

From: [REDACTED]
To: [REDACTED]
Subject: RE: ECHA's proposal and other legislations on PFAS in firefighting foams
Date: 07 October 2021 09:11:13

Dear [REDACTED]

Alright, thank you for your reply!

Best regards,

[REDACTED]

From: [REDACTED] <[REDACTED]>
Sent: 06 October 2021 12:44
To: [REDACTED] <[REDACTED]>
Subject: RE: ECHA's proposal and other legislations on PFAS in firefighting foams

Dear [REDACTED]

I had also concluded that there would be no problem with PFOA POP Regulation entry (except if we give 5 more years to the specific exemption). For PFHxS, we have decided not to propose a REACH restriction but to directly amend the POPs Regulation (which is normally quicker as it is not Comitology but a delegated act, and there is no co-responsibility with GROW). However, we need to wait for the Stockholm Convention COP decision, which was postponed by one year. We expect to have the COP decision in the first half of next year and then amend immediately the POPs Regulation. We were thinking to align the timing with that of PFOA.

I would agree that you do not need to propose exclusions, we will deal with that when we draft the legislation and on the basis of the situation at that time.

Kind regards

[REDACTED]

From: [REDACTED] <[REDACTED]>
Sent: Monday, October 4, 2021 9:20 AM
To: [REDACTED] (ENV) <[REDACTED]>
Subject: FFF: ECHA's proposal and other legislations on PFAS in firefighting foams

Dear [REDACTED]

We were wondering how ECHA's firefighting foam restriction proposal would fit with the other EU and international legislative measures related to PFAS in firefighting foams and how to reflect this in the proposal, since the proposed conditions will be surely different (requirement for collection as much as possible, mandatory safe disposal, sector-specific transitional periods, fire management plan, etc.).

Regarding the expected timeline for this restriction proposal, we can estimate:

- Proposal submission: January 2022
- Publication of ECHA opinion: January 2023
- COM's decision/entry into force: ~ January 2024
- Implementation of mandatory RMMs: 6 months after EIF : ~July 2024
- End of use/sector-specific transitional periods: between 18 months after

EIF: ~July 2025 and 10y after EIF: ~January 2034

So, the proposal should normally not (too much) interfere with the POP regulation on PFOA which foresees a ban on use by 2023 or July 2025.

However, how about e.g. PFHxS for which there is both a REACH restriction proposal and a Stockholm Convention Annex A listing in the pipeline? Any idea on how these will be processed and how ECHA's proposal could interfere with those?

In the restriction entry I was thinking not to list any exclusion of the proposal scope due to other PFAS-related legislation, i.e. that the proposal would cover all PFAS in firefighting foams, irrespective of the other legislations in place on PFAS in firefighting foams already in place or to come; the policy makers being in a better place to adjust this themselves later on when they have all options on their table.

Would you have recommendations on this issue?

Thank you!

Best regards,

A small black rectangular box used to redact the signature of the sender.