

FuelsEurope position on 2017 REACH REFIT Review

The sector is committed to complying with the requirements of REACH¹ and continues to take all necessary steps to achieve timely REACH implementation and compliance, through its role in generating additional information about the safe use of petroleum substances and contributing to the SIEF² for petroleum products.

The Regulation is complex and ambitious, but industry has supported the framework of REACH, which is compatible with the sector's key principles of grounding decisions in science, risk-based processes and focus on safe for intended use.

REACH implementation is still not complete. The deadline for Registrations for lower tonnage substances is in 2018, and Evaluations of existing dossiers and substances are still ongoing. In light of the challenges ahead the refining industry feels that predictability and legal certainty, as well as a renewed focus on simplifying implementation, is required for most effective future delivery. As such:

- The sector thinks that the REACH Regulation should not be revised at this time
- The sector believes that the REACH Review should focus on REACH implementation and governance to make it simpler and less costly to implement and administer within the current framework

Effective implementation should recognise the need for realistic timescales to develop the required information, as well as appropriate stakeholder engagement with regulators and competent authorities. The refining industry would like to see the ongoing efforts of stakeholders and authorities in the implementation of REACH to:

- Encourage an integrated approach in the Evaluation processes, so that substances within a defined category are not being evaluated at different times, and that dossier evaluation is undertaken before substance evaluation. Once a decision has been made, close dossiers to further action, unless new evidence emerges
- Use guidance documents as a way of getting clarity about how to interpret REACH's obligations, and to consult affected stakeholders when that guidance is being produced. Guidance documents should avoid increasing complexity and adding to the legal obligations of those stakeholders
- Balance implementation more clearly towards a risk-based approach away from the current bias for hazard-based, particularly in areas such as the SVHC³ Roadmap and classification. This would avoid an approach that leads to a "blacklisting" of substances with minimal impact on the safe use of chemicals
- Rely on the Chemical Agents Directive⁴ and encourage innovation in improving risk management measures, both as alternatives to the Authorisation of effective substances
- Ensure a level of consistency in enforcement efforts that takes into account suitable local solutions, yet still encourages effective compliance, with minimal distortion to the single market
- Focus on reducing complexity and burden, to avoid channelling resources into compliance efforts at the expense of R&D and innovation essential for the long-term competitiveness of European industry and the value chain that petroleum products support
- Automate system updates, to reduce the administrative burden and allow users to focus exclusively on renewing content when updating dossiers
- Simplify Extended Safety Data Sheets, to make them easier and more practical for producers and users
- Take a consultative approach to secondary legislation, including implementing acts affecting REACH and CLP delivery, where the views of affected stakeholders are taken into account.

FuelsEurope, the voice of the European petroleum refining industry

FuelsEurope represents with the EU institutions the interest of 41 companies operating refineries in the EU. Members account for almost 100% of EU petroleum refining capacity and more than 75% of EU motor fuel retail sales.

FuelsEurope aims to inform and provide expert advice to the EU institutions and other stakeholders about European Petroleum Refining and Distribution and its products in order to:

- Contribute in a constructive way to the development of technically feasible and cost effective EU policies and legislation.
- Promote an understanding amongst the EU institutions and citizens of the contribution of European Petroleum Refining and Distribution and its value chain to European economic, technological and social progress

Contact : Alexander Ioannidis

T +32 2 566 91 20

alexander.ioannidis@fuelseurope.eu

www.fuelseurope.eu

¹ Regulation (EC) No 1907/2006 on Registration, Evaluation Authorisation and Restriction of Chemicals

² Substance Information Exchange Fora

³ Roadmap on Substances of Very High Concern: <http://register.consilium.europa.eu/doc/srv?l=EN&f=ST%205867%202013%20INIT>

⁴ Directive 98/24/EC