

COMMISSION RECOMMENDATION

of 30 May 2008

on risk reduction measures for the substances chromium trioxide, ammonium dichromate and potassium dichromate

(notified under document number C(2008) 2326)

(Text with EEA relevance)

(2008/455/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 793/93 of 23 March 1993 on the evaluation and control of the risks of existing substances ⁽¹⁾ and in particular Article 11(2) thereof,

Whereas:

(1) In the framework of Regulation (EEC) No 793/93 the following substances have been identified as priority substances for evaluation in accordance with Commission Regulation (EC) No 143/97 of 27 January 1997 concerning the third list of priority substances as foreseen under Council Regulation (EEC) No 793/93 ⁽²⁾:

— chromium trioxide,

— ammonium dichromate,

— potassium dichromate.

(2) The rapporteur Member State designated pursuant to that Regulation has completed the risk evaluation activities with regard to man and the environment for those substances in accordance with Commission Regulation (EC) No 1488/94 of 28 June 1994 laying down the principles for the assessment of risks to man and the environment of existing substances and has suggested a strategy for limiting the risks in accordance with Council Regulation (EEC) No 793/93 ⁽³⁾.

(3) The Scientific Committee on Toxicity, Ecotoxicity and the Environment (SCTEE) has been consulted and has issued opinions with respect to the risk evaluations carried out by the rapporteur. The opinions have been published on the website of the Scientific Committee.

(4) The results of the risk evaluation and further results of the strategies for limiting the risks are set out in the corresponding Commission Communication ⁽⁴⁾.

(5) It is appropriate, on the basis of that evaluation, to recommend certain risk reduction measures for certain substances.

(6) The risk reduction measures recommended for workers should be considered within the framework of the legislation for workers protection, which is considered to provide an adequate framework to limit the risks of the relevant substances to the extent needed.

(7) The risk reduction measures provided for in this recommendation are in accordance with the opinion of the Committee set up pursuant to Article 15(1) of Regulation (EEC) No 793/93,

HEREBY RECOMMENDS:

SECTION 1

CHROMIUM TRIOXIDE

(CAS No 1333-82-0; Eines No 215-607-8)

AMMONIUM DICHROMATE

(CAS No 7789-09-05; Eines No 232-143-1)

POTASSIUM DICHROMATE

(CAS No 7778-50-9; Eines No 231-906-6)

Risk reduction measures for workers (1) and the environment (2, 3, 4, 5, 6)

1. Employers using chromium (VI) compounds for use in the manufacture of pigments and dyes, the formulation of metal treatment products, electrolytic metal plating, and as mordants in wool dyeing should take note of any sector-specific guidance developed at national level, based on the practical, non-binding guidance available from the Commission, as provided for in Article 12(2) of Council Directive 98/24/EC ⁽⁵⁾.

⁽¹⁾ OJ L 84, 5.4.1993, p. 1. Regulation as amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

⁽²⁾ OJ L 25, 28.1.1997, p. 13.

⁽³⁾ OJ L 161, 29.6.1994, p. 3.

⁽⁴⁾ OJ C 152, 18.6.2008, p. 1.

⁽⁵⁾ OJ L 131, 5.5.1998, p. 11. Directive as modified by Directive 2007/30/EC of the European Parliament and of the Council (OJ L 165, 27.6.2007, p. 21).

2. Competent authorities in the Member States concerned should lay down, in the permits issued under Directive 2008/1/EC ⁽¹⁾, conditions, emission limit values or equivalent parameters or technical measures regarding chromium (VI) compounds in order to operate according to the best available techniques (BAT) taking into account the technical characteristic of the installations concerned, their geographical location and the local environmental conditions.
3. Member States should carefully monitor the implementation of BAT regarding chromium (VI) compounds and report any important developments to the Commission in the framework of the exchange of information on BAT.
4. Local emissions to the environment should, where necessary, be controlled by national rules to ensure that no risk for the environment is expected.
5. With particular regard to the on-site reduction of chromium (VI) compounds to Cr (III) tanning salts by plants involved in the tanning of hides and skins, it is recommended that in the next amendment of the BREF Document for plants involved in the tanning of hides and skins, appropriate references are included to indicate that the on-site reduction of chromium

(VI) compounds for the production of chromium (III) tanning salts should not be considered as BAT.

6. For the water bodies where emissions of chromium (VI) may cause a risk, the relevant Member State(s) establish environmental quality standards (EQS) and the national pollution reduction measures to achieve those EQS in 2015 in accordance with Directive 2000/60/EC of the European Parliament and of the Council ⁽²⁾.

SECTION 2

ADDRESSEES

7. This Recommendation is addressed to all sectors importing, producing, transporting, storing, formulating into a preparation or other processing, using, disposing or recovering the substances and to the Member States.

Done at Brussels, 30 May 2008.

For the Commission

Stavros DIMAS

For the Commission

⁽¹⁾ OJ L 24, 29.1.2008, p. 8.

⁽²⁾ OJ L 327, 22.12.2000, p. 1. Directive as last amended by Directive 2008/32/EC (OJ L 81, 20.3.2008, p. 60).