



Summary of the discussions and an outline for follow-up

EASA and ECHA organised a workshop on Airworthiness and REACH Authorisation at the EASA headquarters in Cologne on 23 January 2013. About 40 participants from aviation industry, EASA, ECHA and the European Commission were present. The purpose of the workshop was to increase the understanding of EASA, ECHA and aviation industry of the interplay of the REACH Regulation and the Airworthiness regulation and to see what possible steps would be needed to ensure that the REACH authorisation process takes into account the specific needs of the aviation industry given the need to ensure the sustainable aircraft production and operation as well as the aircraft safety in the EU. It was agreed that the presentations made during workshop would be made available on EASA's and ECHA's websites along with a summary of the main issues discussed and an outline of the follow-up.

During the workshop it was recognised by all that the particular situation of aviation industry is that the applications for authorisation would be "downstream user" driven. Thus, there seemed a need for further discussion on how the aviation industry could organise itself and work with their suppliers to ensure that the applications are made so that the whole supply chain was covered and supply of essential substances can be guaranteed. ECHA indicated its willingness to share its thoughts with the aviation industry in this regard.

During the discussion it became clear that the aviation industry considers a "use" of a substance to be normally very specific with operating conditions and risk management measures described in detail and in certain cases even dictated through the EASA certification process. It was thought to be helpful to further increase the understanding in the aviation industry how a use could best be described in the application for authorisation.

Based on the discussion held in the workshop ECHA considered that the aviation industry seemed to have already a lot of information available that could be used to make an appropriately motivated application for authorisation. There was a lot of discussion of what a "simplified approach" for an application might entail and if and to what extent the specific regulatory control under which the aviation sector is functioning should be taken into account in the application for authorisation process. It was evident that – depending on the experience in the REACH Regulation – the expectations and wishes of the workshop participant varied. "Grandfathering" was raised as a concept to ensure that existing equipment can continue to be used. Also the role of "regulatory impact assessment" was raised and it was recognised that impact assessment of the REACH Regulation was carried out during the adoption of the regulation. Thus, it was less clear how these concepts could be used in the application for authorisation process. Furthermore, a possibility of "systemic" market disruption was raised given that there are some indications that some market operators might not wish to apply for an authorisation for some specific substances. It was agreed that further deliberations would be helpful to better understand this issue.

It was considered important that the aviation industry would further discuss amongst itself what concrete steps they would need to take to ensure that the applications for authorisation consider airworthiness certification in an appropriate manner. It was thought helpful that industry associations would facilitate this discussion, e.g. through organising a follow-up workshop in the near future. ECHA and EASA expressed their willingness to participate in such a workshop.

EASA and ECHA informed that they will further intensify their cooperation in the application for authorisation issues, including the opinion making process of ECHA's scientific committees and active participation in the public consultation organised by ECHA. Given the complementary nature of the two EU Agencies they were confident that the cooperation would be helpful to the aviation industry.

ECHA welcomed the participation of the aviation industry in its upcoming seminars and workshops on applications for authorisation (e.g. in February and June 2013). Also the planned workshop on socio-economic analysis (date to be announced) was considered helpful to the aviation industry.