

From: [REDACTED]
Sent: 04 August 2021 16:14
To: [REDACTED]
Cc: [REDACTED]
Subject: WG: ECHA additional question following EDA pMS Responses and EDA General Feedback to ECHA Survey on PFAS in Fire-Fighting Foams - [REDACTED] Contribution
Attachments: FFF(survey).doc; 21-08-04 PFAS in FFF Stellungn zu Rückfragen der ECHA- Übersetzung.pdf
Follow Up Flag: Follow up
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[REDACTED] Bonn, 4. August 2021

European Chemicals Agency
Risk Management Unit II
[REDACTED]
FI -00121 Helsinki

CC: EDA
Directorate IS&E

Survey on ECHA's firefighting foams restriction proposal
here: [REDACTED]'s position to the restriction intention

Dear [REDACTED],

thank you for acknowledging the concerns of the defence sector about the impending loss of skills in fuel fire fighting as a result of the intended restriction of the market availability of PFAS and for giving us the opportunity to comment on this. Please find attached [REDACTED] contribution
I would be grateful if it is duly taken into account

Best regards
by order

[REDACTED]
[REDACTED]
[REDACTED]

----- Weitergeleitet von [REDACTED] am 04.08.2021 15:06 -----

Von: [REDACTED] <[REDACTED]@eda.europa.eu>
An: "AT_FALB" <[REDACTED]@bmk.gv.at>, [REDACTED] <[REDACTED]@bmlv.gv.at>, [REDACTED] <[REDACTED]@bmk.gv.at>, "BE_" (NADPoC ESFPoC) <[REDACTED]@mil.be>, "BE" (R&TPoC NADPoC) <[REDACTED]@mil.be>, "BE_" (NADPoC) <[REDACTED]@mod.bg>, "BG_" <[REDACTED]@mod.bg>, "BG NATIONAL SOS POC" <[REDACTED]@mod.gov.cy>, "CY_" (CP ESFPoC) <[REDACTED]@cytanet.com.cy>, "CY_" <[REDACTED]@army.gov.cy>, "CY INFO" <[REDACTED]@army.gov.cy>, "CZ_" <[REDACTED]@army.cz>, "CZ_" <[REDACTED]@vuburno.cz>, [REDACTED] <[REDACTED]@fn.mde.es>, [REDACTED] <[REDACTED]@isdefe.es>, "ES_" <[REDACTED]@ext.mde.es>, "FI_" <[REDACTED]@defmin.fi>, "FI_" <[REDACTED]@intradef.gouv.fr>, "FR_" <[REDACTED]@intradef.gouv.fr>, [REDACTED] <[REDACTED]@sgd.difesa.it>, "HR_" <[REDACTED]@morh.hr>, "IE_" (CP CAPPoC R&TPoC NADPoC BRX) <[REDACTED]@dfa.ie>, "IE_" (CP DCP) <[REDACTED]@defence.ie>, "IE_" (DPD NADSDir CAPDir R&TDir CP CAPPoC R&TPoC NADPoC ESFPoC) IE MOD" <[REDACTED]@mod.mil.gr>, "LT_" <[REDACTED]@mod.gov.lv>, [REDACTED] <[REDACTED]@mod.gov.cy>, [REDACTED] <[REDACTED]@army.gr>, "NL_" <[REDACTED]@mon.gov.pl>, "PL PL Ministry of National Defense Infrastructure Department" <[REDACTED]@defesa.pt>, "RO_" <[REDACTED]@dpa.ro>, [REDACTED] <[REDACTED]@bundeswehr.org>, "SE_" <[REDACTED]@fmv.se>, "SE_" <[REDACTED]@fmv.se>, "SI_" <[REDACTED]@mil.sk>, "SK_" (NADSDir) <[REDACTED]@mhsr.sk>, "NO_" <[REDACTED]@mil.no>, "NO_" <[REDACTED]@mil.no>, "NO_" <[REDACTED]@mil.no>
Kopie: [REDACTED] <[REDACTED]@eda.europa.eu>, [REDACTED] <[REDACTED]@eda.europa.eu>, [REDACTED] <[REDACTED]@mindef.nl>, [REDACTED] <[REDACTED]@mindef.nl>, "IE_" (CP ESFPoC) <[REDACTED]@defence.ie>, [REDACTED] <[REDACTED]@intradef.gouv.fr>, [REDACTED] <[REDACTED]@intradef.gouv.fr>
Datum: 28.06.2021 17:38
Betreff: ECHA additional question following EDA pMS Responses and EDA General Feedback to ECHA Survey on PFAS in Fire-Fighting Foams

Dear colleagues,

Following up EDA and pMS participation to ECHA's survey on PFAS in Fire-Fighting Foams (ECHA questionnaire is attached again for your convenience and EDA/pMS responses have been placed on ECP [here](#)) conducted in the context of related ECHA's restriction proposal under REACH, we have received the email below from ECHA requesting further information on two issues that were included in the survey but which they consider have not yet been fully answered and are really important to substantiate the claim for a longer review period.

• □□□□ The compliance with current standards being put aside (as they will evolve as well with the new foam products), **why the defence sector would not be able to transition in an average transition period (e.g. 5 years)?** It is understood from other stakeholders that it is essentially the fire of very large fuel tanks, tank farms and chemical industries dealing with different types of flammable liquids (polar and

non-polar) which are challenging to deal with current fluorine-free foams. However, from the information submitted so far by the MoDs it is still not clear why the defence sector would face similar issues whereas the civil aviation sector for example is largely phasing out PFAS foams. **In defence, there can be ammunitions, flammable liquids and people in proximity but aren't F-free foams able to extinguish quickly these types of fire? So far, we are not convinced that the defence sector would need a transitional period longer than e.g. civil aviation.** Therefore, we would call for more solid justifications about this, also considering that the US DoD will transition very soon to F-free foams (except for Navy) and that other EEA military forces have already substituted PFAS foams.

- ☐☐☐☐ In the event that a longer transitional period would be granted to the defence sector, **the problem of possibly significant emissions of PFAS in the environment would remain during this long timeframe.** Indeed, unlike the Seveso sites which already have risk management measures in place (bunded areas, waterproof ground, collection basins, etc.) to capture firewaters in case of an accident, the defence sector would be unable to implement such strict risk management measures for the entirety of their sites (e.g. training battlefield). This is highly problematic since PFAS are PBT substances for which a minimisation approach should be taken. **Therefore, information on possible improvement of risk management measures for all types of sites (i.e. not only the firefighting foam training site or the fuel storage area but all sites/terrains used by the military forces) aiming at minimising releases in the environment would be required to support a longer transitional period.**

In addition to these two questions, ECHA is also seeking for specific information from the Danish and Norwegian armed forces on how they could already substitute PFAS foams with alternatives whereas other MoDs claim that these F-free foams do not perform sufficiently well and that long transitional period (up to 12 years) might be needed. We would be interested to know for which types of uses the Danish and Norwegian armed forces could substitute PFAS foams and if these uses are any different from the uses of the armed forces from the other countries.

From this message, we understand that ECHA is not convinced that a longer transition period (in comparison to an average transition period of 5 years as foreseen for civil aviation) is needed for the defence sector.

Therefore, **we/EDA encourage all pMS that need for a longer transition period towards fluorine-free foams to provide us with their responses (even partially completed) by CoB 23 July 2021 in order to forward them to ECHA as soon as they are received**, or directly to the following [ECHA's submission page](#) by early August 2021. For those pMS who have already provided their response in June 2021, you can also update your response and circulate the updated version of the questionnaire, providing your additional information in a new colour.

We will keep you informed of any further developments.

Thank you very much for your time and cooperation.

Best regards,



Project Officer REACH



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From: [redacted] [@echa.europa.eu](mailto:[redacted]@echa.europa.eu)>

Sent: Friday, 18 June 2021 18:03

To: [redacted] [@eda.europa.eu](mailto:[redacted]@eda.europa.eu)>

Cc: [redacted] [@eda.europa.eu](mailto:[redacted]@eda.europa.eu)>

Subject: RE: EDA pMS Responses and EDA General Feedback to ECHA Survey on PFAS in Fire-Fighting Foams - June 2021

Dear [redacted],

Thank you very much for this. During your meeting next week, if you have the opportunity to thank on my behalf the MoDs having responded to our survey that would be nice!

I do not want to abuse EDA and MoDs with our requests but in case they are still willing to contribute there are two issues which were included in the survey but which have not fully been answered yet and which are really important to substantiate the claim for a longer review period:

- □□□□ The compliance with current standards being put aside (as they will evolve as well with the new foam products), why the defence sector would not be able to transition in an average transition period (e.g. 5 years)? It is understood from other stakeholders that it is essentially the fire of very large fuel tanks, tank farms and chemical industries dealing with different types of flammable liquids (polar and non-polar) which are challenging to deal with current fluorine-free foams. However, from the information submitted so far by the MoDs it is still not clear why the defence sector would face similar issues whereas the civil aviation sector for example is largely phasing out PFAS foams. In defence, there can be ammunitions, flammable liquids and people in proximity but aren't F-free foams able to extinguish quickly these types of fire? So far, we are not convinced that the defence sector would need a transitional period longer than e.g. civil aviation. Therefore, we would call for more solid justifications about this, also considering that the US DoD will transition very soon to F-free foams (except for Navy) and that other EEA military forces have already substituted PFAS foams.
- □□□□ In the event that a longer transitional period would be granted to the defence sector, the problem of possibly significant emissions of PFAS in the environment would remain during this long timeframe. Indeed, unlike the Seveso sites which already have risk management measures in place (bundled areas, waterproof ground, collection basins, etc.) to capture firewaters in case of an accident, the defence sector would be unable to implement such strict risk management measures for the entirety of their sites (e.g. training battlefield). This is highly problematic since PFAS are PBT substances for which a minimisation approach should be taken. Therefore,

information on possible improvement of risk management measures for all types of sites (i.e. not only the firefighting foam training site or the fuel storage area but all sites/terrains used by the military forces) aiming at minimising releases in the environment would be required to support a longer transitional period.

I take this occasion to ask you if it would be possible for you to ask the Danish and Norwegian armed forces how they could already substitute PFAS foams with alternatives whereas other MoDs claim that these F-free foams do not perform sufficiently well and that long transitional period (up to 12 years) might be needed. We would be interested to know for which types of uses the Danish and Norwegian armed forces could substitute PFAS foams and if these uses are any different from the uses of the armed forces from the other countries.

I will start my summer break now but will be back end of July. If they could send their reply by early August that would be nice. Any information on the above could be submitted via you or directly to the following [ECHA's submission page](#).

Thank you!

Best regards,

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From: [REDACTED]
Sent: Monday, 7 June 2021 17:24

Subject: RE: EDA pMS Responses and EDA General Feedback to ECHA Survey on PFAS in Fire-Fighting Foams - June 2021

Dear colleagues,

We are pleased to share with you the attached positive feedback from ECHA, which thanks us/EDA and participating Member States for our contribution.

We will keep informed on any further developments.

Best regards,

[REDACTED]

[REDACTED]

Project Officer REACH



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From: [REDACTED]

Sent: Friday, 4 June 2021 19:27

Subject: EDA pMS Responses and EDA General Feedback to ECHA Survey on PFAS in Fire-Fighting Foams - June 2021

Dear colleagues,

We/EDA are pleased to inform you that we have just shared with ECHA (copy EC/DG GROW and DG ENV) the attached **EDA pMS' Responses and EDA's General Feedback to ECHA's Survey on PFAS in Fire-Fighting Foams** in the context of related ECHA's restriction proposal under REACH.

We want to take this opportunity to thank all pMS that shared their responses/questionnaires despite the short timelines, as well as SE/[REDACTED] for her support in the preparation of the EDA's general feedback.

We informed ECHA that the list of EDA pMS' responses provided include those MoDs' responses to the ECHA questionnaire that were provided, or were copied to EDA, by the deadline specified by ECHA (4 June 2021). We highlighted that the questionnaires reflect the information that MoDs could gather in the limited time available between the receipt of the questionnaire (6 May 2021) and the deadline for response (4 June 2021), therefore some questionnaires may be partially filled.

Potential additional or complemented MoD questionnaire responses, that may be provided to EDA after the 4 June 2021 deadline, will be forwarded by EDA to ECHA upon receipt, for potential consideration, even if the deadline may have passed. Therefore, **we encourage all pMS that have not done so already to provide us with their responses (even partially completed) in order to forward them to ECHA as soon as they are received.**

We will keep informed of any further developments.

Thank you very much for your time and cooperation.

Best regards,

[REDACTED]

Project Officer REACH



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From: [redacted]

Sent: Friday, 7 May 2021 11:22

Cc: [redacted] [@eda.europa.eu](mailto:[redacted]@eda.europa.eu); [redacted] [@eda.europa.eu](mailto:[redacted]@eda.europa.eu)

Subject: ECHA's Stakeholders survey on PFAS in firefighting foams - pMS consultation by 1 June 2021

Dear Colleagues,

We hope this finds you well and keeping safe.

Please find attached (and below related ECHA email) the **ECHA's Stakeholders survey on PFAS in firefighting foams*** we received yesterday from ECHA.

ECHA informed pMS of this short consultation (1 month) at the last (13th) EDA REACH Plenary Meeting – Session with Industry on 21 April 2021 (*the Draft Operational Conclusions are currently under review by all participants*).

As highlighted by ECHA, *"It is important for stakeholders to respond to it because it can help us [ECHA] determine which regulatory risk management measure would be most appropriate and **identify sector-specific constraints in relation with transitional periods** [REACH restrictions can contain transitional periods for compliance / to transition from PFAS-based to fluorine-free firefighting foams]"*.

As agreed with ECHA and pMS participants to the 13th EDA REACH Plenary Meeting, **we/EDA will gather and provide the pMS MoDs' responses** by the 4 June 2021 to ECHA *via* our direct channel of communication ([redacted]/ECHA).

Therefore, we kindly ask you to fill in the Word questionnaire in attachment and send it to us/EDA REACH PoCs ([redacted] [@eda.europa.eu](mailto:[redacted]@eda.europa.eu)) and [redacted] [@eda.europa.eu](mailto:[redacted]@eda.europa.eu)) **NLT Tuesday 1 June 2021.**

Please try to answer the questions to the extend you can, but it is important that you do **not** limit yourselves to these questions. This consultation is a **key opportunity to address all PFAS in firefighting foams-related issues that are of concerned for you/defence sector**, so please do not hesitate to expand and include other information that could lead **to extend the transitional period** proposed by ECHA to the Commission for uses of firefighting foams for military applications. To remind you, the Commission currently foresee a transition period of 3 to 6 years to transition from PFAS-based to fluorine-free firefighting foams for military applications, while several pMS' experts underlined the need for a longer transition period (refer to the Operational Conclusions of the PFAS Dedicated Session during 29th EDA REACH Task Force meeting on 3 February 2021).

In the meantime, on the basis of our previous exchanges, we/EDA will address further general messages to pass to ECHA on importance for MoDs to have a consistent/sufficient transitional period with regard to military uses of firefighting foams, and will keep you informed of related developments.

For your information, ECHA prepared an online version of the survey (<https://link.webpolsurveys.com/Participation/Public/1736e7cb-d0ef-40ae-af02-64a3da4109dc?displayId=Fin2275415>) to allow them an easier processing of the collected data (**only for non-confidential information**). We will share this information / link to the survey with ASD REACH & Chemicals Management Working Group, but as mentioned by ECHA, this survey can be forwarded to other relevant stakeholders we might identify. Therefore, you are encouraged to share it, especially with your NDIA's.

Do not hesitate to come back to us would you have any questions regarding the survey/consultation.

Thank you very much for your time and cooperation, and looking forward to your reply

Best regards,

** All background information on EDA Activities on PFAS are detailed in the Communication EDA202103033 concerning the "Outcome of the PFAS Dedicated Session during 29th EDA REACH Task Force meeting, 3 February 2021" – Proposed way ahead to address implications from PFAS-related ongoing EU regulatory risk management activities circulated on 5 March 2021.*

Project Officer REACH

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From: [redacted] [@echa.europa.eu](mailto:[redacted]@echa.europa.eu)>

Sent: Thursday, 6 May 2021 16:06

To: [redacted] [@eda.europa.eu](mailto:[redacted]@eda.europa.eu)>; [redacted]

[redacted] [@eda.europa.eu](mailto:[redacted]@eda.europa.eu)>

Cc: ECHA Restriction PFAS in firefighting foams <[restriction-PFAS-\[redacted\]@echa.europa.eu](#)>;

[redacted] [@ext.echa.europa.eu](mailto:[redacted]@ext.echa.europa.eu)>

Subject: Stakeholders survey on firefighting foams

Dear [redacted] and [redacted],

As discussed earlier I share with you the stakeholders survey on the use of firefighting foams. It is important for stakeholders to respond to it because it can help us determine which regulatory risk management measure would be most appropriate and identify sector-specific constraints in relation with transitional periods.

We prepared an [online version](#) of the survey to allow us an easier processing of the collected data, however, only non-confidential information can be submitted via this channel. If stakeholders wish to share confidential information they need to fill in the Word questionnaire in attachment and send it to the following [ECHA's submission page](#).

We ask stakeholders to respond by 4 June 2021.

We thank you very much for accepting to forward this survey request to the MoDs. I attach the Word version to this email for your convenience. My colleague Giorgi in copy will take care of the follow-up of the survey.

Do not hesitate to come back to us if you have any question,

Best regards,

[Redacted]

[Redacted]

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