

COMMUNICATION TO THE AEROSPACE SUPPLY CHAIN  
(<sup>3rd</sup> ADDENDUM):  
UPDATE ON REACH AUTHORISATION  
FOR CHROMATES

30 June 2021

**About ASD**

*The AeroSpace and Defence Industries Association of Europe represents the aeronautics, space, defence and security industries in Europe in all matters of common interest with the objective of promoting and supporting the competitive development of the sector. Its membership comprises major European aerospace and defence companies as well as national associations.*

This paper is the third addendum to the ASD communication of 15<sup>th</sup> February 2016 ('COMMUNICATION TO THE AEROSPACE SUPPLY CHAIN: UPDATE ON REACH AUTHORISATION FOR CHROMATES') and provides the status on the CTACSub, CCST and GCCA Applications for Authorisation.

## Background

According to the REACH regulation<sup>1</sup>, the use of some chromates<sup>2</sup> is banned in Europe from September 2017 and/or January 2019, depending on the substances, unless an Authorisation has been granted for a specific use by a specific chemical supply-chain or downstream user, for a limited time period, and for the specific cases where no suitable alternatives can be implemented before the Sunset Dates.

Applications for Authorisation have been submitted by chemical suppliers, as applicants, with the support of some industrial consortia for some Aerospace uses of some chromates and are provided in the table attached to this communication.

## CTACSub, CCST and GCCA Authorisation Decisions

- These EU REACH Authorisations have now been granted by the European Commission, and the Aerospace supply-chain must act to ensure they are operating in compliance with the relevant Decisions. The Authorisations are valid until September 2024 or January 2026 depending on the substances.

Any Company, who is a downstream user, will be covered by the granted Authorisations if the three following conditions are met, and if they make the required notifications to ECHA according to REACH article 66:

- The use of the substance by this company falls under the authorised use definition;
  - The company is supplied by one of the Authorisation holders or by a supplier or formulator who is supplied by one of the Authorisation holders;
  - The company complies with the relevant exposure scenarios in the extended Safety Data Sheet (eSDS) provided by its upstream supplier, and with the conditions of the Authorisation Decisions.
- As a result of Brexit, the UK implementation of REACH retains the Authorisation provisions in full.

Because the Authorisation decisions for the chromates were published before the end of the Brexit transition (31 December 2020), these Authorisations are recognized in the UK, under UK REACH. As such GB-based companies are also covered if they meet the conditions of the Authorisations as described above.

GB-based companies need to notify the UK HSE of their uses according to UK REACH. Instructions for how to make the relevant notifications can be found at the following link:

<https://www.hse.gov.uk/reach/authorisation.htm>

As a result of the Northern Ireland (NI) Protocol, in Northern Ireland, EU REACH still applies.

## As a reminder

- Downstream users must comply with Exposure Scenarios provided in updated extended Safety Data Sheet (e-SDS) by their chemical suppliers. The e-SDS must be provided by the chemical suppliers within 3 months from the Authorisation decisions.

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<sup>1</sup> REGULATION (EC) No 1907/2006 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH).

<sup>2</sup> Please refer to REACH Annex XIV for the comprehensive list of substances and their respective Sunset Dates and Latest Application Dates.

- Downstream users must submit a Notification of their authorised use (Article 66 of REACH<sup>3</sup>) to ECHA within 3 months from the first delivery of the substance following publication of the Authorisation decisions.
- Downstream users must include in their REACH Art 66 Notification the required Key Functionalities information in the Authorisation decisions.
- Downstream users must submit exposure and environmental data to ECHA 12 months after Authorisation after having conducted for the first time workers monitoring campaigns within 6 months of Authorisation.
  - The dates for collecting and reporting such information are included in the Authorisation decisions and summarized in the updated press releases from the CTACSub, CCST<sup>4</sup> and GCCA<sup>5</sup> consortia, annexed to this addendum.

ECHA keeps a register of downstream users notifications and passes the information to the Member State competent enforcement authorities who can carry out inspections as necessary. Failure of suppliers to comply and require appropriate compliance of their respective supply chains can give rise to supply-chain disruption.

ECHA will also forward the EHS monitoring data to the Authorisation holders after the mandate EHS data reporting deadlines have passed e.g. in the case of CCST the monitoring data is required to have been submitted to ECHA by mid-April 2021. This data is made available to the Authorisation holders to enable them to be compliant with the terms of the Authorisation Decisions in relation to the Exposure Scenarios that they must validate within 18 months, e.g. in the case of CCST by mid-October 2021.

The EHS information is also required to support Authorisation application renewals to European authorities for extension of Review Period(s) (where viable alternatives to such chromate use(s) cannot be implemented before the end of the relevant Review Period). Failure to submit this monitoring data could jeopardize the viability of any renewal applications that are needed.

**Linked in below is the list of all downstream users Art. 66 notifications received as of 31 March 2021 as updated and published by ECHA in June 2021**

<https://echa.europa.eu/du-66-notifications>

#### ANNEXES

Press releases of CTACSub, CCST and GCCA

Table of CTACSub, CCST, Gentrochema BV under CCST Letter of Access and GCCA AfAs and numbers

#### Disclaimer

*This communication should not be considered as providing advice on REACH or its interpretation. The reader should refer to the official websites of the European Chemicals Agency and the European Commission for information on and the requirements of REACH discussed in this document, for example:*

<https://echa.europa.eu/regulations/reach/understanding-reach>

<http://echa.europa.eu/web/guest/regulations/reach/authorisation/applications-for-authorisation>

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<sup>3</sup> ASD [REACH Art 66 Q&A](#) of February 2019

<sup>4</sup> CTACSub and CCST: <https://jonesdayreach.com/news/>

<sup>5</sup> Global Chromates Consortium for Aerospace (<https://ramboll.com/media/gcca>)