

From: [ECHA Committee Risk Assessment](#)
To: [REDACTED]
Cc: [ECHA Restriction PFAS](#); [ECHA Committee Risk Assessment](#); [Dynamic Case](#)
Subject: RE: Hazardous Waste Europe comments on the minutes of the RAC-69 meeting
Date: 12 September 2024 14:17:46
Attachments: [image001.gif](#)
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[image009.png](#)

Dear [REDACTED],

Thank you for your message and submission of the information below.

Please note that the draft opinion on the topic of the waste stage for PFAS, which was discussed in the June plenary and for which discussion will continue in the September plenary, is not finalised yet as the committees are still in the process of evaluating the comments received during consultation. ECHA can therefore currently not comment on the content of the opinion.

Additionally, the draft opinion (and the restriction proposal) serves as a background document for the discussion during the plenary meeting. This means details behind the minutes are clarified in the draft opinion. Only accredited stakeholders who are present at the plenary meetings have access to the latest draft opinion. ECHA accredited stakeholder organisations may request to participate in the meetings of RAC and SEAC according to the [Approach on the admission of observers from accredited stakeholder organisations to the work of the ECHA committees](#);

For occasional observers, the following principles are applied on a case-specific basis:

- The Committee Secretariat uploads the draft agenda of the upcoming Committee meeting on the ECHA website in line with the timelines foreseen in the respective Rules of Procedure ([RAC](#) / [SEAC](#)).
- When an accredited stakeholder identifies a point of interest in the meeting agenda, it should indicate its interest to participate in this specific agenda item to the Chair of the Committee in writing **at least 10 calendar days before the meeting**, specifying the details of its nominated representative and the potential benefits from their participation.
- Considering the expressed interests per agenda item, the specified benefits for the Committee in question and the practical possibilities for participation, the Chair decides on the requests received and informs the stakeholder concerned, of the decision regarding their participation.

If you identify an item of interest for your organisation, kindly send us your request to xxx@xxxx.xxxxxx.xx and/or xxxx@xxxx.xxxxxx.xx by the indicated registration deadline. Furthermore, the committees are currently evaluating all comments submitted in the consultation and they will take the information into account in the opinions as far as considered relevant. Please note that the committees will only take into account additional information submitted outside the consultation if this is considered appropriate in the context of the opinion development. Since HWE represents more than 160 hazardous waste treatment installations in Europe, RAC acknowledges the relevant position of HWE in the waste sector and would request HWE to provide additional information HWE deems relevant for the evaluation of the PFAS restriction proposal regarding the topic of PFAS waste and emissions. More specifically, as HWE referred to results from emission measurement in their consultation comment, RAC would be interested in the details and results regarding such monitoring campaigns on PFAS emissions performed at different incineration plants.

In case HWE intends to share additional information, please use the webform to upload

██████████ on behalf of the RAC secretariat

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on behalf of the RAC secretariat

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[#RESTOD-PFAS-1#]

From: [REDACTED]

Sent: Tuesday, July 23, 2024 8:15 PM

To: ECHA Committee Risk Assessment <@..>

Subject: Fwd: Hazardous Waste Europe coments on the minutes of the RAC-69 meeting

CAUTION: This email originated from outside ECHA. Do not click links or open attachments unless you know the content is safe.

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Dear Sir/Madam,

For your information as I received an automatic reply from [REDACTED]

Best regards,

[REDACTED]

----- Message d'origine -----

[REDACTED]

Date : 23/07/2024 18:51 CEST

Sujet : Hazardous Waste Europe coments on the minutes of the RAC-69 meeting

Dear [REDACTED]

I am contacting you on behalf of Hazardous Waste Europe (HWE). HWE represents more than 160 hazardous waste treatment installations in Europe operating a wide variety of processes with a total capacity of 6,3 million tons per year. HWE aims at promoting high quality treatments of hazardous waste, environment and human health protection and safety of workers in the legislation.

We have carefully examined the minutes of the [69th meeting of the Risk Assessment Committee \(RAC-69\)](#). Some of the statements on waste management have raised concerns among our members. As these statements are not sourced or documented, it is difficult to understand the reasoning or scientific evidence on which they are based. That's why we would like to share our comments and questions (in blue colour) with you below.

If you would like to discuss any of these issues in more detail, we would

be happy to arrange a meeting after the summer break.

Best regards,

[REDACTED]
[REDACTED]

Regarding waste stage (emissions and exposure), RAC noted the following:

→ Landfilling is considered as a relevant source of PFAS releases into the environment.

Professionally operated landfills (i.e. operated in accordance with the landfill directive and existing national requirements) are designed to prevent the dispersion of pollutants into the environment so it is incorrect to say that they represent a relevant source of PFAS under normal operating conditions.

1/ landfills are designed to prevent pollution of the soil, groundwater or surface water

Landfill Directive: *Protection of soil, groundwater and surface water is to be achieved by the combination of a geological barrier and a bottom liner during the operational/active phase and by the combination of a geological barrier and a bottom liner during the operational/active phase and by the combination of a geological barrier and a top liner during the passive phase/post closure*

2/ landfills are designed to collect leachate

Landfill Directive: *A leachate collection and sealing system must be added in accordance with the following principles so as to ensure that leachate accumulation at the base of the landfill is kept to a minimum.*

Leachates are then treated so there is very limited discharge into the environment.

→ RAC agreed that incineration at more than 1 100°C is the only way to destroy PFAS and reduce their contribution to environmental pollution.

There seems to be a confusion between the temperature within the kiln itself and the temperature in the post-combustion chamber. As far as the temperature in the kiln is concerned, data from our members show that the temperature in the kiln of hazardous waste incinerators ranges from 1000 to 2000°C depending on the measurement point.

HWE also wants to share results on PFAS monitoring carried out by its members on 3 Hazardous waste incineration plants in France with a temperature in the post-combustion chamber around 950°C:

	Unit 1 and 2	Unit 3 (2 different campaigns)
Stack	<50 ng/Nm3*	<50 ng/Nm3*

Bottom ashes	<1 mg/kg**	200-400 µg/kg**
Fly ashes	None	None
DE (99.9999%)/DRE (99.99%)	Respected	Respected

*Sum of limits of quantification

**The Bottom ashes are disposed of in hazardous waste landfills with no emissions into the environment (ZLD system)

The trials have been performed by using the OTM45 methodology and 49 PFAS have been specifically analyzed. In addition, DE/DRE have been applied to all PFAS present in the spiking waste used for the campaigns. Other trials were carried out in 2023 and 2024 and results are similar for the tests a:

- Unit 4 (Switzerland) Q1 2024 (result to come)
- Unit 5 (France) Q1 2024 (result to come)
- Unit 6 (Germany) Q3 2024
- Unit 7 (Switzerland) Q3 2024
- Unit 3 (France) Q4 2024

→ **RAC noted uncertainties linked to a potential overestimation of the incineration effectiveness in the Dossier Submitter's proposal. It was proposed to apply an efficiency of 99% for incineration of hazardous and municipal waste. RAC will consider, inter alia, if a different factor could be applied.**

We do not understand the meaning of the 99%? Is it based on real campaigns with PFAS spiking wastes? How were the trials conducted?

→ **RAC discussed relevance of additional information to be further considered.**

HWE is willing to provide more expertise on those points. We already proposed a meeting with ECHA when we provided feedback to the consultation on the restriction proposal.

→ **RAC agreed with the Dossier Submitter that wastewater treatment is ineffective in removing PFAS. RAC concluded to use a release factor of 1.**

This statement is a very vague, erroneous assertion. First of all, which PFAS are we focusing on? Which technologies are you talking about? Our members have been monitoring PFAS at the point of discharge for many months and several treatments are appropriate to stop certain types of PFAS. A release factor of 1 is therefore too high.