

## COMMISSION RECOMMENDATION

of 11 April 2006

**on risk reduction measures for the substances: Dibutylphthalate; 3,4-Dichloroaniline; Di-'isodecyl' phthalate; 1,2-Benzenedicarboxylic acid, di-C<sub>9-11</sub>-branched alkyl esters, C<sub>10</sub>-rich; Di-'isononyl' phthalate; 1,2-Benzenedicarboxylic acid, di-C<sub>8-10</sub>-branched alkyl esters, C<sub>9</sub>-rich; Ethylenediaminetetraacetate; Methyl acetate; Monochloroacetic acid; n-Pentane; Tetrasodium ethylenediaminetetraacetate**

(Text with EEA relevance)

(2006/283/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 <sup>(1)</sup> 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 Regulations (EC) No 1179/94 <sup>(2)</sup>, (EC) No 2268/95 <sup>(3)</sup> and (EC) No 143/97 <sup>(4)</sup> respectively concerning the first, second and third list of priority substances as foreseen under Regulation (EEC) No 793/93:

- Dibutylphthalate;
- 3,4-Dichloroaniline;
- Ethylenediaminetetraacetate;
- Methyl acetate;
- Tetrasodium ethylenediaminetetraacetate;
- Di-'isodecyl' phthalate;
- 1,2-Benzenedicarboxylic acid, di-C<sub>9-11</sub>-branched alkyl esters, C<sub>10</sub>-rich;
- Di-'isononyl' phthalate;
- 1,2-Benzenedicarboxylic acid, di-C<sub>8-10</sub>-branched alkyl esters, C<sub>9</sub>-rich;
- n-Pentane;
- Monochloroacetic acid.

(2) The rapporteur States designated pursuant to those Regulations have 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 <sup>(5)</sup> and have suggested a strategy for limiting the risks in accordance with Regulation (EEC) No 793/93.

(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 rapporteurs. 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 <sup>(6)</sup>.

(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,

<sup>(1)</sup> OJ L 84, 5.4.1993, p. 1.

<sup>(2)</sup> OJ L 131, 26.5.1994, p. 3.

<sup>(3)</sup> OJ L 231, 28.9.1995, p. 18.

<sup>(4)</sup> OJ L 25, 28.1.1997, p. 13.

<sup>(5)</sup> OJ L 161, 29.6.1994, p. 3.

<sup>(6)</sup> OJ C 90, 13.4.2006.

HEREBY RECOMMENDS:

Within this framework:

SECTION 1

**DIBUTYLPHTHALATE**

(CAS No 84-74-2; EINECS No 201-557-4)

**Risk reduction measures for the environment (1, 2)**

1. The competent authorities in the Member States concerned should lay down, in the permits issued under Council Directive 96/61/EC <sup>(1)</sup>, conditions, emission limit values or equivalent parameters or technical measures regarding dibutylphthalate, in order for the installations concerned to operate according to the best available techniques (hereinafter BAT) by the end of October 2007, taking into account the technical characteristic of the installations concerned, their geographical location and the local environmental conditions.
2. Member States should carefully monitor the implementation of BAT regarding dibutylphthalate and report any important developments to the Commission in the framework of the exchange of information on BAT.

SECTION 2

**3,4-DICHLOROANILINE**

(CAS No 95-76-1; EINECS No 202-448-4)

**Risk reduction measures for workers (3) and the environment (4, 5)**

3. The employers using 3,4-dichloroaniline in production and further processing for the uses indicated as a concern in the risk assessment should take note of any sector specific guidance for cleaning, maintenance and repair work 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 <sup>(2)</sup>.

The legislation currently in force at Community level for plant protection products (Council Directive 91/414/EEC <sup>(3)</sup>) and for biocides (Directive 98/8/EC of the European Parliament and of the Council <sup>(4)</sup>) is considered to give an adequate framework to limit the risks of the substance to the extent needed and shall apply.

<sup>(1)</sup> OJ L 257, 10.10.1996, p. 26.

<sup>(2)</sup> OJ L 131, 5.5.1998, p. 11.

<sup>(3)</sup> OJ L 230, 19.8.1991, p. 1.

<sup>(4)</sup> OJ L 123, 24.4.1998, p. 1.

4. The information from the risk assessment of 3,4-dichloroaniline released from diuron used as a herbicide on sealed surfaces should be considered.

5. Misuse of diuron in small packages should be prevented.

SECTION 3

**ETHYLENEDIAMINETETRAACETATE**

(CAS No 60-00-4; EINECS No 200-449-4)

**Risk reduction measures for the environment (6, 7, 8, 9)**

6. For the river basins where emissions of Ethylenediaminetetraacetate (EDTA) may cause a risk, the relevant Member State should establish Environmental Quality Standards (EQS) and the national pollution reduction measures to achieve those EQS by 2015 should be included in the river basin management plans in line with the provisions of Directive 2000/60/EC of the European Parliament and of the Council <sup>(5)</sup>.

7. The competent authorities in the Member States concerned should lay down, in the permits issued under Directive 96/61/EC, conditions, emission limit values or equivalent parameters or technical measures regarding EDTA in order for the installations concerned to operate according to the BAT by the end of October 2007, taking into account the technical characteristic of the installations concerned, their geographical location and the local environmental conditions.

8. Member States should carefully monitor the implementation of BAT regarding EDTA and report any important developments to the Commission in the framework of the exchange of information on BAT.

9. Local emissions to the environment should, where necessary, be controlled by national rules to ensure that no risk for the environment is expected.

<sup>(5)</sup> OJ L 327, 22.12.2000, p. 1.

## SECTION 4

**METHYL ACETATE**

(CAS No 79-20-9; EINECS No 201-185-2)

**Risk reduction measures for workers (10)**

10. Employers using products for flooring works in the building trade containing methyl acetate 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 Directive 98/24/EC.

## SECTION 5

**MONOCHLOROACETIC ACID**

(CAS No 79-11-8; EINECS No 201-178-4)

**Risk reduction measures for workers (11) and the environment (12, 13, 14)**

11. Employers using Monochloroacetic acid (MCAA) for uses identified as a concern in the risk assessment 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 Directive 98/24/EC.
12. The competent authorities in the Member States concerned should lay down, in the permits issued under Directive 96/61/EC, conditions, emission limit values or equivalent parameters or technical measures regarding MCAA in order for the installations concerned to operate by the end October 2007 according to BAT and taking into account the technical characteristic of the installations concerned, their geographical location and the local environmental conditions.
13. Member States should carefully monitor the implementation of BAT regarding MCAA and report any important developments to the Commission in the framework of the exchange of information on BAT.
14. Local emissions to the environment should, where necessary, be controlled by national rules to ensure that no risk for the environment and man exposed indirectly via the environment is expected.

## SECTION 6

**TETRASODIUM ETHYLENEDIAMINETETRAACETATE**

(CAS No 64-02-8; EINECS No 200-573-9)

**Risk reduction measures for the environment (15, 16, 17, 18)**

15. For the river basins where emissions of Tetrasodium ethylenediaminetetraacetate ( $\text{Na}_4\text{EDTA}$ ) may cause a risk, the relevant Member State should establish Environmental Quality Standards (EQS) and the national pollution reduction measures to achieve those EQS in 2015 should be included in the river basin management plans in line with the provisions of Directive 2000/60/EC.
16. The competent authorities in the Member States concerned should lay down, in the permits issued under Directive 96/61/EC, conditions, emission limit values or equivalent parameters or technical measures regarding  $\text{Na}_4\text{EDTA}$  in order for the installations concerned to operate by the end October 2007 according to BAT and taking into account the technical characteristic of the installations concerned, their geographical location and the local environmental conditions.
17. Member States should carefully monitor the implementation of BAT regarding  $\text{Na}_4\text{EDTA}$  and report any important developments to the Commission in the framework of the exchange of information on BAT.
18. Local emissions to the environment should, where necessary, be controlled by national rules to ensure that no risk for the environment is expected.

## SECTION 7

**ADDRESSEES**

19. 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, 11 April 2006.

*For the Commission*

Stavros DIMAS

*Member of the Commission*