EU Monitoring Report

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Brexit

➢ Trade Agreement

- **EU-UK Trade and Cooperation Agreement**

  Source: European Commission

On 1 January 2021, the UK will leave the EU Single Market and Customs Union, and all EU policies. As a result, it will lose all the rights and benefits it had as an EU Member State, and will no longer be covered by the EU's international agreements. This will bring far-reaching changes, affecting citizens, businesses, public administrations and stakeholders in both the EU and the UK. To limit the disruption insofar as possible, the EU and the United Kingdom have spent the past year negotiating the terms of a new "Trade and Cooperation Agreement" to govern their future relations now that the UK is a third country. On 24 December 2020, an agreement in principle was reached at negotiators' level. Both parties will now advance with the signature and ratification of the Agreement, in line with their respective rules and procedures, with a view to its provisional application from 1 January 2021. DG TRADE made a presentation to further explain the EU-UK trade agreement explained through a slide show.

- **UK businesses wake up to hard truths on tariffs**

  Source: Politico

U.K. Prime Minister Boris Johnson may have promised a "tariff-free" post-Brexit trade deal at the end of last year, but British businesses are increasingly sounding the alarm over the scale of potential new duties. Throughout nearly five years of Brexit talks, economists and trade experts repeatedly warned that, even in the best-case scenario, an EU-U.K. accord would only prevent the imposition of tariffs on goods that were predominantly produced in the U.K. Many other goods passing through Britain or distributed from there could face import duties, they warned, but the subject gained only scant attention in mainstream political debate. In the last couple of days, however, the message has sunk in and a growing number of companies have spoken out over the disturbance that new tariffs could cause for exporters.

- **Transfer of UK registrations to the EU to be completed by end of March 2021**

  Source: ECHA

Around 20 % of REACH registrations in the United Kingdom have not been transferred to the EU and will be revoked. To complete the ongoing transfers, EU companies receiving the UK registrations should accept the transfers as soon as possible.

Chemicals

➢ REACH

- **Follow up comments by stakeholders and member states to the CARACAL discussions of November 17-18 2020**

  Source: European Commission

Comments by members states and stakeholders on discussions about "essential uses", on "Occupational Safety and Health", "Assessment of 'More than one constituent substances' (MOCS)", "Implementation of Integrated Regulatory Strategy (IRS) and progress towards the 2027 goal", "polymers", "the Development Plan".

- **Update on the Information Platform for Chemical Monitoring**

  Source: European Commission

IPCHEM provides a wealth of occurrence data on chemicals present in our environment, food, indoor air, and even in our bodies. A JRC report describes recent highlights to show the value of IPCHEM in understanding chemical exposure to achieve key objectives of the Chemicals Strategy for Sustainability.

- **REACH authorisation has positive health and environmental impacts**

  Source: ECHA

The EU-wide requirement for companies to obtain authorisation from the European Commission before using harmful chemicals has sped up substitution and reduced risks to

people's health and the environment - at a reasonable cost. According to ECHA's study on the Socio-economic impacts of REACH authorisations, the authorisation requirement has pushed companies to move away from using substances of very high concern (SVHCs).

Out of 54 chemicals subject to authorisation, the use of almost half has stopped altogether in the EU. Furthermore, the review of existing authorisations shows that even where the use of some chemicals has continued, use volumes have reduced by 97 %. This indicates that uses of authorised chemicals have been extensively replaced.

Where replacing a harmful chemical is not yet feasible, the study estimates the societal benefits of authorising SVHC uses to be almost 20 times greater than the remaining health risks. The benefits relate to the availability of products and services, business maintenance and jobs within the EU.

The authorisation requirement, together with conditions recommended by ECHA's scientific committees, has helped reduce the risks of continued use of SVHCs to people's health and the environment. For example, workers' exposure to hexavalent chromium has lowered, reducing cancer risk in workplaces and helping to meet the requirements of occupational health and safety legislation. In addition, emissions of ethoxylated nonyl- and octylphenols, which are endocrine disrupting chemicals, are projected to decrease by more than 90 % over the next 12 years.

The report has also updated the estimated costs of EU companies applying for authorisation, which amount to close to €200 000 per use applied for, or to €7-9 million for all applications in an average year.

Peter van der Zandt, Director for Risk Management says: "We have analysed over 200 authorisation applications from industry and can see that the authorisation requirement has positive effects on our health and the environment. It has advanced substitution of harmful chemicals and helped to control their risks, while ensuring that European companies can remain competitive."

Under REACH, authorising uses of hazardous chemicals and restricting their placement on the market are two powerful instruments to manage chemical risks. Although their mechanisms work differently, they complement each other to protect health, safeguard the environment and ensure that companies can operate on a level playing field. A separate report on the Costs and benefits of REACH restrictions will be published in mid-February.

Access the study: ***Socio-economic impacts of REACH authorisations***

- **New Consolidated list of approved active substances**

  Source: European Commission

The European Commission has published an updated version of the Implementing Regulation No 540/2011 of 25 May 2011 as regards the list of approved active substances.

- **Follow up comments by stakeholders and member states to the CARACAL Sub-group on Information Requirements meeting of October 22 2020**

  Source: European Commission

Comments by members states and stakeholders on discussions including "environmental toxicity".

➢ SCIP

- **SCIP duty kicks in: 5 million notifications received for harmful chemicals in products**

  Source: ECHA

Since 5 January, companies have had to submit data to ECHA on chemicals of concern in their products. Over five million notifications have already been received in the SCIP database, and the data will be published in the coming months.

➢ BPA

- **Court confirms bisphenol A as an endocrine disrupter to environment**

  Source: EU Court of Justice

On 16 December 2020, the General Court issued a judgment in case T-207/18 dismissing in its entirety an action brought against ECHA's decision to include bisphenol A in the Candidate List on the basis that it is a substance of a very high concern with endocrine-disrupting properties for the environment. The Court found that the applicant failed to demonstrate any legal or scientific error by ECHA rendering the identification as unlawful or implausible.

Judgment

➢ Biocides

- **Biocides review programme deadline will not be met, ECHA predicts**

Source: Chemical Watch

EU authorities will not meet the 2024 legal deadline to complete the biocides review programme, Echa has said in an official report.

The agency's prediction is based on a survey of EU member state competent authorities (CA) for biocides. It asked them to provide their plans and expected timings for finishing the assessments of biocidal substance dossiers that are assigned to them.

According to the competent authorities, 67% of the remaining substance dossiers will be submitted to Echa in time to meet the review programme deadline of 31 December 2024. The CAs submit an assessment report to the agency, which then peer reviews it before the substance evaluation can be finalised.

A "large number" of dossiers would be submitted during 2024 and, by the end of 2024, Echa should have received 90% of the assessments, the agency said in a report presented to a meeting of the CAs for biocides this month.

Echa expects 16 evaluations in 2025 or later. For 15 evaluations, the CA could not provide any timings, because of national court cases, CLH issues or pending results of ongoing tier testing, Echa reports. For another 26, the agency received no information from CAs.

Based on the survey, "it appears that the finalisation of the review programme will not meet the 2024 deadline, but most of the cases would be finalised by the end of 2025," the agency said.

Competent authorities themselves have become increasingly sceptical about their ability to meet the 2024 legal deadline, often blaming delays on the demanding nature of the processes and the high workload member state authorities face.

But the European Commission has said that it is not currently considering an extension to the review programme. The EU executive is waiting for discussions with the European Parliament and Council before making any decisions on the matter. These will be based around the Commission's first official report on the functioning of the BPR, which it is due to submit to the European Parliament and Council next year.

Union authorisation

The BPR also foresees that the authorisation of biocidal products via the Union procedure shall be granted, at the latest, three years after the approval of the relevant active substances.

These applications will almost all be granted beyond the legally required three years after approval of the relevant active substances, according to Echa's report: "This will mean that the existing products will remain longer on the market under transitional law."

Cases will on average exceed the deadline by 766 days, Echa predicts.

Reducing delays

Echa is counting on detailed planning to reduce the delays in the review programme. This would allow CAs to check when similar evaluations are close to finalisation and exchange information with other member states, the agency said.

Echa has already started to revise its own work practices and to prepare for the years ahead, it said. It will propose ways to streamline processes for CAs, the agency's Biocidal Products Committee (BPC) and BPC working groups.

And earlier this year, the agency presented an action plan to speed up the review of biocidal active substances.

The agency also plans to update its CA survey and report each year.

- **Article 95 update for biocidal products**

  Source: ECHA

Article 95 has been updated and includes new suppliers of biocides.

As a reminder, ECHA is responsible for the publication of the list of relevant substances and the respective substance and product suppliers, in accordance with Article 95 of the Biocidal Products Regulation (BPR). The purpose of this list is to "ensure the equal treatment of persons placing active substances on the market".

The following changes occurred:

- Active chlorine generated from sodium chloride by for PT11 submitted by aquagroup AG
- Active chlorine generated from sodium chloride by electrolysis (Redefined from Active Chlorine: manufactured by the reaction of hypochlorous acid and sodium hypochlorite produced in situ) for PT1, PT2, PT3, PT4 and PT5 submitted by OIAX AB
- Active chlorine released from hypochlorous acid (Redefined from Active Chlorine: manufactured by the reaction of hypochlorous acid and sodium hypochlorite produced in situ) for PT1, PT2, PT3, PT4 and PT5 submitted by OIAX AB

- **ECHA review programme: Update of the list of notification**

  Source: ECHA

The list includes active substance/product-type combinations for which ECHA has not received a notification or for which ECHA has issued a declaration of non-compliance. These active substance/product-type combinations will be removed from the review programme. For these substances, the Commission is to take a non-approval decision. The maximum phase-out periods, after the date of the decision not to approve and subject to national laws, are 12 months for the making available on the market of the products and 18 months for using those products.

Section Ib: substances for which no active substance application was submitted by the deadline indicated in the last column (or other types of timely withdrawals were made, as per Article 11 RPR). These substances are expected to be removed from the review programme by a Commission non-approval decision:

Active substance	EC number	CAS number	Product Type(s)	Deadline for active substance application
Chlorine dioxide generated from sodium chlorite and sodium persulfate	n/a	n/a	2, 3, 4, 5, 11	n/a

➢ Workers' exposure

- **Vulnerable workers and dangerous substances**

  Source: European Commission

The European Agency for Safety and Health at Work (EU-OSHA) is running a Europe-wide campaign during 2018 and 2019 to promote the prevention of risks from dangerous substances in workplaces. The aim is to reduce the presence of and exposure to dangerous substances in workplaces by raising awareness of the risks and of effective ways of preventing them.

➢ Endocrine disruptors

- **European Parliament accepts reprieve for EDCs used to fight Covid-19**

  Source: Chemical Watch

The European Parliament's environment committee (ENVI) has passed a recommendation that will allow a delay to REACH regulatory measures against a group of endocrine disrupting chemicals (EDCs) considered important in the fight against Covid-19.

The committee passed a 'no objection' recommendation on 9 December for a draft Commission regulation, which postpones the sunset date for the REACH authorised substance group 4-(1,1,3,3-tetramethylbutyl)phenol, ethoxylated (OPnEO) by 36 months after its entry into law.

The group is currently on the Annex XIV REACH authorisation list with a 4 January sunset date. The regulation allows the use of OPnEO in the research, development and production of medicinal products, medical devices and their accessories.

ENVI's decision means that it will not need to pass through the two-month period of regulatory scrutiny which ordinarily accompanies draft regulations. The rest of the Parliament did not raise objections in the allocated time during its plenary session on 14-16 December, meaning that the Commission is free to adopt it.

Energy

➢ Heat pump

- **Three ways to cut Europe's heating bill**

  Source: Euractiv

Industrial heat uses masses of energy and emits large volumes of CO2 – here's how its impact on the planet can be reduced. Heat is the single largest energy use in the world. Heating water, our homes and industrial processes accounts for more than half of all energy demand globally. Just over half of the heat produced is used in industry – most of the rest goes on heating water, homes and buildings.

Only 10% of this heat is generated from renewable sources, which means that it has a huge carbon footprint – 40% of global CO2 emissions – that needs to be tackled urgently. And while all forms of heating have come under scrutiny, industrial heat presents the biggest challenge for decarbonisation by far. Here are three approaches that could help defuse the impact of industrial heat on our planet.

Article written by Marco Baresi, Institutional Affairs Director of Turboden.

You can access the full article through the link above.

Sustainability

➢ Batteries

- **Battery applications workshops in January 2021**

Source: European Commission

The Alliance for Batteries Technology, Training and Skills (ALBATTS) project is organising a series of four webinars from 19 to 27 January 2021. In these workshops, experts from the European Commission, industry, and associations will discuss current and future battery applications in the automotive, stationary energy storage, maritime, and battery manufacturing sectors. They will also discuss the new jobs and skills needed to ensure the competitiveness of EU industry.

➢ Construction

- **CEN Webinar on Building Information modelling (BIM) supports digitalization of standards for the Construction sector**

Source: European Committee for Standardisation

CEN, the European Committee for Standardisation, is organising a webinar on Building Information Modelling (BIM) on 15 February 2021 (14:00-16:30 CET). The digital transformation of the built environment involves the digitalization of business processes, business data and strategic information. For this transformation to be successful it needs to consider technical, organizational, informational, or human aspects. Due to the amount of multidisciplinary actors, this digitalization also needs to include a structured collaborative environment.

BIM (Building Information Modelling) is an enabler for this digitalisation. Information Management using BIM contributes to the strategic positioning of companies to build value. The development of digital technology in the built environment requires consistent information based on enabling standards and coordinated active support and involvement from national standards bodies (NSBs) and other technical committees (TCs).

- **European Parliament to take position on the Construction Products Regulation**

  Source: European Parliament

The Internal Market and Consumer Protection (IMCO) Committee is currently discussing the Own Initiative Report (INI) on the harmonised conditions for the marketing of construction products (the Construction Products Regulation) in view for adoption. The Rapporteur responsible for this file is MEP Christian Doleschal (EPP, Germany). A plenary vote is expected to take place in March.

➢ Plastics

- **Online Event: The way forward - plastics in a circular economy**

  Source: Friends of Europe

Friends of Europe – a leading European think tank – is organising an online event taking place on 28 January (10:00-11:00 CET) focusing on plastics in the circular economy. This event is organised in partnership with the European Environment Agency to mark the publication of the *'Plastic, the circular economy and Europe's environment — A priority for action'* report. Hans Bruyninckx, Executive Director of the European Environment Agency and Sarah Nelen, Deputy Head of Cabinet of Executive Vice-President Frans Timmermans will speak at this event.

- **Online Event: EPR as an instrument to tackle microplastics pollution**

  Source: EBCD

EBCD – an environmental NGO based in Brussels that promotes the sustainable use of natural renewable resources in Europe and worldwide – is organising two webinars on the Extended Producer Responsibility (EPR) as an instrument to tackle microplastics pollution. These two events will be hosted by MEP Franc Bogovič (EPP, Slovania) who is also Chair of the "bioeconomy" working group in the European Parliament and part of the Intergroup on Climate Change, Biodiversity and Sustainable Development. The first session will take place on 27 January 2021 (14:00-16:00 CET) and the second one on 24 February 2021 (14:00-16:00 CET).

➢ Water

- **The revised Drinking Water Directive enters into force**

  Source: European Commission

Today sees the entry into force of the revised Drinking Water Directive, a direct response to the first ever successful European Citizens' Initiative, Water and sanitation are a human right. The new legislation will ensure the safety and quality of drinking water, as well as easier access to it for vulnerable groups.

For your information, the new Directive sets new limit values for Chlorate and Chlorite in its Annex I which are set at 0.25 mg/l.

- **Clean tap water for all EU citizens – ECHA's work on new directive begins**

  Source: ECHA

ECHA will support the European Commission to develop EU-wide positive lists of chemicals, compositions or constituents that can be safely used to produce materials that come into contact with drinking water between the water source and the tap.

The first lists will be based on existing national lists and are expected to cover around 1 500 chemicals for different types of materials. The European Commission will adopt them by 2025. After the adoption, all entries in the lists will be reviewed within 15 years. The Agency will prioritise substances for review based on their hazardous properties and the relevance of their risk assessments. It will also recommend expiry dates for them.

- **11 MEPs submitted a parliamentary question for the European Commission on the reduction of micro-pollutants discharged into our watercourses**

  Source: European Parliament

A study by the French National Research Institute for Agriculture, Food and Environment (INRAE) warns of the presence of micro-pollutants in the effluent from waste-water treatment plants.

These plants are not equipped to eliminate these substances, which include:

-metals (cadmium, lead) and metalloids (arsenic);

-organic micro-pollutants of natural origin (hormones) or of anthropogenic origin, including synthetic hormones such as ethinylestradiol, cosmetics, detergents, solvents, plasticisers (phthalates, bisphenol A), pesticides and pharmaceutical residues (analgesics, antibiotics, etc.).

These substances pollute our watercourses, damage aquatic ecosystems and pose risks to our health. Some are endocrine disruptors and have an impact on the hormonal balance of living species and their development and reproduction.

Switzerland has fitted out some of its waste-water treatment plants so that they can process organic micro-pollutants, at the cost of an estimated additional EUR 5 to 15 per person per year. EU Member States, on the other hand, are lagging significantly behind in this area.

Does the Commission have a major funding plan to enable research bodies to address our shortcomings in terms of scientific data and help Member States to equip their waste-water treatment plants to carry out specific treatments to eliminate this type of pollution?

- **MEP Henna Virkkunen (EPP, Finland) asked a question to the European Commission in relation to the revision of the Urban Waste Water Treatment Directive and Industrial Emissions Directive**

  Source: European Parliament

The Commission is currently revising two legislative acts that are crucial for ensuring the appropriate treatment of wastewater in the Baltic Sea region: the Urban Waste Water Treatment Directive (UWWTD) and the Industrial Emissions Directive (IED).

The Commission evaluations on the directives have identified various challenges related to their implementation. In addition, a major problem is that when heavy industries discharge indirectly to the urban sewerage system, they are not given environmental permit limit values under the IED in some countries. This is a violation of the UWWTD and IED, which state that the discharge of industrial wastewater into sewerage is subject to specific authorisations by competent authorities and that activities presenting a risk of environmental pollution are conditional on an environmental permit. As these emissions cannot be purified by urban wastewater treatment plants, they may end up in watercourses.

1. These implementation challenges greatly contribute to the release of hazardous substances and nutrients into the aquatic environment. In order to protect the Baltic Sea, how is the Commission planning to ensure that all Member States fully implement both directives?

2. How is this perspective taken into account in the ongoing revision process of these directives?

- **Danish Environment Ministry publishes new report on a project related to the removal of pesticides and chlorinated solvents in water**

  Source: Danish Environment Ministry

UV-H2O2 AOP technology has been examined as possible water treatment in later times. In this project, a new highly accurate treatment with UV-H2O2 based AOP, called RemUVe, has been developed.

A full-scale mobile test unit was built to test the RemUVe-process on pesticide residues and chlorinated solvents in both drinking water and in remediation situations. Specially the pesticide residues N,N-Dimethylsulfamide (DMS), Desphenyl Chloridazon (DPC), 2,6-dichlorbenzmid (BAM) and CGA 108906 was tested and all show effective treatment with the RemUVe-process. Clear correlations between the dosing of energy and H2O2 with the reduction is seen, which underlines the importance of a highly accurate technology.

Chlorinated solvents, such as tetrachloroethylene (PCE), trichloroethylene (TCE) and vinylchoride (VC) are also tested for reduction with RemUVe. Here an effective and rapid reduction is observed.

Pesticide residues and chlorinated solvents such as desphenyl chloridazon, BAM, PCE, TCE and vinylchloride are reduced to undetectable levels. DMS is through this project reduced with more than 75%. An observation is made that it is important that this type of treatment is carefully controlled so that possible intermediate products are further reduced and fully mineralized.

The purity of the water from hydroxyl-scavangers is found to be of importance for the RemUVe treatment, where higher effectiveness is obtained when the clarity of the water (UVT) is higher and when the content of e.g. iron and manganese is lower. A big interest in RemUVe has been shown from waterworks and regions both inside and outside of Denmark.

Based on the tests it is now possible to estimate the size of the RemUVe solution needed to treat contaminations on already known and tested contaminants combined with clarification of the reduction needed, the flow, UVT value of the water and the content of hydroxyl-scavangers such as iron and manganese.

Economic considerations are made for several cases showing the cost of treatment of chlorinated solvents and pesticide residuals with the RemUVe technology. The prices are

found as low as 0.56 dkk/m3 treated water. The RemUVe technology is considered able to use as effective advanced water treatment, both in regards of cost and treatment.

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