

Submitted to Consultation on potential amendments to the Persistent Organic Pollutants (POPs) Regulation
Submitted on 2023-04-27 11:12:13

About you

1 Would you like your response to be confidential? (Required)

Yes (please give a reason for your answer below)

Reason for confidentiality:

This submission contains confidential business information relating to (Redacted)

2 What is your name?

What is your name?:

(Redacted)

3 What is your email address? If you enter your email address, then you will automatically receive an acknowledgement email when you submit your response.

Email address:

(Redacted) @agc.com

4 Are you responding as an individual or on behalf of an organisation?

Organisation

5 What type of organisation are you responding on behalf of?

Large business (250 or more employees, including global operations)

Other:

6 If you are responding on behalf of an organisation, what is the name of the organisation?

organisation name:

AGC Chemicals Europe, Ltd.

7 Where in the UK are you/your organisation based and/or in operation? (tick all that apply)

England

Waste limits (i) - Perfluorooctanoic acid (PFOA)

8 Is this proposal of particular importance to you and/or the organisation you represent?

Yes (please specify how below)

How would this change impact (PFOA WL (i)):

Site where AGC Chemicals Europe, Ltd. is based has historic use of PFOA (from 1950s until 2012) and historic contamination remains on-site. Anything we know that contains PFOA, we send off site for incineration, but we would not routinely test for PFOA. Concern would be how do we know/test to prove that the waste streams aren't contaminated with PFOA above the thresholds proposed. What level of data will waste management companies require to confirm that these limits are met? We believe that this comment will apply to the whole UK waste life cycle.

AGC Chemicals Europe, Ltd. is currently waiting for PFOA concentration data from several waste streams and will share this information with DEFRA when available, outside this consultation.

We are already aware that there are constraints on hazardous waste incineration in the UK and are further concerned that very low thresholds could lead to stockpiling or poor management of PFOA-containing waste. A decision on the appropriate threshold should include consideration of how the implementation and enforcement of the regulation will be undertaken to ensure a level playing field and avoid companies who are proactive in understanding their PFOA contamination being exposed with higher waste disposal costs and more difficulty in finding suitable waste disposal outlets.

In the abatement and capture technology we use on site, PFOA may be present as a contaminant so the concentration of PFOA in this waste could be significantly higher than the proposed limits (all options). We treat this waste as Hazardous waste so disposal will be by incineration and therefore the proposed limits won't apply. However, if we try to recycle this waste stream, the designation of hazardous waste could make finding a suitable recycling partner more difficult.

9 To what extent do you agree or disagree with our proposed waste limit for PFOA (1mg/kg for PFOA and its salts (or 0.025 mg/kg in AFFF); 40mg/kg for PFOA related compounds (or 1 mg/kg in AFFF))?

Neither agree nor disagree

10 Please explain the reasons for your answer to question 9, with reference to evidence and/or possible alternative options where relevant

Explain sentiment PFOA WL (i):

See response to Q8.

11 There is a lack of concentration data for PFOA in waste in the UK so our assessment carries a level of uncertainty. Our evidence-based judgement is that PFOA is unlikely to be found at a level exceeding 1mg/kg in waste (excluding firefighting foams and hydraulic fluids). Are you aware of any evidence to suggest other sectors and/or products where PFOA would fall above or below the proposed waste concentration limit level? Please provide details if so including with reference to tonnages, concentration levels, ability to segregate waste, and impacts where possible.

There is a lack of concentration data for PFOA in waste in the UK so our assessment carries a level of uncertainty. Our evidence-based judgement is that PFOA is unlikely to be found at a level exceeding 1mg/kg in waste (excluding firefighting foams and hydraulic fluids). Are you aware of any evidence to suggest other sectors and/or products where PFOA would fall above or below the proposed waste concentration limit level? Please provide details if so including with reference to tonnages, concentration levels, ability to segregate waste, and impacts where possible.:

See response to Q8. We note the challenges relating to analytical methods.

12 There are expected to be one-off impacts for organisations who hold PFOA containing waste to familiarise themselves with the new regulations and procedures, and the time taken to source appropriate disposal routes. Are you aware of how long (in hours) this will take, and any costs incurred? Please provide details if so.

There are expected to be one-off impacts for organisations who hold PFOA containing waste to familiarise themselves with the new regulations and procedures, and the time taken to source appropriate disposal routes. Are you aware of how long (in hours) this will take, and any costs incurred? Please provide details if so. :

If you know that there is potential PFOA contamination in your waste, then you need to source a suitable analytical facility to do the analysis. We are uncertain how long this could take as there is often availability issues as well as technical challenges relating to the analysis. Many organisations may not recognise there is a risk and a need for analysis.

13 Are you aware of any other organisations that may be impacted by this proposal? Please provide details if so, including references to the number of organisations, types of organisations (Local Authorities, businesses, independent or public bodies), size (micro, small, medium or large), and the anticipated impacts, if known.

Are you aware of any other organisations that may be impacted by this proposal? Please provide details if so, including references to the number of organisations, types of organisations (Local Authorities, businesses, independent or public bodies), size (micro, small, medium or large), and the anticipated impacts, if known. :

See Q8 and Q12.

14 For hydraulic fluids, are you aware of any evidence to suggest where PFOA falls above or below the proposed waste concentration limit level? Please provide details if so, including with reference to tonnages, concentration levels, ability to segregate waste and other impacts where possible.

For hydraulic fluids, are you aware of any evidence to suggest where PFOA falls above or below the proposed waste concentration limit level? Please provide details if so, including with reference to tonnages, concentration levels, ability to segregate waste and other impacts where possible. :

AGC Chemicals Europe, Ltd. does not have the knowledge to answer this question.

15 The study team for the EU Impact Assessment suggest that detecting PFOA at a concentration limit of 1mg/kg is economically feasible. Are you aware of any evidence regarding potential financial cost to test and segregate waste streams at this level? Please provide details if so. Waste containing PFOA above the waste concentration limit will require high temperatures to destroy the POP, for example, in a hazardous waste incinerator or suitable cement kiln. Are you aware of any evidence regarding potential financial cost (gate fees) to destroy this waste? Please provide details if so

The study team for the EU Impact Assessment suggest that detecting PFOA at a concentration limit of 1mg/kg is economically feasible. Are you aware of any evidence regarding potential financial cost to test and segregate waste streams at this level? Please provide details if so Waste containing PFOA above the waste concentration limit will require high temperatures to destroy the POP, for example, in a hazardous waste incinerator or suitable cement kiln. Are you aware of any evidence regarding potential financial cost (gate fees) to destroy this waste? Please provide details if so :

See Q8 and Q12.

There is potential that gate and analytical fees to increase due to the limited UK hazardous waste and laboratory capacity. We note that there are many other hazardous waste requirements that will be competing with the same incinerator and lab capacity.

16 Do you have any further evidence to suggest the suitability, or otherwise, of introducing waste concentration limits specific to one type of waste (such as aqueous film forming foams (AFFF))? Please provide details if so.

Do you have any further evidence to suggest the suitability, or otherwise, of introducing waste concentration limits specific to one type of waste (such as aqueous film forming foams (AFFF))? Please provide details if so. :

AGC Chemicals Europe, Ltd. does not have the knowledge to answer this question.

Waste limits (ii) - Perfluorohexane sulfonate (PFHxS)

17 Is this proposal of particular importance to you and/or the organisation you represent?

No

Is this proposal of particular importance to you and/or the organisation you represent? :

18 To what extent do you agree or disagree with our proposed waste limit for PFHxS (1mg/kg for PFHxS and its salts; 40mg/kg for PFHxS related compounds)?

Not Answered

19 Please explain the reasons for your answer to question 18, with reference to evidence and/or possible alternative options where relevant

Please explain the reasons for your answer, with reference to evidence and/or possible alternative options where relevant :

20 There is a lack of concentration data for PFHxS in waste in the UK so our assessment carries a level of uncertainty. Our evidence-based judgement is that PFHxS is unlikely to be found at a level exceeding 1mg/kg in waste (excluding firefighting foams/hydraulic fluids). Are you aware of any evidence to suggest other sectors and/or products where PFHxS would fall above or below the proposed waste concentration limit level? Please provide details if so, including with reference to relevant waste streams, tonnages, concentration levels, ability to segregate waste, and other impacts where possible.

There is a lack of concentration data for PFHxS in waste in the UK so our assessment carries a level of uncertainty. Our evidence-based judgement is that PFHxS is unlikely to be found at a level exceeding 1mg/kg in waste (excluding firefighting foams/hydraulic fluids). Are you aware of any evidence to suggest other sectors and/or products where PFHxS would fall above or below the proposed waste concentration limit level? Please provide details if so, including with reference to relevant waste streams, tonnages, concentration levels, ability to segregate waste, and other impacts where possible. :

21 For hydraulic fluids, are you aware of any evidence to suggest where PFHxS falls above or below the proposed waste concentration limit level? Please provide details if so, including with reference to relevant waste streams, tonnages, concentration levels, ability to segregate waste, and other impacts where possible

For hydraulic fluids, are you aware of any evidence to suggest where PFHxS falls above or below the proposed waste concentration limit level? Please provide details if so, including with reference to relevant waste streams, tonnages, concentration levels, ability to segregate waste, and other impacts where possible :

22 There are expected to be one-off impacts for organisations who hold PFHxS containing waste to familiarise themselves with the new regulations and procedures, and the time taken to source appropriate disposal routes. Are you aware of how long (in hours) this will take, and any costs incurred? Please provide details if so.

There are expected to be one-off impacts for organisations who hold PFHxS containing waste to familiarise themselves with the new regulations and procedures, and the time taken to source appropriate disposal routes. Are you aware of how long (in hours) this will take, and any costs incurred? Please provide details if so. :

23 Are you aware of any other organisations that may be impacted by this proposal? Please provide details if so, including references to the number of organisations, types of organisations (Local Authorities, businesses, independent or public bodies), size (micro, small, medium or large), and the anticipated impacts, if known.

Are you aware of any other organisations that may be impacted by this proposal? Please provide details if so, including references to the number of organisations, types of organisations (Local Authorities, businesses, independent or public bodies), size (micro, small, medium or large), and the anticipated impacts, if known. :

24 The study team for the EU Impact Assessment suggest that Limits of Detection of 1mg/kg is economically feasible. Are you aware of any evidence regarding potential financial cost to test and segregate waste streams at this level? Please provide details if so

The study team for the EU Impact Assessment suggest that Limits of Detection of 1mg/kg is economically feasible. Are you aware of any evidence regarding potential financial cost to test and segregate waste streams at this level? Please provide details if so :

25 Waste containing PFHxS above the waste concentration limit will require high temperatures to destroy the POP, for example, in a hazardous waste incinerator or suitable cement kiln. Are you aware of any evidence regarding potential financial cost (gate fees) to destroy this waste? Please provide details if so.

Waste containing PFHxS above the waste concentration limit will require high temperatures to destroy the POP, for example, in a hazardous waste incinerator or suitable cement kiln. Are you aware of any evidence regarding potential financial cost (gate fees) to destroy this waste? Please provide details if so. :

26 Do you have any further evidence to suggest the suitability, or otherwise, of introducing waste concentration limits specific to one type of waste (such as aqueous film forming foams (AFFF))? Please provide details if so.

Do you have any further evidence to suggest the suitability, or otherwise, of introducing waste concentration limits specific to one type of waste (such as aqueous film forming foams (AFFF))? Please provide details if so. :

Waste limits (iii) - Short Chain Chlorinated Paraffins (SCCPs)

27 Is this proposal of particular importance to you and/or the organisation you represent?

No

28 To what extent do you agree or disagree with our proposed waste limit for SCCPs (1,500 mg/kg)?

Not Answered

29 Please explain the reasons for your answer to question 28, with reference to evidence and/or possible alternative options where relevant

Please explain the reasons for your answer to question 28, with reference to evidence and/or possible alternative options where relevant:

30 Are you aware of any evidence to help determine whether SCCPs may fall above or below the waste concentration limit of 1500mg/kg in the UK? Please provide details if so, including with reference to relevant waste streams, tonnages, concentration levels, ability to segregate wastes, and other impacts where possible.

Are you aware of any evidence to help determine whether SCCPs may fall above or below the waste concentration limit of 1500mg/kg in the UK? Please provide details if so, including with reference to relevant waste streams, tonnages, concentration levels, ability to segregate wastes, and other impacts where possible. :

31 Do you have evidence of the tonnage of waste containing SCCPs in the UK and how they are currently disposed of (landfill, recycling, Energy from Waste)? Please provide details if so.

Do you have evidence of the tonnage of waste containing SCCPs in the UK and how they are currently disposed of (landfill, recycling, Energy from Waste)? Please provide details if so. :

32 Are you aware of any anticipated costs for disposing of SCCPs contaminated waste (such as incineration gate fees, administrative costs or time taken to familiarise with the requirements and sourcing disposal, testing, segregation, storage of wastes etc)? If so, please provide any supporting evidence.

Are you aware of any anticipated costs for disposing of SCCPs contaminated waste (such as incineration gate fees, administrative costs or time taken to familiarise with the requirements and sourcing disposal, testing, segregation, storage of wastes etc)? If so, please provide any supporting evidence. :

33 Are you aware of any other organisations that may be impacted by this proposal? Please provide details if so, including references to the number of organisations, types of organisations (Local Authorities, businesses, independent or public bodies), size (micro, small, medium or large), and the anticipated impacts, if known.

Are you aware of any other organisations that may be impacted by this proposal? Please provide details if so, including references to the number of organisations, types of organisations (Local Authorities, businesses, independent or public bodies), size (micro, small, medium or large), and the anticipated impacts, if known. :

34 Are you aware of any evidence to suggest that a lower waste concentration limit would be achievable in the UK with regards to technical and economic feasibility? Please provide details if so, including with reference to current and/or future limits of detection for SCCPs in waste.

Are you aware of any evidence to suggest that a lower waste concentration limit would be achievable in the UK with regards to technical and economic feasibility? Please provide details if so, including with reference to current and/or future limits of detection for SCCPs in waste. :

Waste limits (iv) - Polybrominated diphenyl ethers (PBDE)

35 Is this proposal of particular importance to you and/or the organisation you represent?

No

why important PBDE WL (iv):

36 To what extent do you agree or disagree with our proposed waste limit for PBDE (350 mg/kg, dropping to 200 mg/kg 5 years after entry into force)?

Not Answered

37 Please explain the reasons for your answer to question 36, with reference to evidence and/or possible alternative options where relevant

Please explain the reasons for your answer to question 36, with reference to evidence and/or possible alternative options where relevant:

38 Based on current EA evidence, decreasing the PBDE waste limit to 200mg/kg in GB is expected to have no/minimal additional impacts on WEEE/ELV plastic recycling, compared to existing waste limits. Are you aware of any evidence to either support or oppose this? Please provide details if so.

Based on current EA evidence, decreasing the PBDE waste limit to 200mg/kg in GB is expected to have no/minimal additional impacts on WEEE/ELV plastic recycling, compared to existing waste limits. Are you aware of any evidence to either support or oppose this? Please provide details if so. :

39 Are you aware of any evidence to indicate the presence of PBDE in CDW plastics and textiles, and/or other waste streams or sectors? Please provide details if so, including with reference to relevant waste streams, tonnages, concentration levels and impacts where possible.

Are you aware of any evidence to indicate the presence of PBDE in CDW plastics and textiles, and/or other waste streams or sectors? Please provide details if so, including with reference to relevant waste streams, tonnages, concentration levels and impacts where possible.:

40 Are there any additional costs you anticipate for disposing of PBDEs contaminated waste under the proposed waste limit (such as incineration gate fees, administrative costs or time taken to familiarise with the requirements and sourcing disposal, testing, segregation, storage of wastes etc)? If so, please can you provide any supporting evidence.

Are there any additional costs you anticipate for disposing of PBDEs contaminated waste under the proposed waste limit (such as incineration gate fees, administrative costs or time taken to familiarise with the requirements and sourcing disposal, testing, segregation, storage of wastes etc)? If so, please can you provide any supporting evidence. :

41 Are you aware of any other organisations that may be impacted by this proposal? Please provide details if so, including references to the number of organisations, types of organisations (Local Authorities, businesses, independent or public bodies), size (micro, small, medium or large), and the anticipated impacts, if known.

Are you aware of any other organisations that may be impacted by this proposal? Please provide details if so, including references to the number of organisations, types of organisations (Local Authorities, businesses, independent or public bodies), size (micro, small, medium or large), and the anticipated impacts, if known.:

Waste Limits (v) - Pentachlorophenol (PCP)

42 Is this proposal of particular importance to you and/or the organisation you represent?

No

importance reason PCP WL (v):

43 To what extent do you agree or disagree with our proposed waste limit for PCP (100 mg/kg)?

Not Answered

44 Please explain the reasons for your answer, with reference to evidence and/or possible alternative options where relevant

Please explain the reasons for your answer, with reference to evidence and/or possible alternative options where relevant :

45 Based on current evidence, we anticipate the economic costs of introducing the proposed waste limit for PCP in GB to be none/minimal. Are you aware of any evidence to either support or oppose this view? Please provide details if so, including with reference to gate fees, administrative costs or time taken to familiarise with the requirements and sourcing disposal, testing, segregation, storage of wastes etc.

Based on current evidence, we anticipate the economic costs of introducing the proposed waste limit for PCP in GB to be none/minimal. Are you aware of any evidence to either support or oppose this view? Please provide details if so, including with reference to gate fees, administrative costs or time taken to familiarise with the requirements and sourcing disposal, testing, segregation, storage of wastes etc. :

46 Are you aware of any other organisations that may be impacted by this proposal? Please provide details if so, including references to the number of organisations, types of organisations (Local Authorities, businesses, independent or public bodies), size (micro, small, medium or large), and the anticipated impacts, if known.

Are you aware of any other organisations that may be impacted by this proposal? Please provide details if so, including references to the number of organisations, types of organisations (Local Authorities, businesses, independent or public bodies), size (micro, small, medium or large), and the anticipated impacts, if known.:

Waste limits (vi) – Dioxins, Furans, and dioxin-like PCBs

47 Is this proposal of particular importance to you and/or the organisation you represent?

No

importance reason dioxins WL (vi):

48 To what extent do you agree or disagree with our proposed position to include dioxin-like PCBs in the dioxins and furans waste concentration limit?

Not Answered

49 Please explain the reasons for your answer to question 48, with reference to evidence and/or possible alternative options where relevant

Please explain the reasons for your answer, with reference to evidence and/or possible alternative options where relevant :

50 To what extent do you agree or disagree with our proposed waste concentration limit for dioxins, furans, and dioxin-like PCBs (0.005 mg TEQ/kg, including dioxin-like PCBs)?

Not Answered

51 Please explain the reasons for your answer to question 50, with reference to evidence and/or possible alternative options where relevant

Please explain the reasons for your answer, with reference to evidence and/or possible alternative options where relevant :

52 Based on current evidence, we anticipate the economic impacts of decreasing the dioxins and furans waste limit to 0.005 TEQ/kg in GB to have limited impacts on biomass incinerator APCR and no impacts on domestic ash. Are you aware of any evidence to either support or oppose this view? Please provide details if so, including with reference to relevant waste streams, tonnages, concentration levels and impacts where possible.

Based on current evidence, we anticipate the economic impacts of decreasing the dioxins and furans waste limit to 0.005 TEQ/kg in GB to have limited impacts on biomass incinerator APCR and no impacts on domestic ash. Are you aware of any evidence to either support or oppose this view? Please provide details if so, including with reference to relevant waste streams, tonnages, concentration levels and impacts where possible. :

53 The EU Impact Assessment identifies approximately 20 waste streams where dioxins and furans can be found, primarily in waste streams related to combustion activities. Are you aware of any other waste streams that are likely to be impacted by a lower waste concentration limit value? Please provide details if so.

The EU Impact Assessment identifies approximately 20 waste streams where dioxins and furans can be found, primarily in waste streams related to combustion activities. Are you aware of any other waste streams that are likely to be impacted by a lower waste concentration limit value? Please provide details if so. :

54 Are there any additional costs you anticipate for disposing of PCDD/F waste under the proposed waste limit (such as gate fees, administrative costs or time taken to familiarise with the requirements and sourcing disposal, testing, segregation, storage of wastes etc)? Please provide details if so.

Are there any additional costs you anticipate for disposing of PCDD/F waste under the proposed waste limit (such as gate fees, administrative costs or time taken to familiarise with the requirements and sourcing disposal, testing, segregation, storage of wastes etc)? Please provide details if so. :

55 There is limited analytical information available on the concentration of dioxin- like PCBs in waste and the amount of waste that would be diverted to different treatments under the lead waste limit option. Are you aware of any evidence regarding relevant waste streams, tonnages, concentration levels, ability to segregate waste, and associated costs (such as gate fees, administrative costs or time taken to familiarise with the requirements and sourcing disposal, testing, segregation, storage of wastes etc)? Please provide details if so.

There is limited analytical information available on the concentration of dioxin- like PCBs in waste and the amount of waste that would be diverted to different treatments under the lead waste limit option. Are you aware of any evidence regarding relevant waste streams, tonnages, concentration levels, ability to segregate waste, and associated costs (such as gate fees, administrative costs or time taken to familiarise with the requirements and sourcing disposal, testing, segregation, storage of wastes etc)? Please provide details if so. :

56 Are you aware of any other organisations that may be impacted by this proposal? Please provide details if so, including references to the number of organisations, types of organisations (Local Authorities, businesses, independent or public bodies), size (micro, small, medium or large), and the anticipated impacts, if known.

Are you aware of any other organisations that may be impacted by this proposal? Please provide details if so, including references to the number of organisations, types of organisations (Local Authorities, businesses, independent or public bodies), size (micro, small, medium or large), and the anticipated impacts, if known.:

Waste limits (vii) - Dicofol

57 Is this proposal of particular importance to you and/or the organisation you represent?

No

importance reason dicofol WL vii:

58 To what extent do you agree or disagree with our proposed waste limit for dicofol (50mg/kg)?

Not Answered

59 Please explain the reasons for your answer, with reference to evidence and/or possible alternative options where relevant

Please explain the reasons for your answer, with reference to evidence and/or possible alternative options where relevant :

60 Based on current evidence, we anticipate the economic costs of lowering the dicofol waste limit in GB to be zero or minimal. Are you aware of any evidence to either support or oppose this view, including with reference to costs such as gate fees, administrative costs or time taken to familiarise with the requirements and sourcing disposal, testing, segregation, storage of wastes etc)? Please provide details if so.

Based on current evidence, we anticipate the economic costs of lowering the dicofol waste limit in GB to be zero or minimal. Are you aware of any evidence to either support or oppose this view, including with reference to costs such as gate fees, administrative costs or time taken to familiarise with the requirements and sourcing disposal, testing, segregation, storage of wastes etc)? Please provide details if so. :

61 Are you aware of any other organisations that may be impacted by this proposal? Please provide details if so, including references to the number of organisations, types of organisations (Local Authorities, businesses, independent or public bodies), size (micro, small, medium or large), and the anticipated impacts, if known.

Are you aware of any other organisations that may be impacted by this proposal? Please provide details if so, including references to the number of organisations, types of organisations (Local Authorities, businesses, independent or public bodies), size (micro, small, medium or large), and the anticipated impacts, if known.:

Waste limits (viii) – Hexabromocyclododecane (HBCDD)

62 Is this proposal of particular importance to you and/or the organisation you represent?

No

importance reason HCB WL (viii):

63 To what extent do you agree or disagree with our proposed waste limit for HBCDD (500 mg/kg)?

Not Answered

64 Please explain the reasons for your answer to question 63, with reference to evidence and/or possible alternative options where relevant

Please explain the reasons for your answer to question 63, with reference to evidence and/or possible alternative options where relevant:

65 Based on current evidence, we anticipate the economic costs of lowering the HBCDD waste limit in GB to be minimal for all waste streams. Are you aware of any evidence to either support or oppose this view, including with reference to costs such as incineration gate fees, administrative costs or time taken to familiarise with the requirements and sourcing disposal, testing, segregation, storage of wastes etc? Please provide details if so.

Based on current evidence, we anticipate the economic costs of lowering the HBCDD waste limit in GB to be minimal for all waste streams. Are you aware of any evidence to either support or oppose this view, including with reference to costs such as incineration gate fees, administrative costs or time taken to familiarise with the requirements and sourcing disposal, testing, segregation, storage of wastes etc? Please provide details if so.:

66 Are you aware of any other organisations that may be impacted by this proposal? Please provide details if so, including references to the number of organisations, types of organisations (Local Authorities, businesses, independent or public bodies), size (micro, small, medium or large), and the anticipated impacts, if known.

Are you aware of any other organisations that may be impacted by this proposal? Please provide details if so, including references to the number of organisations, types of organisations (Local Authorities, businesses, independent or public bodies), size (micro, small, medium or large), and the anticipated impacts, if known.:

Waste limits (ix) – UV328, Dechlorane Plus, and Methoxychlor

67 Is this proposal of particular importance to you and/or the organisation you represent?

No

importance reason WL (ix):

68 Are you aware of any evidence to suggest a waste concentration limit value for UV-328 that would be suitable for adoption within GB if and/or when this substance is adopted as a POP by the Stockholm Convention? Please provide details if so, including with reference to data sources, timescales, tonnages impacted and potential costs (including incineration gate fees, administrative costs or time taken to familiarise with the requirements and sourcing disposal, testing, segregation, storage of wastes), if known.

Are you aware of any evidence to suggest a waste concentration limit value for UV-328 that would be suitable for adoption within GB if and/or when this substance is adopted as a POP by the Stockholm Convention? Please provide details if so, including with reference to data sources, timescales, tonnages impacted and potential costs (including incineration gate fees, administrative costs or time taken to familiarise with the requirements and sourcing disposal, testing, segregation, storage of wastes), if known. :

69 Are you aware of any evidence to suggest a waste concentration limit value for Methoxychlor that would be suitable for adoption within GB if and/or when this substance is adopted as a POP by the Stockholm Convention? Please provide details if so, including with reference to data sources, timescales, tonnages impacted and potential costs (including incineration gate fees, administrative costs or time taken to familiarise with the requirements and sourcing disposal, testing, segregation, storage of wastes), if known.

Are you aware of any evidence to suggest a waste concentration limit value for Methoxychlor that would be suitable for adoption within GB if and/or when this substance is adopted as a POP by the Stockholm Convention? Please provide details if so, including with reference to data sources, timescales, tonnages impacted and potential costs (including incineration gate fees, administrative costs or time taken to familiarise with the requirements and sourcing disposal, testing, segregation, storage of wastes), if known. :

70 Are you aware of any evidence to suggest a waste concentration limit value for Dechlorane Plus that would be suitable for adoption within GB (if and/or when this substance is adopted as a POP by the Stockholm Convention)? Please provide details if so, including with reference to data sources, timescales, tonnages impacted and potential costs (including incineration gate fees, administrative costs or time taken to familiarise with the requirements and sourcing disposal, testing, segregation, storage of wastes), if known.

Are you aware of any evidence to suggest a waste concentration limit value for Dechlorane Plus that would be suitable for adoption within GB (if and/or when this substance is adopted as a POP by the Stockholm Convention)? Please provide details if so, including with reference to data sources, timescales, tonnages impacted and potential costs (including incineration gate fees, administrative costs or time taken to familiarise with the requirements and sourcing disposal, testing, segregation, storage of wastes), if known. :

Waste limits (x) - Other POPs

71 Are you aware of any evidence to suggest that any of the other waste concentration limits listed in the POPs Regulation should be amended in upcoming or future legislation? Please provide details if so, including with reference to specific substances, data sources, timescales, tonnages impacted and potential financial costs (including incineration gate fees, administrative costs or time taken to familiarise with the requirements and sourcing disposal, testing, segregation, storage of wastes), if known.

Are you aware of any evidence to suggest that any of the other waste concentration limits listed in the POPs Regulation should be amended in upcoming or future legislation? Please provide details if so, including with reference to specific substances, data sources, timescales, tonnages impacted and potential financial costs (including incineration gate fees, administrative costs or time taken to familiarise with the requirements and sourcing disposal, testing, segregation, storage of wastes), if known. :

SECTION TWO: Removal of existing specific exemptions (or 'derogations') for four POPs

72 Are any of the exemptions proposed for removal of particular importance to you and/or the organisation you represent?

(iii) PFOA exemption 5e;

73 If you checked any of the exemptions in question 72, please specify how their removal would impact you or your organisation

If you checked any of the exemptions in question 72, please specify how their removal would impact you or your organisation:

AGC Chemicals Europe, Ltd. support the removal of PFOA as a polymerisation aid to manufacture PTFE as there are known alternative technologies that have been available for more than a decade.

74 To what extent do you agree or disagree with our proposed position (removal of the above-listed exemptions)?

Strongly Agree

75 Please explain the reasons for your answer to question 74, with reference to evidence and/or possible alternative options where relevant

Please explain the reasons for your answer to question 74, with reference to evidence and/or possible alternative options where relevant:

AGC Chemicals Europe, Ltd. is a manufacturer of PTFE products and phased out the use of PFOA over a decade ago as part of the EPA PFOA Product Stewardship program along with many other PTFE manufacturers.

See <https://www.epa.gov/sites/default/files/2015-05/documents/asahiresponse.pdf> and https://www.agc.com/en/sustainability/pdf/agc_sus_en_2022.pdf.

Application detail is available at <https://www.agcce.com/fluon-ptfe/> and <https://fluoropolymers.plasticseurope.org/Applications>.

76 Are you/your organisation currently making use of any of these exemptions?

exemptions still being used - (i) PFOS exemption 4:

No

exemptions still being used - (ii) SCCPs exemption 1:

No

exemptions still being used - (iii) PFOA exemption 5e:

No

exemptions still being used - (iv) PFOA exemption 7:

No

exemptions still being used - (v) DecaBDE exemption 3(a):

No

exemptions still being used - (vi) DecaBDE exemption 3(b)(i):

No

77 If you/your organisation are still making use of this exemption(s), what efforts are being made to transition away from reliance on this substance and this exempted use? If multiple substances and/or exemptions: please detail for each one. In your answer, you may like to refer to why this exemption is still required, the estimated quantity of production and/or use of this substance, potential alternative substances and/or approaches, why an alternative substance or approach cannot be used, and the practicalities and/or costs of transition.

If you/your organisation are still making use of this exemption, what efforts are being made to transition away from reliance on this substance and this exempted use? If multiple substances and/or exemptions: please detail for each one. In your answer, you may like to refer to why this exemption is still required, the estimated quantity of production and/or use of this substance, potential alternative substances and/or approaches, why an alternative substance or approach cannot be used, and the practicalities and/or costs of transition. :

78 If you/your organisation are still making use of this exemption, when do you anticipate no longer requiring use of this exemption? If multiple substances and/or exemptions: please detail for each one.

If you/your organisation are still making use of this exemption, when do you anticipate no longer requiring use of this exemption? If multiple substances and/or exemptions: please detail for each one. :

UTC exempted levels (i) – proposed removal of exemption for PFOA for use in transported isolated intermediate

79 Is this proposal of particular importance to you and/or the organisation you represent?

No

80 If you answered yes to question 79, how would it impact you or your organisation? Please provide details, including any supporting evidence or information on potential financial costs.

If yes, how would it impact you or your organisation? Please provide details, including any supporting evidence or information on potential financial costs. :

81 To what extent do you agree or disagree with our proposal to remove this exemption?

Not Answered

82 Please explain the reasons for your answer to question 81, with reference to evidence and/or possible alternative options where relevant

Please explain the reasons for your answer, with reference to evidence and/or possible alternative options where relevant :

83 Are you aware of how many organisations may be impacted by this proposal? Please provide details if so, including any references to organisation size (micro, small, medium or large).

Are you aware of how many organisations may be impacted by this proposal? Please provide details if so, including any references to organisation size (micro, small, medium or large). :

UTC exempted levels (ii) – proposed amendments to exemption for PFOA in PTFE micropowders

84 Is this proposal of particular importance to you and/or the organisation you represent?

(Redacted)

85 If you answered yes to question 84, how would it impact you or your organisation? Please provide details, including any supporting evidence or information on potential financial costs.

Are you aware of any evidence to suggest that a UTC exemption for HCB is needed within the UK? If yes, please provide details on your answer including any supporting evidence or information on potential financial costs. :

90 Are you aware of any evidence to suggest that a UTC exemption to allow 10 mg/kg (0.001 % by weight) would be suitable for adoption within GB? Please provide details if so.

Are you aware of any evidence to suggest that a UTC exemption to allow 10 mg/kg (0.001 % by weight) would be suitable for adoption within GB? Please provide details if so. :

91 Are you aware of any evidence to suggest that a UTC exemption of another value would be suitable for adoption within GB? Please provide details if so.

Are you aware of any evidence to suggest that a UTC exemption of another value would be suitable for adoption within GB? Please provide details if so. :

UTC exempted levels (iv) – call for evidence regarding PCP

92 Is this proposal of particular importance to you and/or the organisation you represent?

No

93 If you answered yes to question 92, how would it impact you or your organisation? Please provide details, including any supporting evidence or information on potential financial costs.

If you answered yes to question 92, how would it impact you or your organisation? Please provide details, including any supporting evidence or information on potential financial costs.:

94 Are you aware of any evidence to suggest that a UTC exemption for PCP is needed within the UK? Please provide further details if so, including any supporting evidence or information on potential financial costs.

Are you aware of any evidence to suggest that a UTC exemption for PCP is needed within the UK? Please provide further details if so, including any supporting evidence or information on potential financial costs.:

95 Are you aware of any evidence to suggest that a UTC exemption to allow 5 mg/kg (0.0005 % by weight) would be suitable for adoption within GB? Please provide details if so.

Are you aware of any evidence to suggest that a UTC exemption to allow 5 mg/kg (0.0005 % by weight) would be suitable for adoption within GB? Please provide details if so. :

96 Are you aware of any evidence to suggest that a UTC exemption of another value would be suitable for adoption within GB? Please provide details if so.

Are you aware of any evidence to suggest that a UTC exemption of another value would be suitable for adoption within GB? Please provide details if so. :

UTC exempted levels (v) – Call for evidence regarding other POPs

97 For any of the other POPs that currently do not have UTC exemptions listed in the POPs Regulation, are you aware of any evidence to suggest that a UTC exemption needs to be introduced? Please provide details if so, including any references to potential impacts and/or financial costs where relevant.

For any of the other POPs that currently do not have UTC exemptions listed in the POPs Regulation, are you aware of any evidence to suggest that a UTC exemption needs to be introduced? Please provide details if so, including any references to potential impacts and/or financial costs where relevant. :

98 For any of the other POPs that already have UTC exemptions listed in the POPs Regulation, are you aware of any evidence to suggest that these need to be amended? Please provide details if so.

For any of the other POPs that already have UTC exemptions listed in the POPs Regulation, are you aware of any evidence to suggest that these need to be amended? Please provide details if so. :

99 For any of the substances that could soon be adopted as POPs (UV-328, DP, Methoxychlor), are you aware of any evidence to suggest that a UTC exemption would need to be introduced alongside introduction of these substance/s to the POPs Regulation? Please provide details if so.

For any of the substances that could soon be adopted as POPs (UV-328, DP, Methoxychlor), are you aware of any evidence to suggest that a UTC exemption would need to be introduced alongside introduction of these substance/s to the POPs Regulation? Please provide details if so. :

SECTION FOUR: Potential addition of Toxic Equivalency Factor (TEF) values for a POP

100 Is this proposal of particular importance to you and/or the organisation you represent?

No

101 If you answered yes to question 100, how would it impact you or your organisation? Please provide details, including any supporting evidence or information on potential financial costs, where relevant.

If you answered yes to question 100, how would it impact you or your organisation? Please provide details, including any supporting evidence or information on potential financial costs, where relevant.:

102 Are you aware of any evidence to suggest that a TEF value for DL-PCBs would be needed within GB? Please provide details if so.

Are you aware of any evidence to suggest that a TEF value for DL-PCBs would be needed within GB? Please provide details if so.:

103 Are you aware of any evidence to suggest that a TEF value for DL-PCBs as set out in the above table would be suitable for adoption within GB? Please provide details if so.

Are you aware of any evidence to suggest that a TEF value for DL-PCBs as set out in the above table would be suitable for adoption within GB? Please provide details if so.:

104 Are you aware of any evidence to suggest that a different TEF value for DL-PCBs would be suitable for adoption within GB? Please provide details if so.

Are you aware of any evidence to suggest that a different TEF value for DL-PCBs would be suitable for adoption within GB? Please provide details if so.:

105 Are you aware of any evidence to suggest that any other TEF values as listed in the POPs Regulation need to be amended? Please provide details if so.

Are you aware of any evidence to suggest that any other TEF values as listed in the POPs Regulation need to be amended? Please provide details if so.:

SECTION FIVE: Amendments to Annex V including to Maximum Concentration Limits (for hazardous waste landfill) for several POPs

106 Are the new European Waste Catalogue (EWC) code and Maximum Concentration Limits proposals (1, 2, and 3) of particular importance to you and/or the organisation you represent?

Yes

107 If you answered yes to question 106, how would they impact you or your organisation? Please provide details, including any supporting evidence or information on potential financial costs, where relevant.

Are you aware of any evidence to suggest that the new EWC code and Maximum Concentration Limit proposals (1, 2 and 3) as set out above would be suitable for adoption within GB? Please provide details if so.:

Provides a potential outlet for PFOA contaminated waste including soils and stones.

108 Are you aware of any evidence to suggest that the new EWC code and Maximum Concentration Limit proposals (1, 2 and 3) as set out above would be suitable for adoption within GB? Please provide details if so.

Are you aware of any evidence to suggest that the new EWC code and Maximum Concentration Limit proposals (1, 2 and 3) as set out above would be suitable for adoption within GB? Please provide details if so.:

AGC Chemicals Europe, Ltd. does not have the knowledge to answer this question.

109 Are you aware of any evidence to suggest that the new EWC code and Maximum Concentration Limit proposals (1, 2 and 3) as set out above would not be suitable for adoption within GB? Please provide details if so, including details of any potential financial costs where relevant.

Are you aware of any evidence to suggest that the new EWC code and Maximum Concentration Limit proposals (1, 2 and 3) as set out above would not be suitable for adoption within GB? Please provide details if so, including details of any potential financial costs where relevant.:

AGC Chemicals Europe, Ltd. does not have the knowledge to answer this question.

Any other comments or evidence to share?

110 Please use this space if you have any other comments or evidence that you would like to share relating to this consultation.

Please use this space if you have any other comments or evidence that you would like to share relating to this consultation.:

AGC is a world leading producer of fluoroproducts, with production sites in Japan, USA as well as in the United Kingdom via its subsidiary, AGC Chemicals Europe, Ltd. located in Thornton-Cleveleys, Lancashire.

AGC Chemicals Europe, Ltd. values the opportunity to submit comments on the Consultation on potential amendments to the Persistent Organic Pollutants (POPs) Regulation and is available to be contacted if further information is required.

Consultee Feedback on the Online Survey

111 Overall, how satisfied are you with our online consultation tool?

Satisfied

112 Please give us any comments you have on the tool, including suggestions on how we could improve it.

Please give us any comments you have on the tool, including suggestions on how we could improve it. :

The ability to add attachments and hyperlinks would potentially be useful.