

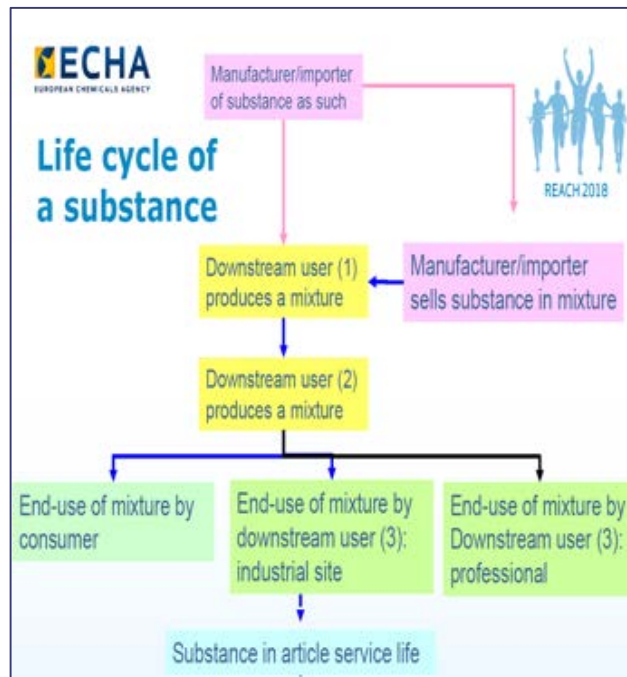
**ECHA's conference  
Safer Chemicals 21-22 May 2019**



**Case study: How to improve safe use**

Marianne Lyngsaae  
22 May 2019

## SAFE USE - UNDER A CIRCULAR ECONOMY



## CASE STUDY

### Project managed by Kemi & Life Science Denmark, a member of Fecc

Options and workability of Circular chemistry in the upper parts of the supply chains?

New loops possible for chemical substances?

Can parts of the chemical waste from one Downstream User be used **safely (!)** – as a resource - by another company?



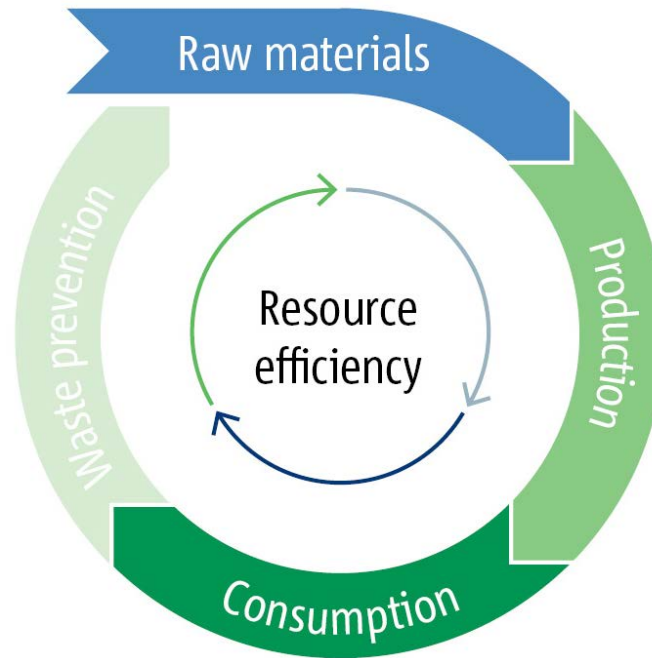
CASE STUDY LINKS DIFFERENT VALUE CHAINS

**Can parts of the chemical waste from one Downstream User be used safely (!) - as a resource - by another company?**

*Distributors* = platforms helping to facilitate sustainable solutions & cooperation across chemical value chains

Companies offering potential circular resources (Chemical substances)

*Participants: Pharmaceutical companies, Recycler*



Companies showing interest in circular resources (Chemical substances)

*Participants: Formulators of paints and de-icers, company with internal waste water treatment*

## THE LEGISLATIVE ENVIRONMENT

### Two pillars, Two starting points

#### Waste framework directive / waste policy

- Focus on reducing waste, more recovery from waste and on correct handling.
- Waste should, in general, be kept separate to eliminate risks towards man and environment, it should be assured that it ends up in the right place.

#### REACH / CLP in the Chemical legislation

- SAFE USE is central
- Chemicals may during their use get into contact with the surrounding environment and with humans - during manufacturing, in various industrial uses such as in mixtures and articles, by professionals or by consumers.



#### A boundary

- REACH Art. 2.2 says that Waste - as defined in EU directive on waste - "...is not a substance, preparation or article".
- Meaning: - when a substance is *not* defined as waste, *then* the chemical legislation applies. And vice versa.

## THE LEGISLATIVE ENVIRONMENT

### Two pillars, Two starting points

#### Once classified as waste ...

#### Waste framework directive

Hazardous waste **classified** via company environmental permit

- As Hazardous waste for destruction
- As Hazardous waste for recovery

#### Defined Roles & responsibilities

- Waste producer/waste holder
- Dealer/Broker/Waste transporter
- Companies doing waste treatment - recovery



For a **supply chain** via these defined roles:

CLP'ish classification of hazardous waste

No SDS communications prescribed for this chain?

PROJECT BY DANISH SECTOR ORGANISATION

**Safe use in a circular economy**

**(6) New loop for the processing aid as "By-product" can support safe use for the next DU!**

**(5) HINT to the first DU:** Check the options together with the supervising authority for your environmental approval – See if **"By-product"** definition can be applied



**(4) Not being waste means CLP labeling and communication of REACH compliant e-SDS along a new value chain, for a new loop.**

**(3) If a processing aid meet the definition of "By-product", it may be regarded as not being waste, says the Waste framework directive.**

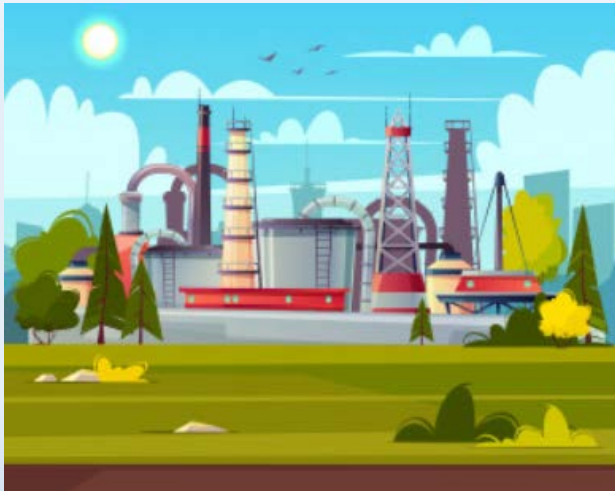
**(1) New loops for used processing aids classified as "waste for recovery", were seen as inappropriate in view of safe use**

**(2) Processing aids that are not consumed nor transformed during an industrial process and considered waste afterwards, may technically speaking be "By-products"**

## PROJECT BY DANISH SECTOR ORGANIZATION

**Communications in the new value chain****In front of the use by the first Downstream user**

- Purchased high grade processing aid substance supplied with e-ESDS. Quality described in a Technical Specification.

**When used by the first Downstream user**

- Consider impact from the usage
- Consider environmental permit, waste /non waste status
- Same CLP labeling? Even when an impact does not change the CLP labeling, assess if it otherwise influences the information in received e-SDS. Filter out any ES? New use to be added (less likely for this type of substances)? DU – CSR ?
- When non-waste is an option (By-product):
- Supply and communicate **to the next Downstream user** in compliance with REACH/CLP (e-SDS, CLP label)



**PROJECT BY DANISH SECTOR ORGANIZATION**

**In the pipeline...**



**Project Seminar  
September 2019, Copenhagen  
(1/2 Day)**

**Guidance information on  
Processing aid substances in a  
Circular Economy**

**Brochure with tips and advice on  
how to get started, options to seek  
economical support for SME**

 **Kemi & Life Science**  
- en del af løsningen

# Connecting **Chemistry**



**Thank you for your  
attention !**