



SEMI Europe
Rue de la Science 14
1040, Brussels


semieurope@semi.org
www.semi.org


European Commission
DG Environment
Avenue de Beaulieu 9
1160, Brussels

Subject: SEMI Stockholm Convention PFOA Recommendations

Dear ,

SEMI is very grateful for the consideration the POPRC has given in the past to our recommendations for specific exemptions to a listing of PFOA in Annex A.

Since the time of our last communication with the POPRC, we have been studying our equipment components and related supply chains more closely, and have reconsidered the draft exemptions which address new and legacy equipment and fabrication plant-related infrastructure (and related refurbishment parts) for the manufacture of semiconductors and related electronic devices, specifically focused on fluoropolymers and fluoroelastomers which might contain PFOA as an impurity or unintentional residue.

We now understand that any PFOA that might be present in fluoropolymers or fluoroelastomers used in our sector is present only as an unintentional contaminant or impurity, and serves no intended purpose or performance function in the materials used in products for our sector. We also understand that the anticipated concentrations of any such impurity in materials used in products and articles used in semiconductor manufacturing are very low. Therefore, we believe that these cases will be adequately addressed by the operation of the Convention's "unintentional trace contaminant" exemption (in Note (i) of Annex A and Annex B), and that no specific exemptions are required in order to accommodate the presence of such contaminants.

However, the specific exemption points related to photo-lithography and etch processes should remain.

The following shows our requested changes (strikethrough) in the context of the POPRC recommendation:

POPRC-14/2: Perfluorooctanoic acid (PFOA), its salts and PFOA-related compounds

The Persistent Organic Pollutants Review Committee,

Recalling its decision POPRC-13/2, by which it recommended to the Conference of the Parties that it consider listing perfluorooctanoic acid (PFOA), its salts and PFOA-related compounds³ in Annex A to the Convention with specific exemptions as specified in paragraph 2 (a)–(c) of that decision;

Having assessed the information provided in accordance with paragraphs 3 to 5 of decision POPRC-13/2,

Recognizing that a transition to the use of short-chain per- and polyfluoroalkyl substances (PFASs) for dispersive applications such as fire-fighting foams is not a suitable option from an environmental and human health point of view and that some time may be needed for a transition to alternatives without PFASs,

1. *Adopts* the addendum to the risk management evaluation for perfluorooctanoic acid (PFOA), its salts and PFOA-related compounds;

2. *Decides*, in accordance with paragraph 9 of Article 8 of the Convention, to recommend to the Conference of the Parties that it consider listing perfluorooctanoic acid (PFOA), its salts and PFOA-related compounds in Annex A to the Convention with specific exemptions for the following:

(a) For five years from the date of entry into force of the amendment in accordance with Article 4:

(i) Manufacture of semiconductors or related electronic devices:

~~a. Equipment or fabrication plant related infrastructure containing fluoropolymers and/or fluoroelastomers with PFOA residues;~~

~~b. Legacy equipment or legacy fabrication plant related infrastructure; maintenance;~~

c. Photo-lithography or etch processes;

(ii) Photographic coatings applied to films;

(iii) Textiles for oil and water repellency for the protection of workers from dangerous liquids that comprise risks to their health and safety;

(iv) Invasive and implantable medical devices;

(v) Fire-fighting foam for liquid fuel vapour suppression and liquid fuel fires (Class B fires) already in installed systems, including both mobile and fixed systems, taking due account of the possible related control measures specified in the annex to the present decision;

~~(b) For ten years from the date of entry into force of the amendment for manufacture of semiconductors or related electronic devices: refurbishment parts containing fluoropolymers and/or fluoroelastomers with PFOA residues for legacy equipment or legacy refurbishment parts;~~

(c) For use of perfluorooctane iodide, production of perfluorooctane bromide for the purpose of producing pharmaceutical products with a review of continued need for exemptions. The specific exemption should expire in any case at the latest in 2036;

3. *Recommends* to the Conference of the Parties that it consider encouraging Parties not to replace fire-fighting foam that contains or may contain PFOA, its salts and PFOA-related compounds with short-chain PFASs due to their persistency and mobility as well as potential negative environmental, human health and socioeconomic impacts.



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We hope this will help simplify your efforts at the upcoming Conference of Parties.

President,
SEMI Europe

Director of Public Policy,
SEMI Europe

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Contact:

Public Policy, SEMI Europe

[@semi.org](mailto:semieurope@semi.org)