

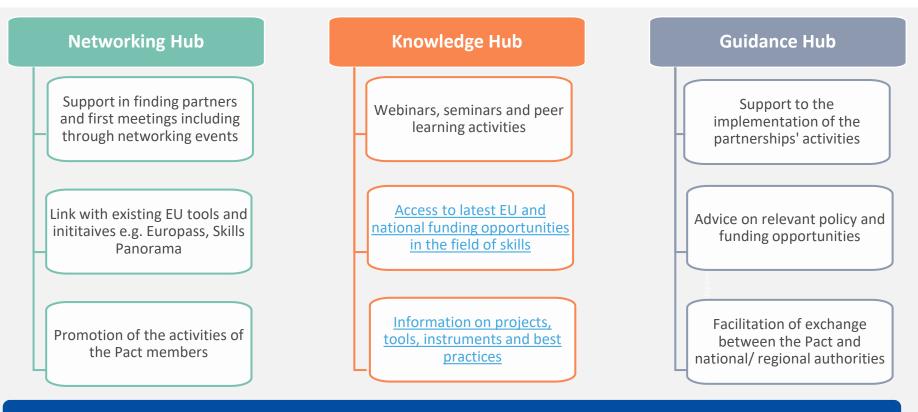
PFAS revision – challenges and opportunities at global and EU-level

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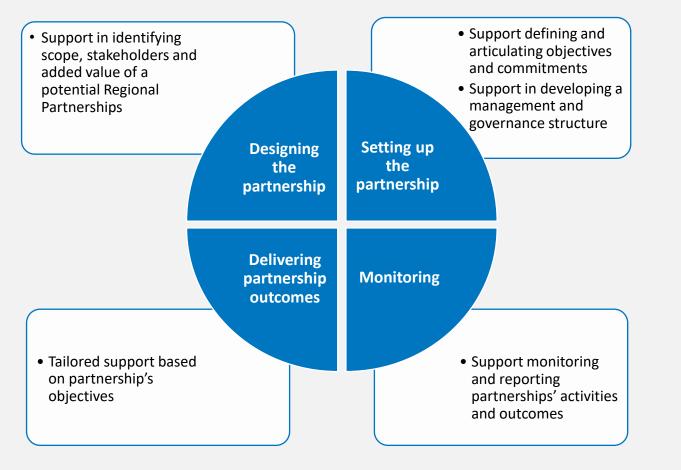
Regional partnership support



Support services to members of the Pact



Regional partnership support



Principles of the approach

- Tailored to each partnership's needs
- Focused on developing the partnership and supporting outcomes
- Foundations for longer term sustainability



What are **PFAS**?

Perfluoroalkyl and polyfluoroalkyl substances (PFAS) are a large group of chemicals known for their stability under intense heat but for their capacity as water and grease repellents (ie. surfactant).

Composition

 Are present as gases, liquids, or solid high-molecular weight polymers. Some PFAS are described as long-chain or short-chain, but this does not cover all of the different kinds of structures that are present in the PFAS class

Main industrial uses

 Aerospace and defence, automotive, aviation, food contact materials, textiles, leather and apparel, construction and household products, electronics, firefighting, food processing, and medical articles.

Main concerns

 Verified harmful effects of some PFAS (particularly long-chain PFAS) on human health and the environment.



Overview of legislation – Global

At the international level, the **Stockholm Convention on Persistent Organic Pollutants** (POPs) limits the use of some PFAS:

- PFOS (e.g., used in fire-fighting foam, photo imaging, textiles) **Restricted in 2009**
- PFOA (e.g., formerly used in cardboard packaging and stain-resistant carpet) Banned in 2019
- PFHxS (e.g., used in fire-fighting foam, carpets and non-stick cookware) Banned in 2022

186 countries are party to the Stockholm Convention. The European Union has ratified the Treaty in 2004 and implemented it through Regulation (EC) No 850/2004.

Countries that have signed but not yet ratified the Stockholm Convention include the United States, Israel and Malaysia.



Overview of legislation – United States

At the federal level, the United States Environmental Protection Agency (EPA) has devised a Strategic Roadmap for 2021-2024. This comprehensive approach revolves around five principles:

- 1) Consider the Lifecycle of PFAS;
- 2) Get Upstream of the Problem;
- 3) Hold Polluters Accountable;
- 4) Ensure Science-Based Decision-Making and
- 5) Prioritise Protection of Disadvantaged Communities.

The EPA issued in 2024 the first nationwide rule limiting the presence of six PFAS in drinking water (the "National Primary Drinking Water Regulation").

At state level, 28 US states have adopted policies to restrict PFAS. Some states like Maine or Minnesota are at the forefront of PFAS regulation. Notably, Maine is the first jurisdiction in the world to ban PFAS as a class of chemicals.



Overview of legislation – Canada

At federal level, some types of PFAS (PFOS, PFOA and LC-PFCAs) are listed as toxic substances under the Canadian Environmental Protection Act and have thus been prohibited or restricted at federal level.

 There are also published guidelines for maximum acceptable concentrations of PFOS and PFOA in drinking water and there are ongoing debates on further toughening the requirements to match the US standards.

At state level, provinces including British Columbia, Ontario, Quebec and Alberta have taken actions to regulate the use of PFAS. For example, Quebec decided to temporarily stop importing biosolids from the United States over PFAS-related concerns.

 Canada is taking steps to regulate PFAS as a class of chemicals as part of the Draft State of Per- and Polyfluoroalkyl Substances (PFAS) Report. It could be that all PFAS could be banned or restricted instead of each substance being addressed individually



Overview of legislation – United Kingdom

Following Brexit, the United Kingdom stopped being subject to the EU REACH regulation and replicated a domestic version known as UK REACH.

- The technical content of UK REACH closely follows EU REACH. Both regulations have the same approach to the classification and labelling of chemicals since they follow the United Nations' Globally Harmonised System (GHS)
- The main difference between EU REACH and UK REACH is that the UK and the EU now have distinct chemical databases, which requires manufacturers and importers to submit data to each regulatory body separately
- In February 2024, PFAS regulation was identified as a priority for the UK REACH work programme 2023-2024. This included a proposal to start restricting PFAS in fire-fighting foams and explore further restrictions, such as standards for drinking water in England and Wales.



Overview of legislation – EU

The EU has a comprehensive chemicals strategy, with the EU REACH Regulation is one of the main pieces of legislation to regulate the use of PFAS. The European Chemicals Agency (ECHA) is the main regulatory body.

- 240 substances are listed in the Candidate List of Substances of Very High Concern (SVHC), which means companies importing, producing or suppling products with SVHC are subject to specific legal obligations.
- Some PFAS (e.g., PFOA, C9-14PFCAs and PFHxS) are included in the Candidate List of SVHC, with C9-14 PFCAs being restricted since 2023.

In February 2024, Member States voted in favour of restricting PFHxA, which is used in firefighting foams and food contact materials

 This draft regulation is currently being scrutinised by the European Parliament and Council before adoption by the Commission

The EU has also regulated the maximum levels of PFAS authorised in drinking water through Directive (EU) 2020/2184 and in food through Commission Regulation (EU) 2022/2388



Overview of legislation – EU (continued)

ECHA's scientific committees (the Committee for Risk Assessment ("RAC") and the Committee for Socio-economic Analysis ("SEAC")) are currently formulating their opinions on a possible ban of 10,000 different PFAS due to the risks posed for humans and the environment.

- This process started following the submission of a restriction dossier to ECHA from Germany, the Netherlands, Denmark, Sweden and Norway in September 2023.
- The aim is to regulate PFAS in their entirety, including precursors, so the restriction will cover all substances that contain at least one fully fluorinated methyl group (-CF3) or methylene group (-CF2-) without any further H, CI, Br or I atoms. All PFAS that fall within the scope of application are either non-degradable themselves or decompose into nondegradable PFAS.
- A general ban on manufacturing, placing on the market (including imports) and using PFAS as such or as part of other substances, in mixtures or products (above a specified concentration) is also under consideration.



Thank you!

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