

Recovered Substances

Report on an enforcement project 2016

ENFORCEMENT 13/16



The Swedish Chemicals Agency is supervisory authority under the Government. We work in Sweden, the EU and internationally to develop legislation and other incentives to promote good health and improved environment. We monitor compliance of applicable rules on chemical products, pesticides and substances in articles and carry out inspections. We also provide guidance regarding enforcement and inspections to municipalities and county administrative boards. We review and authorise pesticides before they can be used. Our environmental quality objective is A Non-toxic Environment.

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Preface

The project was implemented as part of the government commission on Non-toxic and resource-efficient material cycles, which is in turn part of the Action plan for a toxic-free everyday environment produced by the Swedish Chemicals Agency.

The Swedish Chemicals Agency's mission is to inform, support and cooperate with businesses, government agencies and other stakeholders with regard to chemical products, biotechnological organisms, chemicals safety and applicable regulations and with regard to matters concerning the Agency's activities.

The aim of the project was to check how the chemicals legislation is applied in practice in the case of recovered materials.

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Summary

Recovered Substances is a project where The Swedish Chemical Agency, in cooperation with The Swedish Environmental Protection Agency, the municipalities and the County Administrative Boards, have inspected companies which recycle waste. The aim of the project is both to get clarity in the companies' knowledge of the chemical legislation and how well the legislation works in practice. The results from the inspection project are an important source for the analysis which the government has assigned The Swedish Environmental Protection Agency to do.

In order to get an overview of the situation, several different recycling processes and types of waste were chosen. In total, eight companies were inspected in the project. The inspections were conducted in cooperation between the relevant authorities.

The results show that the companies' knowledge of both the chemical legislation and the chemical content in the recyclable products are poor. The Swedish Chemical Agency believes that further work is needed in order to secure that the chemical legislation is in compliance for recycled substances. There is a need of:

- Further guidance on when waste cease to be waste
- Increased knowledge within the companies of chemical content in the recycled products
- Cooperation between authorities both for guidance and enforcement.
- A better flow of information from the producing companies to the recycling companies regarding the chemical content in products.

Sammanfattning

Återvunna ämnen är ett projekt där Kemikalieinspektionen i samverkan med Naturvårdsverket, kommuner och länsstyrelser kontrollerat företag som återvinner avfall så det upphör att vara avfall. Detta för att få klarhet i både hur god kunskapen om kemikalielagstiftningen är och hur väl lagstiftningen fungerar i praktiken. Resultaten från tillsynsprojektet utgör ett viktigt underlag för den analys Naturvårdsverket fått i uppdrag av regeringen att göra.

För att få en så övergripande bild som möjligt har valdes flera olika återvinningsprocesser och avfallsslag ut för tillsyn. Totalt kontrollerades 8 företag i projektet. Inspektionerna genomfördes i samverkan mellan berörda myndigheter.

Resultatet visar på att företagens kunskap om kemikaliereglerna och det kemiska innehållet i de återvunna produkterna är dålig. Kemikalieinspektionen anser att det krävs ytterligare arbete för att säkerställa att kemikaliereglerna efterlevs för återvunna ämnen. Det behövs bland annat:

- mer vägledning om när avfall upphör att vara avfall
- ökad kunskap hos företagen om det kemiska innehållet i de återvunna produkterna
- samverkan mellan myndigheter vid vägledning och tillsyn
- bättre informationsflöde om det kemiska innehållet från producenter, av kemiska produkter och varor, till återvinnarna.

1 Background

From a resource perspective, it is important that we achieve a circular economy that promotes recovery. At the same time, it is important that the exposure to dangerous substances from recovered materials is low. How well does the material cycle for chemicals function in Sweden? Are businesses aware of all the waste and chemicals regulations, and do the regulations work in practice? To find out about these and other matters, the Swedish Environmental Protection Agency has been given the government commission Non-toxic and resource-efficient material cycles.

The government commission on Non-toxic and resource-efficient material cycles is part of the Action plan for a toxic-free everyday environment produced by the Swedish Chemicals Agency, the aim of which is to reduce the exposure to dangerous substances from a life-cycle perspective.

The government commission Non-toxic and resource-efficient material cycles includes the assignment to:

“Perform a careful analysis of how the waste and chemicals legislation is applied in practice in the case of recovered materials, both as regards the EU chemicals legislation REACH and as regards Regulation (EC) No 1272/2008 on classification, labelling and packaging of substances and mixtures (CLP) and when waste ceases to be waste in accordance with the waste legislation and to propose amendments to the EU regulatory framework.”¹

In a recovery process, waste can cease to be waste. It then instead becomes either a chemical product (chemical substance or a mixture of substances) or an article. In connection with a full recovery process, the waste legislation also ceases to apply in favour of the chemicals legislation. In early 2016, the Swedish Chemicals Agency conducted a minor enforcement project on recovered substances in collaboration with the Swedish Environmental Protection Agency, municipalities and county administrative boards. This was intended to ascertain how good the knowledge of the chemicals legislation is and how well the legislation works in practice. The results of this enforcement project constitute an important basis for the analysis that the Environmental Protection Agency been commissioned to perform.

The project's main aim was to check the application of the chemicals legislation by the companies that recover waste so that it ceases to be waste. More about relevant legislation is stated in Appendix 1². Another aim of the enforcement project was to increase knowledge of the regulations applying both to businesses and government agencies. The project was also intended to provide us agencies with a greater understanding of the realities faced by recovery operators. This is knowledge that yields good conditions for the future guidance provided by the Environmental Protection Agency and the Swedish Chemicals Agency to both businesses and the regional and local enforcement authorities.

¹ Commission concerning non-toxic and resource-efficient material cycles. Government decision of 8 January 2015. M2015/376/Ke.

² The appendix is only available in the Swedish version of the report.

2 Introduction

2.1 Relaxations of the chemicals regulations for recovered substances

All forms of recovery, including mechanical processing, are considered a manufacturing process under REACH³. This applies whenever one or more substances are generated through such processes, whether making a mixture or an article. The recovery process can consist of one or more recovery steps. Substances that have first been part of waste and have then ceased to be waste are considered recovered substances. In the same way as other substances, these are covered by REACH. However, for recovered substances, it is possible for them to be exempted from the registration requirement. Under REACH Article 2(7)(d), substances that have been registered and then recovered are exempted from the obligation of registration because they are considered to have already been registered at an earlier stage. This applies provided that the recovery process is so efficient that it can be considered the same substance. A prerequisite for making use of the exemption in Article 2(7)(d) is that the establishment undertaking the recovery has access to information under Articles 31 or 32 (safety data sheets or equivalent) of the Regulation. Since the nature of recovered materials is such that they have already been on the market, the constituent substances have in the vast majority of cases also been registered in accordance with REACH. Thus, in principle, it is possible to obtain exemptions from registration for the vast majority of recovered materials. This applies provided that the recovery operator can demonstrate that they have sufficient information about the substances contained in the material.

Note that the registration of substances is very rarely required when they are part of articles. In practice, this means that the exemption from the registration requirement is not relevant in cases where a recovery operator manufactures an article directly from waste.

Substance identity

The recovered substance must be given an identity in the same way as any other substance covered by the registration obligation. When the recovered substance's identity has been satisfactorily determined, the establishment undertaking the recovery examines whether the conditions have been met for application of the exemption under REACH Article 2(7)(d). The recovered substance must then be the same as a substance that has already been registered. Different substances have different methods for substance identification. For many substances, a decisive factor is that the main constituent (> 80%) is the same, regardless of whether the substance is classified as dangerous or not. For more information on substance identification, see the guidance available in this area⁴.

Regardless of whether the recovered material is a substance or a mixture, the recovery operator must ensure that the individual substance has already been registered. The originally registered substance and the recovered substance do not need to be part of the same supply chain.

³ Registration, Evaluation, Authorisation and Restriction of Chemicals. Regulation (EC) No 1907/2006. System for the registration, evaluation, authorisation and restriction of chemicals.

⁴ https://echa.europa.eu/documents/10162/13643/substance_id_sv.pdf/dfb3b387-b2d6-4d3f-b62a-389ce22ceecf

Information

The recovery operator must ensure that it has access to certain information about the recovered substance. The information must comply with the requirements to provide information under REACH Articles 31 or 32.

The information requirement can be any of the following:

- a safety data sheet for the registered substance, if the substance is classified as dangerous
- other information sufficient to enable users to take protective measures for the registered substance where a safety data sheet is not required
- a REACH registration number

For more guidance, we recommend the European Chemicals Agency, ECHA, and its guidance on waste and recovered substances⁵.

2.2 The different roles of the enforcement authorities

In the ongoing enforcement of recovery operations, it is county administrative boards and municipalities which have enforcement responsibility regarding the assessment of when waste ceases to be waste. Municipalities and county administrative boards receive guidance on waste issues from the Swedish Environmental Protection Agency.

When waste ceases to be waste and is classified as a chemical product or an article, this means manufacturing according to the definition in REACH. When the recovered material is placed on the market, the recovery operator is considered the primary supplier, which means that the Swedish Chemicals Agency becomes the responsible enforcement authority. The Swedish Chemicals Agency checks that the chemical product/article meets the chemicals and product legislation when it is placed on the market.

3 Method

3.1 Which different recovery processes were selected?

In this project, we wanted to include a lot of different recovery processes in order to obtain as comprehensive a picture of compliance as possible. The selection of operations to be inspected in the project was made in collaboration with the Swedish Environmental Protection Agency. In order to identify the companies that recover waste and sell it on as a chemical product or an article, the Environmental Protection Agency sent out a questionnaire to Sweden's county administrative boards.

The various recovery processes selected in the project were:

- Waste that derives from articles and that upon recovery
 - directly becomes an article
 - becomes a chemical product through mechanical processing
 - becomes a chemical product through steps of chemical processing
- Waste that derives from chemical products and that upon recovery
 - becomes a new chemical product through a chemical process
 - becomes a chemical product through chemical purification.

⁵ European Chemicals Agency, ECHA, https://echa.europa.eu/documents/10162/13632/waste_recovered_sv.pdf

Since there are different difficulties in different chemicals streams, we also wanted to capture the recovery of polymers⁶ and base oils.

The project did not cover the recovery of waste used in construction works. This is because this kind of recovery is covered by *The Swedish Environmental Protection Agency's Handbook 2010:1 Recovery of waste in construction works*. The Environmental Protection Agency plans to revise this handbook in 2016.

3.2 Implementation

In total, 8 inspections were conducted together with either a municipality or county administrative board. In most of these cases, the authority and the companies assessed that the waste had ceased to be waste even before the inspection. All the inspections were on-site inspections at the recovery facilities. Ahead of the inspections, the authorities confirmed their respective enforcement responsibilities, etc. Since it can be difficult to determine if and when waste ceases to be waste and which regulations the company must thereby comply with, this collaboration has been an important part of the project.

4 Lessons learned

4.1 When does waste cease to be waste?

Knowing when in the recovery process waste ceases to be waste is not always obvious, either for the recovery companies or for the enforcement authority. This is a question that needs clarification, and further guidance is needed from the Swedish Environmental Protection Agency. A recovery process often includes several steps, and where in the recovery process the transition from waste to substance, mixture or article takes place is decisive for enabling operators to know which legislation is applicable. There are very great differences in the requirements placed by waste legislation and chemicals legislation. Both sets of legislation aim to protect human health and the environment, but the regulations are designed in different ways. If there is an uncertainty of who must comply with which legislation, there is a risk that important issues will fall between the cracks and not be included. One example could be the question of the content of dangerous substances in cases that are outside the control of both waste legislation and chemicals legislation.

The Swedish Chemicals Agency's proposal is that a guideline could be that waste ceases to be waste when the recovery process has generated a product that can be used directly and that does not undergo further recovery steps. The waste has then undergone transition into a chemical substance, a chemical mixture or an article. However, this is not for us to determine, but we have submitted the question to the Swedish Environmental Protection Agency as we believe there is a need for more guidance on the matter, as previously mentioned.

4.2 Determination of substance identity

Substance identification is central to being able to make use of the exemption in REACH. How this is best done varies depending on the stream from waste to recovered substance. The companies generally have very good control and knowledge regarding the recovered products' physical properties, such as melting point and durability. Most of the recovery operators

⁶ Polymers are plastics consisting of long chains of similar molecules.

performed such tests. It is usually these types of properties that are decisive for the product's applications and the information that their customers request. The level of knowledge regarding chemical composition and the checking of this often turned out to be more deficient. Determining substance identity also requires knowledge of the product's chemical composition and determination of the constituent substances' chemical properties.

ECHA's database of registered substances can be a good aid to substance identification. The database includes information about the physical and chemical properties of the registered substances. Some of the companies inspected have carried out a pre-registration. This gave them the opportunity to turn to the Substance Information Exchange Forum, SIEF, and thus gain access to existing data on the substance. Where the companies have carried out a pre-registration, they also had a clear picture of which substance(s) they are recovering.

It is very rare that it is a completely pure material stream that is being recovered; that is, that there is no mixing or contamination with other substances during the substance's life cycle. What sort of documentation is then needed to demonstrate that the stream is sufficiently pure to be able to determine that the substance identity is the same already registered at an earlier stage? The inspection project has enabled us to see the following ways to determine substance identity.

Documentation of original substance identity

Pure fractions can be identified through mapping the chemical content by compiling information from the manufacturer of the original product and other available sources. Where there is a closed or simple stream without any impurity, the substance identity can be verified by using documentation of the waste's composition. This documentation can be in the form of safety data sheets, composition data from the waste depositor, etc. An example of when waste is made up of pure fractions is when it consists of production waste. Even in pure streams, such as residual gas in cylinders or car cooling systems, documentation of the waste's substance identity could be a sufficient basis for determining the substance identity of the product.

Where the waste comes from many different sources, it is more difficult to determine substance identity. This means that it is probably insufficient to map the chemical content; there may be a need for analyses. In other words, more extensive work is required.

Since there is no obligation to forward information to the waste stage in the same way as for chemical substances, it can also be difficult to obtain safety data sheets for the original substances.

The matter of how information about the chemical content of the original products can be made available to the recovery operators would need further investigation.

Analyses

Where the waste stream is complicated and where the origin can differ, and where purification is high-grade, such as chemical modification, the Swedish Chemicals Agency assesses that analyses are often required to determine the substance identity. Analyses may also be relevant in other cases, for example, to show that recovery has removed an impurity.

The inspections have revealed an uncertainty as to what it is that needs to be analysed. Our advice is to collaborate with article producers, etc. on identifying chemical content in an attempt to ascertain which substances and impurities the recovered material should contain. When this has been done, analyses can be used to verify which substances and impurities the recovered material actually contains. If, following the analyses, there remains a major fraction

in the recovered material whose substance identity is unknown, further studies and analyses may be necessary. The project has not yielded sufficient knowledge for a more detailed description of the analyses that may be required.

Searches in substance databases

Where the recovered substances consist of UVCB substances⁷, it can be difficult to identify which substance(s) are involved using information on the original substance identity and analyses. UVCB substances are substances of unknown or variable composition, complex reaction products or biological material. If it is a case of a UVCB substance, the substance has many different constituents, some of which might be unknown. The chemical composition might vary or be difficult to predict. Data on the recovered substance or the substances' physical and chemical properties can be used to perform a search in the CAS registry or other databases of known UVCB substances and so get a match for the right substance. A recovered product can consist of several similar UVCB substances, and this complicates substance identification via databases.

4.3 The information requirement in REACH

In order to make use of the exemption from registration under REACH Article 2(7)(d), the recovery operator is also required to be able to present information about the recovered substance. The information required is the same as for newly manufactured substances, that is, information under Article 31 in the form of safety data sheets for chemical substances or information under Article 32 on registration numbers and any applicable restrictions and authorisation requirements if the substance is not classified as dangerous.

The project showed that few companies had the information that was required. It can be problematic for the company to gain access to safety data sheets for registered substances since it is not a requirement to pass on information in the form of safety data sheets to those handling waste. Something that should be taken into account and that we gave information about at the inspections is the legal ownership of the information that actually exists. It is costly to produce the information contained in a safety data sheet, for example, and a commercial deal for making use of the information might be relevant. Here we see a potential role for the recycling industry organisations in acquiring and offering this type of information. This could be an effective and viable way forward.

5 Results

5.1 For which recovery processes does the chemicals legislation work well?

Even though this enforcement project is relatively limited in size, we believe that we have been able to see the cases where waste recovery functions better than others as regards compliance with the chemicals legislation. It has been clear that the requirements of the chemicals legislation have in many cases been difficult to meet despite the fact that REACH contains a relaxation of the requirements for recovered substances in particular. Below follows the waste streams which we believe are the easiest to meet the requirements of the chemicals legislation.

Well-defined streams

⁷ UVCB: Unknown Variable Complex Biological

Where the waste stream is well defined and there is no major contamination or mixing with other substances, it is relatively easy for companies to comply with the regulations that exist. The easiest scenario is where the entire stream is a closed cycle. One example is the recovery of waste in the form of spillage from a manufacturing process through mechanical processing such as milling. After milling, the material can then be returned as a raw material for manufacturing.

Chemical recovery

Where an advanced chemical process is used for recovery, the actual manufacturing process of the recovered substance is highly controlled. In these cases, it is easier for the operation to identify that the recovery process involves a production of recovered substances. Where the inspected companies used chemical processes for recovery, they performed extensive chemical and physical analyses of the recovered substance, and substance identification had often already been determined.

Recovery directly to an article

Where the waste can be directly used for manufacturing an article without first passing the step of chemical product, the requirements of the chemicals legislation are much less extensive. Meeting applicable chemicals requirements is therefore much easier in these cases. Here, the companies can concentrate on identifying and checking the substances that are regulated for the article, for example, particularly dangerous substances included on the REACH Candidate List. This project inspected only one company whose recovery process went directly from waste to article.

5.2 What did the inspections show?

Several of the recovery companies inspected were not aware that recovery which results in chemical substances or mixtures, or an article, is to be equated with manufacturing according to the chemicals legislation.

Many of the companies do not use the terms waste and chemical substance or mixture, but speak of raw materials and products. The inspections revealed that a raw material can be waste or a chemical mixture or an article and that a product according to the recovery operators' terminology can be waste that has undergone one or more recovery processes.

Where companies were aware of the exemption from the REACH registration requirement for recovered substances, they often lacked knowledge of the requirements for application of the exemption. It was also clear that knowledge of what the regulations entail for recovered substances was deficient among the industry associations and consultants to whom operators had turned.

5.3 Particular difficulties

We see that there are difficulties in the recovery chain that are a hindrance to an efficient circular cycle of substances. If these difficulties can be reduced, it would lead to better opportunities for companies to meet the requirements of the chemicals legislation for recovered materials, and this could facilitate a greater level of recovery.

Losses in the information flow when waste is created

The waste that is used as a starting point is often mixed and of complex composition. The recovery operator therefore needs to collect relevant information for the recovered substances from several different sources. An example of such information is safety data sheets on the classified substances that make up the waste. It is often difficult to obtain documentation in

the form of safety data sheets on original substances. This is partly because there is no obligation to pass on this type of information to the waste recipient. Requirements to pass on safety data sheets go as far as the end user and cease when the product has become waste. Correspondingly, for articles, the obligation to provide information on the content of particularly dangerous substances only applies until the end user and thus excludes waste stage. Depending on what the stream of materials from end user to recovery operator is like, the ease of getting hold of this information differs.

Inadequate quality of waste

The project revealed that the recovery companies find it difficult to ensure that the waste they receive maintains a high quality. The quality of waste not only affects physical properties but also the opportunity to determine the substance identity of the recovered material. A lot of costs are invested in analysing incoming waste fractions, and several recovery operators see a need for a greater understanding of the importance of pure waste fractions. This involves work upstream, that is, already addressing the problem at an early stage. If incoming waste fractions become purer, this will make it easier for the recovery operator to meet the requirements of the chemicals legislation.

Recovered polymers

The registration requirement under REACH does not apply to polymers, but it is the monomers⁸ that are to be registered, as well as other additives used to manufacture the polymer. Similarly, for recovered polymers, the monomers and other substances in the polymer must have been registered in order for it to be possible to make use of the exemption in REACH. Furthermore, the recovery operator must have access to the information on the monomer required under Article 31 or Article 32. This increases the difficulty for plastics recovery operators to comply with the chemicals regulations. The companies that recover polymers were unaware that the requirement was at the monomer level.

In order to ensure that the recovered polymer does not contain any substances regulated in the chemicals legislation, it is important to avoid material streams that contain particularly dangerous substances included on the REACH Candidate List. One way to do this is to avoid PVC plastic being recovered together with other plastics. It is above all in PVC products that the Swedish Chemicals Agency's enforcement of plastic articles has found particularly dangerous substances.

Recovered base oils

Recovered base oils are normally UVCB substances. UVCB substances cannot be identified solely by means of their chemical composition. This is because the number of constituents is relatively large or a significant part of the composition is unknown, varies greatly or is difficult to predict. Determining the substance identity of recovered UVCB substances therefore involves particular challenges.

Recovery of base oils that do not come from a simple stream requires a relatively sophisticated recovery process if the aim is to recover the substances for the same purpose. Under these circumstances, there are no constituents that do not derive from the base oil. The recovered base oils are then very similar to the original base oils. Where the waste consists of base oils with a great variety of applications and carbon chain lengths, its equivalence with registered substances is more difficult to determine. It is not certain that it is possible to find a

⁸ A monomer is a small molecule that can be linked into a long chain and form a polymer.

registered petrochemical⁹ substance with a description and substance identity corresponding to the recovered product. The next step is then to try to find a combination of several petrochemical substances that, when they are mixed, would have the same physical and chemical properties as the recovered base oil. ECHA's guidance for substance identification permits a relatively wide range as regards the number of carbon chains and groups of molecules for UVCB substances. Despite this, our project has seen that it takes quite a lot of work to be able to verify the substance identity. Knowledge and advice has proven difficult to obtain despite contacts with industry associations and consultants, both within and outside Sweden's borders. By way of guidance as to whether it is a substance or a mixture that is being recovered, ECHA's statement to CONCAWE¹⁰ might be helpful. CONCAWE is an industry organisation that focuses on environmental issues within the European oil industry.

6 Conclusions and forthcoming initiatives

Since recovery is covered both by waste legislation and chemicals legislation and there are several delimitation issues, we think it is important for there to be collaboration between the Swedish Environmental Protection Agency and the Swedish Chemicals Agency in forthcoming initiatives. Also during enforcements, collaboration is also a great advantage since several different authorities exercise enforcement of the recovery companies and several different sets of legislation are relevant at the same time.

The project has shown that there is a great need for clarifying when waste ceases to be waste. It is to some extent a matter of judgement when waste ceases to be waste, and there the enforcement authority's view is of decisive importance. Several recovery operators raised this as a possible problem. In order to feel confident that the recovered product will not be viewed as waste by another enforcement authority, the companies would like to have some form of decision. We see a need for guidance from the Environmental Protection Agency as to how to interpret the waste legislation. This is to increase consensus and reduce the risk of Sweden's various enforcement authorities making different assessments.

Examples of different cases where the assessment of waste or product has been unclear, and which have come up in the project, are the sorting and baling of plastic and cardboard, mechanical processing in the form of cutting or milling of plastic which is then melted into pellets, and various steps of chemical purification. At one of the inspections, an operator expressed frustration at the fact that pure gas found in gas cylinders was being treated as waste and was incinerated instead of being used as the pure gas that it was. Since the company did not process the gas in the cylinders, they themselves assessed that the gas had not ceased to be waste. Following guidance from the Environmental Protection Agency, it was assessed that repackaging and compression could be viewed as processing, and they now sell the gas as a chemical product.

In the project, it was important to clarify the meaning of the various terms found in the waste legislation and chemicals legislation. The definitions used in the legislation are rarely those that are commonly accepted at the companies. One example from the project was an operation whose marketing was selling a chemical product, which upon inspection turned out to be waste. Since there are special requirements on purchasers of waste, such as requirements for

⁹ Petrochemical substances are substances that are primarily derived from oil.

¹⁰ Letter of ECHA to CONCAWE (07-05-2008/IN/je D(2008)/719) that all products produced within a refinery are substances (mainly UVCBs) (e.g. petrol produced in a refinery is a substance but petrol produced outside a refinery is mixture).

authorisation to handle waste, it is particularly important that these requirements are clear to the customer.

There is also a need to clarify what is required in order to apply the exemption regarding registration in REACH Article 2.(7)(d). We see that we as a government agency need to both inform the recovery industry about the requirements and describe what kind of basis we believe is necessary in order to meet them. We were also able to note that in many cases it is very resource-intensive to attain the basis required to apply the exemption from the registration requirements. Our assessment is that the relaxation entailed by the registration exemption in REACH still demands extensive work and knowledge of chemicals. To make it easier for companies to get started with this work, we have produced a comprehensive “step-by-step” guide, which can be found in Appendix 2¹¹.

Since REACH is an EU-wide legislation, it is also important that the Swedish Chemicals Agency's interpretation is in line with the rest of the EU. The Swedish Chemicals Agency has therefore submitted a proposal that the next joint enforcement project within the EU should be about recovered substances. This is due to a low level of knowledge and the importance of the EU having a common interpretation of the regulations and because streams of waste across national borders within the EU are great.

¹¹ The appendix is only available in the Swedish version of the report.

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