

Ad-Hoc open BCR Meeting – PFAS Restriction - 28/03/2023 in FPS premises

- Do you have remarks on the scope (definition of the PFAS ?)

The current definition of PFAS includes hydrofluoro olefins (HFOs), HFO-1234-ze(E) and HCFO-1233-zd(E) in particular, that should not be in the scope of this restriction proposal. As noted in the REACH Registration dossiers, the REACH registration assessments concluded HFO-1234-ze(E) and HCFO-1233-zd(E) are not PBT/vPvB, and additional data shows the compounds do not break down into PBT/vPvB compounds.

- Please indicate your sector and describe briefly the Restriction impact/influence on your sector .

Fomicom is a SME manufacturer and distributor of low-pressure closed-cell polyurethane (PU) foam systems in self-contained pressurized vessels. The HFO blowing agents, HFO-1234-ze(E) and HCFO-1233-zd(E) collectively referred to as HFO here, were recently implemented in 2022 as an alternative for the HFC blowing agents being phased out under the F-gas regulation. There are no known alternatives existing to HFO, currently, without major consequences on safety, welfare loss, efficacy and fire behavior. The foam industry sector does not manufacture blowing agents and has searched for potential alternatives and found none. Without a full derogation, the business will be lost.

- Do you have specific remarks on the restriction text and its exemptions.

➔ Are you concerned by an exemption?

Yes, the use of HFO-1234-ze(E) and HCFO-1233-zd(E) as foam blowing agent in low-pressure foams for use in all industrial and construction applications should be given a full derogation.

➔ If yes, is the timing foreseen reasonable for your sector?

As foam manufacturers, we do not develop new blowing agent molecules; we rely on the blowing agent industry and they do not have alternatives to the insulating, non-flammable HFO compounds at this time. Developing and registering new molecules, followed by testing and certifying a new low-pressure insulation foam product for the industrial and construction market, requires at least 12 years.

➔ Have you conducted an alternative assessment that indicates that the proposed timing is reasonable or not?

The case of the HFC replacement with the HFO blowing agents have shown this is impossible in 5 years time. As an SME we are depending on universities and chemical specialty companies for the development and registration of new blowing agent molecules. When the HFC phase-out was announced, the HFO molecules were already developed and commercially available, and the

conversion for our products still took 6 years. During that time all efforts were made to find an alternative to HFOs, due to cost and other factors, and none were identified. With no alternatives to HFOs in the market today, an entirely new foam product will be required for the niche uses which will take a minimum of 12 years.

- Other

Low pressure PU foam systems serve a niche market in building, industrial and construction uses where no equally efficient alternatives are available. These systems take care of several applications that would otherwise impact negatively energy efficiency, safety, environment or fire behaviour. Fomicom is a SME, employing 9 people with a distribution and OEM network, mainly in Europe, around it. Fomicom works in partnership with the Performance Building Solutions business of DuPont to develop the unique products with high efficiency requirements in niche end uses. These depend largely on the low-pressure system. Eliminating the use of HFO blowing agent without valid alternatives would jeopardise heavily the activities of Fomicom and the network around it. This is a very small market with only 2 manufacturers in the EU and a very limited number of brand name products; there will be a small number of commentators (perhaps 3), and this should be seen as strong evidence.

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