

AEA’s comments on Zirconia Aluminosilicate Refractory Ceramic Fibres (Zr-RCF) and Aluminosilicate Refractory Ceramic Fibres (Al-RCF)

General comments on the recommendation to include the substance in Annex XIV, including the prioritisation of the substance:

This comment is handed in by the European Association of Airlines (AEA) as a common concern shared by all AEA members: the European Aviation industry, the airlines who are responsible for a airworthy fleet, and maintain the aircraft according to their EASA and FAA license. These comments also concern MRO (maintenance, repair and overhaul) services in Europe. Both airlines and individual MRO companies guarantee a whole raft of requirements ranging from safeguarding air safety, properly managing aircraft operation, and minimizing costs.

The statement is made in close cooperation with several AEA members and with ASD (Aerospace and Defence Industries Association of Europe), the national trade organizations and with the Original Equipment Manufactures (OEMs) within and outside of Europe.

Therefore the following statement refers to the official ASD statement and the paper from the AIA (Aerospace Industries Association) which was handed in to this public consultation as well.

As stated in the ASD document “EC Proposal to add Aluminosilicate and Zirconia Aluminosilicate Refractory Ceramic Fibres to Annex XIV of the REACH Regulation” (Attachment to 5th Annex XIV Web-site responses of September 20th 2013) Aluminosilicate and Zirconia Aluminosilicate Refractory Ceramic Fibres (RCF) are widely used within the Aerospace industry. Due to their properties their use within the aircraft is specific and directly linked to maintain airworthiness.

Authorisation of these products is creating a severe disadvantage for the European airline industry, and there is an issue of exposure to the public.

The aviation industry and especially the companies who perform the MRO services are directly dependent on processes, products and maintenance procedures developed by the OEMs and certified by the airworthiness authorities (European Aviation Safety Agency (EASA) and United States Federal Aviation Administration (FAA)). Due to the strict airworthiness requirements OEMs are responsible for the safety of the aircraft system as well as for sufficient maintenance procedures. Therefore airlines and MRO providers are in the first place bound to the research and developments done by OEMs. AEA members and MRO companies are not in the position to perform the important REACH process of “Analysis of Alternatives”. Nevertheless – looking at on-going REACH authorization processes for e.g. Chromium Trioxide many AEA members are heavily burdened by securing the product availability and handling the unknown and inexperienced REACH authorization process.

Therefore – and in line with the ASD and AIA position – we clearly ask for at least the extension of proposed latest application and sunset dates. The whole industry is already struggled by the on-going authorization procedures. Due to the industry’s characteristics the search for alternatives requires approximately 10 years for every substance *and* use combination. By adding more and more substances which are safety critical out of airworthiness perspective without exemptions to the

authorization path the European Aviation sees an unbearable competitive disadvantage to Non-European aviation industries.

Comments on the proposed dates:

We fully endorse the position papers made by ASD (AeroSpace and Defence Industries Association of Europe) 'attachment to 5th Annex XIV web site responses 20 sept 2013' and AIA (Aerospace Industries Association) of Sept 19 2013, with respect to the technical arguments. Based on these arguments given from the OEMs which are in charge for the safeguarding of airworthiness AEA wants to highlight that – as no alternative is available for aerospace uses by now – at least ten years are necessary to test and evaluate any alternate. Therefore sunsetdates for aerospace uses can only be set after a viable possible alternative is approved by our regulatory authorities. As long as planes and engines are built with the use of RCF, during the whole life cycle of these planes, the MRO companies and airlines need RCF in case of repair or maintenance of this product. OEMs will try to find alternatives, but mainly focus on new design and not current fleet.

Comments on uses that should be exempted, including reasons for that:

We fully endorse the position papers made by ASD (AeroSpace and Defence Industries Association of Europe) 'attachment to 5th Annex XIV web site responses 20 sept 2013' and AIA (aerospace Industries Association) of Sept 19 2013, with respect to the technical arguments. Based on these arguments AEA would like to ask for an exemption for Aerospace, for at least the life cycle of an airplane and engine, based on the fact that the current fleet will be maintained for decades by an MRO company in Europe with RCF. Sunsetdates can only be set after a viable possible alternative is approved by our regulatory authorities.

Comments on uses for which review periods should be included in Annex XIV, including reasons for that:

We fully endorse the position papers made by ASD (AeroSpace and Defence Industries Association of Europe) 'attachment to 5th Annex XIV web site responses 20 sept 2013' and AIA (aerospace Industries Association) of Sept 19 2013, with respect to the technical arguments. Based on these arguments it becomes clear that within aerospace and aviation industries large timescales are necessary to substitute any substance – if possible at all by safeguarding airworthiness. Therefore AEA suggests an exemption for aerospace uses (see above). In case of any sunset dates AEA suggests a review period for aerospace uses of at least 15 years.