EUROPEAN
COMMISSION

Brussels, XXX
[…](2015) XXX draft

Detailed Explanation

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accompanying draft COMMISSION REGULATION (EU) …/… amending Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards inorganic ammonium salts

Article 73(1) second subparagraph of REACH requires the Commission to give a detailed explanation of the reasons why the draft amendment to Annex XVII diverges from the original proposal of the dossier submitter or does not follow the opinions of the ECHA Committees.

A Divergences from the original Annex XV dossier' proposal

1. In accordance with the opinion of the Risk Assessment Committee (RAC), the Commission proposes modifications to the original proposal in order to clarify that:
   i. the restriction covers both cellulose insulation mixtures and cellulose insulation articles, containing inorganic ammonium salts;
   ii. the supplier of a cellulose insulation mixture must inform the recipient or end user including consumers about the maximum permissible loading rate[1] and ~~–~~that professional users (builders and installers) ~~e end user~~ must comply with that maximum permissible loading rate when using the mixture on-site;
   iii. cellulose insulation mixtures that are to be used solely for the production of cellulose insulation articles need not comply with the emission limit when they are placed on the market or used to ~~production~~ produce the articles (as the resulting articles must themselves comply with the limit when placed on the market or used);
   iv. the ammonia gas emission shall be measured at least once per day throughout the testing of the cellulose insulation;
   v. the 3 ppm limit for the emission of ammonia shall not be reached or exceeded in any ~~24 hour period~~ measurement taken during the testing of the cellulose insulation;
   vi. the original proposal referred to an *area specific emission rate* value, in $m^3/(m^2.h)$, to be applied when ~~–~~measuring ammonia emissions from cellulose insulation in accordance with Technical Specification CEN/TS 16516. However, an *area specific emissions rate* should be expressed in $\mu g/(m^2.h)$. The test method should be performed in an emission test chamber at a constant *area specific air flow rate* which is expressed in $m^3/(m^2.h)$, – such as the numerical values referred to in the original proposal. However, those values are obtainable, by calculations, from the

[1] In order to ensure that emissions from mixtures do not exceed the amount measured in the pre-marketing test, the loading rate of the mixture used in the pre-market test must not be exceeded at the time of on-site use. This is the 'maximum permissible loading rate'. This is not the case for articles which are not 'loaded' when used but simply installed.

parameters set in the technical specification[2], and thus need not be specified in the draft restriction proposal.

2. In accordance with the opinion of the Socio-economic Assessment Committee (SEAC), the Commission proposes a modification to the original proposal in order to:

   i. defer application for 24 months (instead of 12 months) after entry into force of the draft Regulation. In line with SEAC's view that this longer deferral is needed to allow time to develop stable inorganic ammonium salt blends and/or techniques for use in cellulose insulation and thus to enable compliance with the new ammonia emission limit.

3. In order to maintain continuity and legal certainty, the application of the restriction should apply immediately on entry into force of the draft Regulation in the case of a Member State which already has national measures in place, authorised by the Commission pursuant to Article 129(2)(a) of REACH (safeguard clause), restricting ammonium salts in cellulose insulation.

B Opinions of the ECHA Committees not followed

Not applicable.

[2] The *area specific air flow rate* can be calculated dividing the air exchange rate by the loading factor (surface divided by the volume) in accordance with the values established in the CEN/TS 16516 – the "attic insulation" area specific air flow rate has a value of 1,25 $m^3/(m^2.h)$ [=0,5h^{-1}/(12m^2/30m^3)] and "wall insulation" area specific air flow rate has a value of 0,5 $m^3/(m^2.h)$ [=0,5h^{-1}/(31,4 m^2/30m^3)].