WVMETALLE

COMMENT ON

The proposal for harmonized classification of lead (CAS number 7439-92-1) as hazardous to the aquatic environment

WVMetalle would like to comment on the proposal submitted by Denmark for a harmonised environmental classification of lead metal. WVMetalle especially raise principle concerns of not respecting metal specific CLP rules and guidance. In addition the proposed classifications for lead metal will have serious and direct implications for the Non-Ferrous Metals industry.

WirtschaftsVereinigung Metalle (WVMetalle), the German Non-Ferrous Metals Association, represents the German Non-Ferrous (NF) metals industry towards politics and economy in order to maintain and establish measures at a very high level. Today, WVMetalle has about 670 member companies, including producers and processors of most base and special metals and compounds including lead metal. WVMetalle is member of the German Industry Association (BDI) and of the European Non-Ferrous Metals Association (Eurometaux).

- For most of the technical aspects of the classification proposal we refer to the comments by the International Lead Association and by Eurometaux which we fully support. We would hitherto like to focus specifically on the correct application of the CLP criteria regarding the environmental hazard classification. Following the guidance this clearly includes a distinction between powder and massive forms and the use of transformation-dissolution data.

- Lead is a very malleable material and by no means brittle or porous. That is the reason why e.g. lead sheets are used as roofing material where it is easily adopted to rough edges and corners. Lead massive materials therefore do not generate abrasives or fine particles. Looking for the release per surface clearly shows that larger forms release significantly less than smaller forms (e.g. powders), which was finally the reason for the EU to distinguish the two entries. In addition Transformation Dissolution (TD) data for both forms are available and documented within the registration file including clearly distinctive dissolution kinetics. We therefore cannot understand why this concept is rejected within the classification dossier and we urge RAC to follow the specific CLP legal texts applicable to the metals environmental classification assessment and stick to already existing distinction between powder and massive forms.

- Additionally, we note that “rapid degradation” is a concept embedded in the CLP regulation, but guidance is currently lacking on how to apply it to inorganic substances. This hampers a correct assessment according to the provision of the CLP regulation.

- A broad variety of Members of WVMetalle are producers of lead metal and abroad variety of lead containing alloys. The mixture rules foresee that mixtures - be it in the form of a powder or a massive alloy - containing as low amounts of lead as > 0.025% will obtain Aquatic Chronic 3 classification. Mixtures containing > 0.25% lead will obtain Aquatic Chronic 2 classification. As downstream legislation often rely directly on this classification the consequences are extremely relevant for our industry. For example the SEVESO directive and transport regulations are triggering additional requirements which are increasing administrative burdens, costs and measures which are not justified by the intrinsic properties of lead metal, especially when it comes to massive alloy parts.

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