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Oslo, 11.01.2019

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Norwegian comments to document CACS/46/2018 - Poly- and perfluorinated substances (PFASs) – current and planned activities

We thank the European Commission for the paper on current and planned activities on PFAS, related to the proposal for an EU-strategy for PFAS that was prepared for the CARACAL meeting in November 2018. We consider that an overarching strategy for PFASs is needed, that goes beyond the REACH and CLP regulations. In particular, activities reaching across different EU legislations could be better aligned and coordinated.

The Commission paper is helpful in the ongoing and future work at the international level to have a summary of the various initiatives on PFAS. There is currently a considerable concern for PFASs in the environment both within and outside of the EU. This is reflected in a high number of scientific studies of effects on human health and the environment, and monitoring studies documenting elevated levels of different PFASs in e.g. biota and drinking water sources. It is important that authorities and regulators are not slowing down this momentum. The PFAS activity paper is a good first step in the PFAS administration.

We miss a few points in the paper: The area of food safety and EFSA should be mentioned. The work of the OECD/UNEP Global PFC Group could also be included. One of the efforts of the Global PFC Group is to compile an overview of national risk reduction approaches on PFAS on their web pages. This information could form a basis for answering the first question in the PFAS activity paper.

The two studies on PFASs in fire-fighting foam that are presented in the activity paper will be important in the evaluation of whether a sector specific legislation is warranted. We also welcome the ongoing study on potential registration/evaluation of certain polymers under REACH. We expect the side-chain fluorinated polymers to be relevant in this study.

Can you report on any national actions ongoing on PFASs? Including data gathering or specific national measures to address concerns.

- The Norwegian Environment Agency has a national action plan for PFASs that addresses the main concerns associated with PFASs in Norway and coordinates the PFAS work carried out within the agency. The action plan includes e.g.:
 - regulatory work at the national, European and global level,
 - polluted ground and remediation (fire-fighting training sites),
 - follow-up of offshore activities that may include PFAS-containing fire-fighting foam,
 - regulation of industry emissions,
 - work with the water directives and PFAS,
 - environmental monitoring and screening (including identification of sources to high PFAS-levels in lakes, e.g. Tyrifjorden),
 - enforcement of regulations.
- The [Global PFC group](#) has summarised and tabulated national regulatory actions for many countries. Norway's regulatory actions are also [presented there](#). A new updated version of these risk reduction approaches will soon be published by the Global PFC group. Please find our updated information in the attachment.

How do you ensure the coordination between the competent authorities responsible for different EU legislations that are addressing or could address PFASs?

- The coordination in Norway relies on informal information exchange between different authorities whenever relevant. The Norwegian Environment Agency has been in dialogue with different authorities on PFAS related matters during the past period. This includes the Food Safety Authority, the Norwegian Maritime Authority, the aviation sector, including Avinor and the Air Force, and the Norwegian Directorate for Civil Protection (DSB).
- Coordination of the PFAS work ongoing within the Norwegian Environment Agency is ensured through the national action plan for PFAS, mentioned above.

Are you interested to contribute to the study on PFAS fire-fighting foams or to future work on other priority uses of PFASs?

- The Norwegian Environment Agency has a general interest in the PFAS field and in current and future uses and priority areas. Currently, our PFAS resources are mainly occupied with the preparation of a restriction proposal for PFHxS and the preparation of a SVHC-dossier for PFBS.

- We share the concern for PFAS in fire-fighting foam, and we will be interested in participating in the future considerations of how to implement the outcome of the two studies in regulatory work.
- In the follow-up to the agenda item on review of exempts for polymers from registration and evaluation under REACH, also mentioned in the activity paper, we have voiced our interest to participate in the review process. We anticipate that the side-chain fluorinated polymers are highly relevant as polymers for which registration/evaluation could be required.
- With regards to a potential future study on PFAS in textiles, a project financed by the Norwegian Environment Agency may be of interest. The aim is to develop an analytical method with prior degradation of precursor substances, that may help in the quantification of precursors to simple PFASs present in a sample.

Are there any other additional actions on PFASs that you would like to raise and discuss?

- For PFASs, often limited data is available for assessment of the risk to human health or the environment. In some cases, data may be lacking for one or a few members of a group of chemicals for which information for the remaining substances indicates a risk for human health and/or the environment. In such cases grouping and the precautionary principle should be given considerable weight in order to enhance the regulatory efficiency. This could apply for different subgroups of PFASs for which the chemical variability is high, and the number of closely related substances may be tens or hundreds.
- We would like to mention a report that Norway submitted to the International Maritime Organization (IMO) in 2018. The report was prepared by DNV GL on behalf of the Norwegian Maritime Authority and assess the use of PFOS and other surfactants in fire-fighting foam onboard ships. The study estimates that approximately 17 000 ships worldwide has fixed firefighting foam tanks onboard. The volume of each tank ranges between 400 litres to 18700 litres. The firefighting foam contains PFOS, PFOA impurities and precursors, PFHxS or PFHxA or a mixture of these. According to this survey, almost 7000 ships are very likely to have PFOS in the firefighting foam onboard. Approximately 5000 ships are likely to have PFOS or traces of PFOS in their firefighting foam. For new ships delivered after 2010, it is assumed that a very small percentage of vessels may have PFOS in firefighting foams from the date of delivery.

It appears that the volume of PFOS/PFAS onboard ships may still be a main source of emissions to the environment. This could be addressed in the firefighting foam studies that ECHA and the Commission are launching. Submitting the report to the IMO was the first step in trying to implement the requirements from the Stockholm Convention into an appropriate IMO instrument, and Norway is planning to submit a more concrete proposal to a meeting in IMOs Maritime Safety Committee this summer (2019).

- An updated description of the Norwegian plans for SVHC-proposal for PFBS in Doc. CACS/47/2018: *Proposal for identification of PFBS (perfluorobutane sulfonic acid) and its potassium salt, potassium perfluorobutane sulfonate (KPFBS), as SVHCs expected to be submitted by (NO) by 12 February 2019.*