cooperation with several other organisations, such as EAPA (European Asphalt Pavement Association) and BWA (Bitumen Waterproofing Association), in order to further strengthen readiness in the industry.
- All Nynas products are manufactured in volumes larger than 1,000 tonnes annually, which means that they should be registered no later than 30th November 2010. Since we have not yet received the final guidelines concerning the field of application, the complete demands for registration remain unclear. Consequently, we can't guarantee registration for all fields of application.
- Nynas' objective is to work closely with both suppliers and customers. As soon as we receive all the required information about exposure scenarios and fields of application, we will initiate a more active dialogue with the industry's players, especially companies who use bitumen.

Within Nynas, the implementation of Reach is coordinated by Product HSE. If you have any questions concerning Reach you are welcome to contact us via email at hse@nynas.com.

If you have any questions, please contact Product HSE, producthse@nynas.com