



Risk Management Option Analysis Conclusion Document

Substance Name: Chromium Trioxide (CTO)

EC Number: 215-607-8

CAS Number: 1333-82-0

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Date: May 2019

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Foreword

The purpose of Risk Management Option analysis (RMOA) is to help authorities decide whether further regulatory risk management activities are required for a substance and to identify the most appropriate instrument to address a concern.

RMOA is a voluntary step, i.e., it is not part of the processes as defined in the legislation. For authorities, documenting the RMOA allows the sharing of information and promoting early discussion, which helps lead to a common understanding on the action pursued. A Member State or ECHA (at the request of the Commission) can carry out this case-by-case analysis in order to conclude whether a substance is a 'relevant substance of very high concern (SVHC)' in the sense of the SVHC Roadmap to 2020¹.

An RMOA can conclude that regulatory risk management at EU level is required for a substance (e.g. harmonised classification and labelling, Candidate List inclusion, restriction, other EU legislation) or that no regulatory action is required at EU level. Any subsequent regulatory processes under the REACH Regulation include consultation of interested parties and appropriate decision making involving Member State Competent Authorities and the European Commission as defined in REACH.

This Conclusion document provides the outcome of the RMOA carried out by the author authority. In this conclusion document, the authority considers how the available information collected on the substance can be used to conclude whether regulatory risk management activities are required for a substance and which is the most appropriate instrument to address a concern. With this Conclusion document the Commission, the competent authorities of the other Member States and stakeholders are informed of the considerations of the author authority. In case the author authority proposes in this conclusion document further regulatory risk management measures, this shall not be considered initiating those other measures or processes. Since this document only reflects the views of the author authority, it does not preclude Member States or the European Commission from considering or initiating regulatory risk management measures which they deem appropriate.

¹ For more information on the SVHC Roadmap: <http://echa.europa.eu/addressing-chemicals-of-concern/substances-of-potential-concern/svhc-roadmap-to-2020-implementation>

1. OVERVIEW OF OTHER PROCESSES / EU LEGISLATION

The subject of this RMOA is the use of chromium trioxide as fixative in wood preservation products. The concern was that harmful substances would be released upon burning or otherwise processing this wood.

Chromium trioxide (CTO) is on Annex XIV of REACH, and therefore its uses are subject to REACH authorisation, unless specific exemptions apply. Article 56.4(b) of the REACH Regulation states that the authorisation process of REACH shall not apply to the use of a substance in biocidal products within the scope of Directive 98/8/EC. Thus no authorisation has to be granted for the use of CTO in biocidal products currently falling under the scope of the Biocidal Products Regulation (BPR). The use of CTO as a fixative in a biocidal product is a use within the scope of the BPR.

Substances used in Biocidal products are not excluded from further regulatory measures under the process of restriction under REACH. Chromium (VI) compounds are restricted under REACH (Entry 47, Annex XVII) in cement and cement-containing mixtures and in leather articles or articles containing leather parts being exposed to the skin.

2. CONCLUSION OF RMOA

Currently in the Netherlands, there is no longer an existing authorisation under the Biocides Regulation to use CTO to preserve wood. Developing further restriction on the use of chromium for treating wood under REACH is no appropriate measure to regulate concerns for consumers due to the use of this wood in home applications and burning any residual waste wood in private fireplaces.

Conclusions	Tick box
Need for follow-up regulatory action at EU level:	
<i>Harmonised classification and labelling</i>	
<i>Identification as SVHC (authorisation)</i>	
<i>Restriction under REACH</i>	
<i>Other EU-wide regulatory measures</i>	
Need for action other than EU regulatory action	
No action needed at this time	X

3. NO ACTION NEEDED AT THIS TIME

Table: SVHC Roadmap 2020 criteria

	Yes	No
a) Art 57 criteria fulfilled?	X	
b) Registrations in accordance with Article 10?	X	
c) Registrations include uses within scope of authorisation?	X	
d) Known uses <u>not</u> already regulated by specific EU legislation that provides a pressure for substitution?	possibly	

The substance of concern is already regulated through Authorization. After the sunset

date ECHA will assess possible risks of its use in articles (art 69.2).

The Q&A on the ECHA website hints that any uses of CC treated wood are outside the scope of Authorization. Assuming this interpretation is correct, this implies that working the CC treated wood at home, including potentially burning this wood in private fire places or building playground facilities from CC treated (recycled) wood is similarly outside the scope of Authorization. Playground facilities are also outside of the scope of the Toys directive. There is currently no restriction on the regarding the maximum content of Chromium in consumer products (entries 28-30 apply to substances and mixtures). Developing an additional restriction to regulate maximum concentrations of chromium in CC treated wood to cover the use of this wood for various applications where consumer exposure could be an issue, but which are not addressed yet by the existing authorization and restrictions could be considered.

The 2011 work by Wolterink et. al suggests that there is no risk for children playing on CC treated wood playgrounds and no risks for adults working this wood in the home environment. It is, however, unclear how estimated exposure concentration relate to CC concentrations in wood. The bioavailability of CC in wood and the complexation of CC in the wood is not well understood and it is for example unknown how the CC concentrations in wood relate to the concentration limits for toys and leather articles. Furthermore, Wolterink et al. did not address possible risks of exposure to CC treated wood fire fumes.

Based on the information available, it is concluded that there is no need to develop further restriction under REACH for the use of CC treated wood, for the following reasons:

- The BPR should already sufficiently cover risk assessment for treating wood and using the treated wood for its intended uses,
- No authorisation under the BPR has been requested since the last two authorisations expired (suggesting this type of wood preservation is no longer used),
- The available data do not suggest a risk,

Developing a restriction under REACH for burning CC treated wood in consumer fire places is expected to be ineffective to regulate the concern for hexavalent chromium exposure because this type of wood is not brought onto the market for that purpose (rather, burning this type of wood is a form of waste treatment). Even if it was an intended use, developing a restriction could be considered disproportionate. Since there are no new requests for authorisation, the market volume of CC treated wood is expected to go down with time, and disappear eventually.

3.1 Conclusions on the most appropriate (combination of) risk management options

It is concluded that based on the information available, developing further restriction on the use of Chromium for treating wood under REACH is no appropriate measure to regulate concerns for consumers due to the use of this wood in home applications and burning any residual waste wood in private fire places. It is concluded of possible added value to raise awareness with consumers that burning wood that is not meant as fire-wood may involve health risks that are unaccounted for. This conclusion may need to be revisited when new information on use and exposure becomes available.