

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

1. Please fill in this questionnaire if you want to present a topic during the Ad-Hoc PFAS meeting :

The document should be send back before 13th March 2023 to:

[@health.fgov.be](mailto:health.fgov.be) and Cc: [@health.fgov.be](mailto:health.fgov.be)

It will help us to frame the agenda and organize the discussion on this large restriction.

2. Your presentation should be shared with the Authorities ([@health.fgov.be](mailto:health.fgov.be) and Cc: [@health.fgov.be](mailto:health.fgov.be)) no later than the 20th March 2023 . The presentation should be maximum 5 slides (the time allowed to each stakeholders will be 10 min max).

3. The final agenda will follow before the meeting including a Teams link to follow the discussion remotely. Registration is mandatory, not registered stakeholders will not be admitted in the room or online.

Questionnaire to send back to the BCR secretariat before the 13 March 2023

Responses from essenscia - contact
([@essenscia.be](mailto:essenscia.be))

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

*The scope is too broad to be understandable, manageable and enforceable. The nomination **per-** and **poly**fluoroalkylsubstances in a chemical concept encompasses substances with a carbon backbone with **all** or **many** fluorinated carbon atoms. Just one fluorinated structural carbon atom in a larger molecule does not meet that definition.*

The restriction therefore rather refers to a ban on fluor chemistry and fluorinated organic molecules, without fully understanding the impact.

PFAS are very different molecules and materials and they should therefore not be considered as one group with the same properties. This is also recognized in the report of the OECD ‘Reconciling Terminology of the Universe of Per- and Polyfluoroalkyl Substances: Recommendations and Practical Guidance’¹ where it states:

*“As shown above, PFASs are a chemical class with diverse molecular structures (e.g. neutral, anionic, cationic or zwitterionic; with or without aromatic rings; non-polymers or polymers; low molecular weight or high molecular weight) **and thus diverse physical, chemical and biological properties** (e.g. involatile or volatile; water soluble or water insoluble; reactive vs. inert; bioaccumulative or non-bioaccumulative).*

*Therefore, it is **highly recommended that such diversity be properly recognized and communicated in a clear, specific and descriptive manner.** The following sections aim to provide practical guidance to governments and other stakeholders on how to use the PFAS terminology, starting from the distinction between the general definition described here and user-specific working scopes of PFASs.”*

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

essenscia represents the chemical industry, life sciences and plastic convertors. The sector is highly concerned about the safe continuation of all production installations that might be at risk as no exemptions or derogations are foreseen for the production and use of fluoropolymers in (parts of) the production and process installations. These installations need often to operate under harsh conditions (hazardous chemical, high/low temperature or pressure) and are designed to have a very long lifespan with regular maintance intervals where replacement of a part of the equipment must guarantee the same quality and

¹ OECD (2021), Reconciling Terminology of the Universe of Per- and Polyfluoroalkyl Substances: Recommendations and Practical Guidance, OECD Series on Risk Management, No. 61, OECD Publishing, Paris - [Reconciling Terminology of the Universe of Per- and Polyfluoroalkyl Substances: Recommendations and Practical Guidance \(oecd.org\)](https://www.oecd.org/publications/reconciling-terminology-of-the-universe-of-per-and-polyfluoroalkyl-substances-recommendations-and-practical-guidance/2021/01/)

safety. Currently in the proposal, replacing a part of the installation with the same piece of equipment after the entry into force of 1.5 years would no longer be possible and put the whole production at risk.

Due to their high resistant and high stability properties, fluoropolymers (eg PFA/PTFE ...) are used in (parts of) process installations in ao:

- *linings in pipes, valves, pumps, ... to protect for corrosion (eg HCL, H₂SO₄, HNO₃, caustic service,...).*
- *Gaskets, joints, sealants, seal rings, ... to obtain a closed and leakfree joint when joining different pieces together in an equipment*
- *...*

If broken pieces of equipment could not be replaced during the lifespan of the process installation, it puts the production of many chemicals and pharmaceuticals at risk and could lead to a shutdown of installations.

More detailed input is being prepared and will be submitted during the public consultation.

- *Do you have specific remarks on the restriction text and its exemptions.*
 - ➔ *Are you concerned by an exemption?*
 - ➔ *If yes, is the timing foreseen reasonable for your sector?*
 - ➔ *Have you conducted an alternative assessment that indicates that the proposed timing is reasonable or not?*

A continued safe use of the process installations should be guaranteed. Either by excluding fluoropolymers from the scope or a general derogation for the use of fluoropolymers in process installations should be included.

Currently a derogation for 13.5 years is foreseen for fluoropolymer applications in petroleum and minig industry. At least, a similar derogation should be needed for all production installations in chemical, pharmaceutical and biotechnological industry. Typically the lifespan of those installations is beyond 13.5 years, so derogation should focus on longer period.

A general, time-independent, derogation should be included for the use in installations with a high safety requirements.

- Other

Please be advised that this position should be considered as a first impression. Due to the industry's ongoing process of gathering information and aligning positions within a short timeframe, the information provided may still be subject to change.