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## Danish comments on the environmental classification of CuO

*We do not agree that CuO can be regarded as rapidly "degrading", and therefore the M-factor to applied in the chronic classification should be 10 and not 1 as suggested in the dossier.*

In the section on classification for environmental hazards the concept of "rapid removal" has been applied as an analogy to rapid degradation.

However, the "rapid removal" concept is not generally accepted as an applicable tool in classification of metals in neither the CLP nor in the GHS.

Thus in the CLP guidance the paragraphs on "rapid removal" that were introduced in a draft were removed because of "lack of scientific consensus" (Guidance on the Application of the CLP Criteria, Version 4.0, November 2013, Appendix IV, IV.3).

Likewise, EUROMETEAUX and ICMM proposed to introduce the concept of "rapid removal" in the GHS guidance document, Annex A9.7, but the GHS correspondence group in December 2013 decided to leave it out for the same reasons as above in the CLP guidance.

The "rapid removal" concept is risk based, and not adequate for hazard classification purposes.

The outlined procedures and models in the "rapid removal" concept assume completely still-standing water, a situation you will hardly find anywhere in natural waters; certainly that would be rather special localities, and the concept is absolutely inapplicable to running waters. Thus, the suggested procedure not only represents risk assessment, it is not even generic risk assessment, but very, very local risk assessment.

Binding to particles in the water column with a following sedimentation and binding in the sediment has not been accepted for organic substances. The reason for this is that such processes will depend highly on local conditions. Also, the rate of such processes will vary with the depth of the water column, and this was the main argument for not taking volatility into account in the hazard assessment. For the same reasons these processes cannot be applied in the hazard assessment and classification of metals.

The Ticket-Unit-World model has been developed for lakes, so far without currents and turbulence. And the model will not be applicable to running waters. The model also employs binding to organic particles and precipitation of these to the sediment, which, as said above, cannot be accepted in the framework of hazard assessment and classification.

The binding in the sediment (e.g. to sulphides) is not really an irreversible process. It requires undisturbed sediment that doesn't get oxygenized, while in natural waters you will normally see a number of processes that can stir the sediment at different times, such as e.g. storms and burrowing animals. And again, it won't apply to running waters.

Thus the "rapid removal" concept is purely a risk assessment tool and not applicable to hazard identification and classification, and has not been accepted for hazard identification under the CLP and GHS.

Further, it is in the dossier suggested that 70% removal of the soluble form of a metal would be analogous to 70% degradation (mineralization) of an organic substance.

However, recall that the 70 % (or 60% depending on test-method) mineralization of organic substances really represents close to 100% degradation, as a substantial part of the last 30 % is built into microbial biomass. A 70% removal of a metal is therefore not at all equivalent with the 70 % mineralization of organics.

Also, looking at the transformation/dissolution protocol results given in the voluntary risk assessment (VRAR) Appendix K1, it is evident that there is a marked *increase* in soluble Cu from day 7 to day 28 (about a factor of 4). If there was a rapid transformation of soluble forms to insoluble forms this would be seen as a marked *decrease* of soluble forms in the T/D protocol tests. The table below is from VRAR:

**Table 8**: Summary of the transformation/dissolution data obtained for CuO, at different loadings and different pHs.

| **CuO loading rate (mg/l)** | **Time (days)** | **Measured Cu concentration (µg/l)** | | |
|---|---|---|---|---|
| | | pH6 | pH7 | pH8 |
| 1 | 7 | 49 | 5 | 0 |
| 10 | 7 | 221 | 22 | 3 |
| 100 | 7 | 980 | 64 | 10 |
| | | | | |
| 1 | 28 | 210 | 9 | 1 |

**The implication of this is that the substance cannot be regarded as rapidly "degrading", and therefore <u>the M-factor for Chronic 1 is 10</u>**.

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