DALIC®
dalicworld.com
Experts en Surface Engineering
& Selective Plating

ECHA
To Mr Geert DANCET
Executive Director

Vitré, 13 September 2011

Dear Sir,

On 15 th June, ECHA published the 3rd recommendation to include in priority 5 cobalt salts in the annex XIV of REACH.

Our company is particularly concerned by cobalt sulphate, cobalt diacetate and cobalt dichloride.

DALIC employs less than 20 persons and has an annual turnover and/or annual balance sheet total not exceeding 2 M€.

Our activity is anodizing or metal plating without immersion. Two wet processes are carried out for the realization of technical deposits: Brush and Dalistick, this later being performed in a closed loop, without leakage of solution. They permit local repair on corroded or worn areas of parts or local improvement of surface properties on new parts, sometimes directly on assembled parts, without dismounting and transport. Others advantages are the use of small volumes of solutions and of rinsing water (see enclosed a short presentation).

We are both formulator and manufacturer of mixtures (our processes need specific solutions), do development on our metal finishing processes, apply these processes in our workshops or in the site of our customers, or sell equipments and solutions in order that our customers apply themselves the processes.

Our main applications with cobalt salts concern brush plating mainly for the print industry, energy and railways where repair has an important impact for saving very costly locally damaged parts.

By the 3rdECHA recommendation, we are impacted in terms of both manufacturing equipments and solutions, repairing components in the whole world and our customers also, whether they are located in Europe or not (e.g. in France, Germany, Italy, Netherlands, Norway, China, India, South Africa, Sweden).

So, please, consider our following comments:

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1. THE MODIFICATION OF THE PROPOSED DATES

We demand a modification in consideration of these arguments:

1.1 Our particular economic situation in the supply chain of these substances

As a downstream user and being a small company, we do not have the technical, administrative and financial means to constitute a consortium, launch studies and complete an authorization file according to the ECHA's proposed dates.

1.2 Substitution programs

There is actually no alternative for the repair in the print industry.

In consequence, we ask an application date of 48 months and a sunset date 18 months later, at the latest.

If the extension of the deadline is not granted, we are afraid of consequences for our company and for our customers located in Europe or not, who still request cobalt plating according to their principals.

2. EXEMPTION OF PROCESSES IN SURFACE TREATMENT

Closed processes like DALISTICK or processes saving CO2 and energy like DALISTICK and BRUSH PLATING, should be exempted, as well as activities covered by the strict regulations concerning health & safety and environment in reason of the existing surveillance of companies by the states. This should apply in particular to companies, which have already provided great efforts to fulfill the requirements of these regulations. For the others, it should be preferable to organize or reinforce regulations and the use of the protection measures rather than to favour their closing for economical reasons.

Processes, like DALISTICK and BRUSH PLATING should be also exempted because they are sold (with solutions) and used in the whole world for local repair or local treatment on new parts which still call for cobalt or cobalt alloys plating.

We must have also the possibility to supply those products and equipments outside of Europe if they are needed.

Taking into account that there are:

- Very very low exposition for closed processes like DALISTICK and for BRUSH Plating under controlled conditions (ventilation, air extractors)
- Very low quantity of solutions used with these processes,
- No consumer exposure with the dangerous substance,
- Very occasionally/ few employee exposed,
- Health & Safety and environmental exposition controlled by regulations,
    - Our company respect legislations protecting workers and environment, which are more and more strict.

We demand exemptions for DALISTICK and Brush Plating in surface treatment in order to plate cobalt or alloys.

3. CONCLUSION

We urge ECHA to consider our demands. If not, this will lead to reduce our industrial activities including export outside Europe and employments in EU. This will only favour our competitors outside Europe allowing them to sell solutions in non-EC countries, where repair with cobalt compounds is still required. This will favour also numerous round trips for maintenance of EC parts, which is contrary to the EU ambitions in reducing the CO_2 emissions.

Our opinion is that it would be better to re-consider this project of authorization for the following reasons:

- Cobalt salts are used in a very complex supply chain involving many SMEs.
- Substantial technical data need still to be collected and reviewed to ensure complete understanding of a complex supply chain and of the cobalt salts' numerous uses. The EU should not take any premature decision before we have this understanding.
- The European Commission identified cobalt as being strategically important to EU in the Raw Materials Strategy. It is recognized that cobalt salts provide a multitude of environmental / energy benefits which further the achievement of the "Europe 2020 targets".
- Cobalt salts are not widely used, the compounds made from them are.
- In the context of such a complex supply chain, there is a socio-economic impact of an eventual authorisation procedure (e.g. in key sectors like print industry and transport).
- Consumer exposure to cobalt salts is negligible to nil.
- The majority of uses of cobalt salts are intermediate (more than 90%) in a wide range of hi-tech applications and should be exempted from the authorisation requirement. Or they are already covered by other legislation. Therefore, volumes of non-intermediate uses are relatively low and uses are not widely dispersive.
- Less than 5% of cobalt sulphate and less than 2% of cobalt diacetate or cobalt di chloride are used in surface treatment.
- Considering that there are only a few non-intermediate uses, negligible consumer exposure and strictly regulated worker exposure with no risk when applying recommended risk management measures, a listing will have only an imperceptible effect on human health or environmental protection.
- Grouping should be also reconsidered as it is not valid in surface plating: cobalt salts are not interchangeable, because they act on the final structure of the deposit.
- Authorisation will produce disruptive effects on a number of "critical" European industries, including SMEs and on EU R&D innovation platform.
- Authorisation will encourage production of these substances in non-EU countries where chemical regulation is much less stringent.

Looking for a harmonization of authorized processes at a world scale, as it is carried out with CLP concerning the labeling of dangerous substances would be a better solution than including under authorisation cobalt salts at this point in time in Europe.

Mr Jean-Pierre CHAIX, President, p.o.