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**COMMISSION IMPLEMENTING DECISION**

**of 15.6.2018**

**granting an authorisation for certain uses of chromium trioxide, potassium dichromate  
and sodium dichromate in mixtures under Regulation (EC) No 1907/2006 of the  
European Parliament and of the Council (Souriau SAS)**

(ONLY THE ENGLISH TEXT IS AUTHENTIC)

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(ONLY THE ENGLISH TEXT IS AUTHENTIC)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC<sup>1</sup>, and in particular Article 64(8) thereof,

Whereas:

- (1) Chromium trioxide, potassium dichromate and sodium dichromate are listed in Annex XIV to Regulation (EC) No 1907/2006 and are therefore subject to the authorisation requirement referred to in Article 56(1)(a) of that Regulation.
- (2) On 22 February 2016, an application for authorisation was jointly submitted by Souriau SAS, Amphenol Limited, Amphenol Socapex, ITT Cannon GmbH, Connecteurs Electriques Deutsch and Tyco Electronics UK Ltd ('the applicants') in accordance with Article 62 of Regulation (EC) No 1907/2006 for the industrial use of a mixture containing the hexavalent chromium compounds (chromium trioxide, potassium dichromate or sodium dichromate) for the conversion of cadmium coated circular and rectangular connectors in order to achieve a higher level of performances than the requirements of international standards as well as to withstand harsh environments and high safety applications (such as in the military, aeronautic, aerospace, mining, offshore and nuclear industries or for the application in safety devices for road vehicles, rolling stock and vessels) ('use 1'), and in conversion coating and passivation of circular and rectangular connectors in order to meet the requirements of international standards and special requirements of industries subject to harsh environments ('use 2'). An application for authorisation was submitted by Souriau SAS for the industrial use of a mixture containing chromium trioxide for the etching of composite connectors used by industries subject to harsh environments, to mainly ensure adhesive deposit to meet the requirements of international standards ('use 3').

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<sup>1</sup> OJ L 396, 30.12.2006, p. 1.

- (3) On 15 December 2016, the Commission received the opinions of the Committee for Risk Assessment (RAC) and the Committee for Socio-economic Analysis (SEAC) of the European Chemicals Agency on the application<sup>2</sup> pursuant to the second subparagraph of Article 64(5) of Regulation (EC) No 1907/2006.
- (4) In its opinions, RAC confirmed that it is not possible to determine a derived no-effect level (DNEL) for the carcinogenic properties of chromium trioxide, potassium dichromate and sodium dichromate in accordance with Section 6.4 of Annex I to Regulation (EC) No 1907/2006 and therefore chromium trioxide, potassium dichromate and sodium dichromate are non-threshold substances. In accordance with Article 60(3)(a) of Regulation (EC) No 1907/2006, Article 60(2) of that Regulation does not apply to those substances, and therefore an authorisation may only be granted on the basis of Article 60(4) of that Regulation.
- (5) In its opinions, RAC concluded that the risk management measures and operational conditions as described in the application for the three uses applied for are appropriate and effective in limiting the risk to workers and to the general population that could potentially be exposed via the environment, provided that they are adhered to.
- (6) In its opinions, due to the relatively small monitoring data set available for workers and the contributing exposure scenarios not properly representing all the tasks at the workplace, RAC recommended additional occupational exposure measurements. Furthermore, RAC recommended measuring environmental emissions of chromium VI in order to monitor the environmental releases.
- (7) In its opinions, SEAC concluded that the overall socio-economic benefits arising from each of the three uses of chromium trioxide, potassium dichromate or sodium dichromate applied for outweigh the risk to human health or the environment arising from those uses and that there are no suitable alternative substances or technologies for the applicants before the sunset date. The Commission, having evaluated the SEAC assessment, concurs with this conclusion.
- (8) Therefore, in accordance with Article 60(4) of Regulation (EC) No 1907/2006, it is appropriate to authorise the three uses of chromium trioxide, potassium dichromate or sodium dichromate applied for, provided that the risk management measures and operational conditions described in the application and in particular in the chemical safety report<sup>3</sup>, are fully applied.
- (9) In its opinions, SEAC recommended the review period referred to in Article 60(9)(e) of Regulation (EC) No 1907/2006 to be set at twelve years for use 1, at seven years for use 2 and at four years for use 3. The Commission takes into account the relevant elements from RAC and SEAC assessments, and in particular, with regard to use 1, RAC assessment of the risk of the continued use of the substances and its conclusion that the risk management measures and operational conditions are appropriate and effective in limiting the risks, the lack of suitable alternatives before the sunset date, the research and development activities indicating that substitution would not be possible within shorter timelines, the time necessary to implement a viable alternative if one becomes available in the future, including qualification and certification by the relevant authorities, the high safety requirements in the concerned sectors, as well as the fact that the socio-economic benefits of continued use clearly outweigh the risk.

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<sup>2</sup> <https://echa.europa.eu/documents/10162/8c95c132-616e-a1e4-9911-d5bd19ab5583>  
<https://echa.europa.eu/documents/10162/302c9b01-4ce0-20ec-0d22-86f0d4ef0571>

<sup>3</sup> <https://echa.europa.eu/documents/10162/f8cfbc9a-169d-2adf-ff55-a5caaa81767b>  
<http://ec.europa.eu/DocsRoom/documents/20663/>

With regard to use 2, the Commission takes into account RAC assessment of the risk of the continued use of the substances and its conclusion that the risk management measures and operational conditions are appropriate and effective in limiting the risks, the lack of suitable alternatives before the sunset date, the time necessary to develop and implement any of the identified promising alternatives, as well as the fact that the socio-economic benefits of continued use clearly outweigh the risk. With regard to use 3, the Commission takes into account RAC assessment of the risk of the continued use of the substances and its conclusion that the risk management measures and operational conditions are appropriate and effective in limiting the risks, the lack of suitable alternatives before the sunset date, the fact that the applicant has identified an alternative that is at the final stage of validation and industrialisation, and the time necessary to implement the identified alternative. The Commission concurs with the SEAC recommendations.

- (10) Therefore, the Commission considers appropriate that, as regards the uses of chromium trioxide, potassium dichromate or sodium dichromate applied for, the review period referred to in Article 60(9)(e) of Regulation (EC) No 1907/2006 is set at twelve years for use 1, at seven years for use 2 and at four years for use 3 as from the sunset date set out in Annex XIV to Regulation (EC) No 1907/2006.
- (11) The language used for the description of the risk management measures and operational conditions included in the application for authorisation may be different from the official language(s) of the Member State(s) where the use(s) take(s) place. Therefore, in order to facilitate the enforcement of the authorisation, it is appropriate to include a monitoring arrangement requiring the authorisation holder to submit, upon request, a succinct summary of those risk management measures and operational conditions in an official language of the Member State(s) concerned.
- (12) This Decision does not affect the obligation of the authorisation holder to ensure that the use does not adversely affect human health or the environment pursuant to Article 1(3) of Regulation (EC) No 1907/2006. Furthermore, it does not affect either the obligation of the authorisation holder to ensure that the exposure to the substance is reduced to as low a level as is technically and practically possible pursuant to Article 60(10) of Regulation (EC) No 1907/2006 or the obligation of the employer to reduce the use of a carcinogen or mutagen at the place of work, in particular by replacing it, in so far as is technically possible in accordance with Article 4(1) of Directive 2004/37/EC of the European Parliament and of the Council<sup>4</sup>, or to prevent and reduce exposure in accordance with Article 5 of that Directive. Furthermore, this Decision is without prejudice to the application of the EU Directives in the area of health and safety at work, in particular Council Directive 89/391/EEC<sup>5</sup>, Council Directive 98/24<sup>6</sup>, Directive 2004/37 of the European Parliament and of the Council<sup>7</sup>, Council Directive 92/85/EEC<sup>8</sup> and Council Directive 94/33/EC<sup>9</sup>.

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<sup>4</sup> Directive 2004/37/EC of the European Parliament and of the Council of 29 April 2004 on the protection of workers from the risks related to exposure to carcinogens or mutagens at work (Sixth individual Directive within the meaning of Article 16(1) of Council Directive 89/391/EEC) (OJ L 158, 30.4.2004, p. 50).

<sup>5</sup> Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work (OJ L 183, 29.06.1989, p. 1).

<sup>6</sup> Council Directive 98/24/EC of 7 April 1998 on the protection of the health and safety of workers from the risks related to chemical agents at work (fourteenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ L 131, 05.05.1998, p. 11).

<sup>7</sup> Directive 2004/37/EC of the European Parliament and of the Council of 29 April 2004 on the protection of workers from the risks related to exposure to carcinogens or mutagens at work (Sixth individual

- (13) This Decision is without prejudice to any obligation to comply with emission limit values set in accordance with Directive 2010/75/EU of the European Parliament and of the Council<sup>10</sup> and Directive 2008/50/EC of the European Parliament and of the Council<sup>11</sup>, as well as with emission limit values set to achieve compliance with the environmental quality standards established both in Directive 2008/105/EC of the European Parliament and of the Council<sup>12</sup> and by Member States in accordance with Directive 2000/60/EC of the European Parliament and of the Council<sup>13</sup>. Compliance with the provisions of this Decision should not necessarily result in compliance with emission limit values or environmental quality standards under other Union legislation, which may include separate or more onerous requirements.
- (14) Since the United Kingdom notified on 29 March 2017 its intention to leave the Union, pursuant to Article 50 of the Treaty on European Union, the Treaties will cease to apply to the United Kingdom from the date of entry into force of the withdrawal agreement or, failing that, two years after the notification, unless the European Council, in agreement with the United Kingdom, decides to extend that period. As a consequence, and without prejudice to any provisions of the withdrawal agreement, this Decision only applies to the authorisation holders established in UK until the United Kingdom ceases to be a Member State.
- (15) The measures provided for in this Decision are in accordance with the opinion of the Committee established under Article 133 of Regulation (EC) No 1907/2006,

HAS ADOPTED THIS DECISION:

*Article 1*

An authorisation is granted in accordance with Article 60(4) of Regulation (EC) No 1907/2006 for the following uses of chromium trioxide (EC No 215-607-8; CAS No 1333-82-0), potassium dichromate (EC No 231-906-6; CAS No 7778-50-9) and sodium dichromate (EC No 234-190-3; CAS No 10588-01-9, 7789-12-0), provided that the risk management measures and operational conditions described in the chemical safety report submitted pursuant to Article 62(4)(d) of that Regulation are fully applied:

| Authorisation number | Authorisation holder | Authorised use  |
|----------------------|----------------------|---|
| REACH/18/6/0         | Souriau SAS          | Industrial use of a mixture containing chromium trioxide for the conversion |

Directive within the meaning of Article 16(1) of Council Directive 89/391/EEC (OJ L 158, 30.04.2004).

<sup>8</sup> Council Directive 92/85/EEC of 19 October 1992 on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding (tenth individual Directive within the meaning of Article 16 ( 1 ) of Directive 89/ 391 / EEC) (OJ L 348, 28.11.1992, p. 1).

<sup>9</sup> Council Directive 94/33/EC of 22 June 1994 on the protection of young people at work (OJ L 216, 20.08.1994, p. 12).

<sup>10</sup> Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control)(OJ L 334, 17.12.2010, p. 17).

<sup>11</sup> Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe (OJ L 152, 11.6.2008, p. 1).

<sup>12</sup> Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84).

<sup>13</sup> Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1).

|               |   |  |
|---------------|---|--|
| REACH/18/6/2  | Amphenol Limited                                  | of cadmium coated circular and rectangular connectors in order to achieve a higher level of performances than the requirements of international standards as well as to withstand harsh environments and high safety applications (such as in the military, aeronautic, aerospace, mining, offshore and nuclear industries or for the application in safety devices for road vehicles, rolling stock and vessels)  |
| REACH/18/6/3  | Amphenol Socapex                                  |  |
| REACH/18/6/4  | ITT Cannon GmbH                                   |  |
| REACH/18/6/5  | Connecteurs<br>Electriques Deutsch                |  |
| REACH/18/6/7  | Tyco Electronics UK<br>Ltd                        |  |
| REACH/18/6/1  | Souriau SAS                                       | Industrial use of a mixture containing sodium dichromate for the conversion of cadmium coated circular and rectangular connectors in order to achieve a higher level of performances than the requirements of international standards as well as to withstand harsh environments and high safety applications (such as in the military, aeronautic, aerospace, mining, offshore and nuclear industries or for the application in safety devices for road vehicles, rolling stock and vessels)    |
| REACH/18/6/9  | Tyco Electronics UK<br>Ltd                        |  |
| REACH/18/6/6  | Connecteurs                                       | Industrial use of a mixture containing potassium dichromate for the conversion of cadmium coated circular and rectangular connectors in order to achieve a higher level of performances than the requirements of international standards as well as to withstand harsh environments and high safety applications (such as in the military, aeronautic, aerospace, mining, offshore and nuclear industries or for the application in safety devices for road vehicles, rolling stock and vessels) |
| REACH/18/6/8  | Electriques Deutsch<br>Tyco Electronics UK<br>Ltd |  |
| REACH/18/6/10 | Souriau SAS                                       | Industrial use of a mixture containing chromium trioxide in conversion coating and passivation of circular   |
| REACH/18/6/12 | Amphenol Limited                                  |  |

|               |   |  |
|---------------|---|--|
| REACH/18/6/14 | Amphenol Socapex<br>ITT Cannon GmbH<br>Tyco Electronics UK<br>Ltd | and rectangular connectors in order to meet the requirements of international standards and special requirements of industries subject to harsh environments   |
| REACH/18/6/16 |   |  |
| REACH/18/6/18 |   |  |
| REACH/18/6/11 | Souriau sas<br>Amphenol Limited<br>Amphenol Socapex               | Industrial use of a mixture containing sodium dichromate in conversion coating and passivation of circular and rectangular connectors in order to meet the requirements of international standards and special requirements of industries subject to harsh environments    |
| REACH/18/6/13 |   |  |
| REACH/18/6/15 |   |  |
| REACH/18/6/17 | Connecteurs<br>Electriques Deutsch                                | Industrial use of a mixture containing potassium dichromate in conversion coating and passivation of circular and rectangular connectors in order to meet the requirements of international standards and special requirements of industries subject to harsh environments |
| REACH/18/6/19 | Souriau SAS   | Industrial use of a mixture containing chromium trioxide for the etching of composite connectors used by industries subject to harsh environments, to mainly ensure adhesive deposit to meet the requirements of international standards                                   |

## *Article 2*

1. As regards the authorised uses of chromium trioxide, potassium dichromate or sodium dichromate, the review period referred to in Article 60(9)(e) of Regulation (EC) No 1907/2006 shall expire on 21 September 2029 for the use with authorisation numbers REACH/18/6/0, REACH/18/6/1, REACH/18/6/2, REACH/18/6/3, REACH/18/6/4, REACH/18/6/5, REACH/18/6/6, REACH/18/6/7, REACH/18/6/8 and REACH/18/6/9 and on 21 September 2024 for the use with authorisation numbers REACH/18/6/10, REACH/18/6/11, REACH/18/6/12, REACH/18/6/13, REACH/18/6/14, REACH/18/6/15, REACH/18/6/16, REACH/18/6/17 and REACH/18/6/18.
2. The present authorisation regarding the uses with authorisation numbers REACH/18/6/0, REACH/18/6/1, REACH/18/6/2, REACH/18/6/3, REACH/18/6/4, REACH/18/6/5, REACH/18/6/6, REACH/18/6/7, REACH/18/6/8 and REACH/18/6/9 shall cease to be valid on 21 September 2029 should the holders of the authorisation referred to in Article 1 not submit a review report in accordance

with Article 61(1) of Regulation (EC) No 1907/2006 by 21 March 2028, unless a decision to withdraw the authorisation is adopted earlier in application of Article 61(2) and (3) of that Regulation.

The present authorisation regarding the uses with authorisation numbers REACH/18/6/10, REACH/18/6/11, REACH/18/6/12, REACH/18/6/13, REACH/18/6/14, REACH/18/6/15, REACH/18/6/16, REACH/18/6/17 and REACH/18/6/18 shall cease to be valid on 21 September 2024, should the holders of the authorisation referred to in Article 1 not submit a review report in accordance with Article 61(1) of Regulation (EC) No 1907/2006 by 21 March 2023, unless a decision to withdraw the authorisation is adopted earlier in application of Article 61(2) and (3) of that Regulation.

3. As regards the authorised use of chromium trioxide with number REACH/17/6/19, the review period referred to in Article 60(9)(e) of Regulation (EC) No 1907/2006 shall expire on 21 September 2021.
4. The present authorisation regarding the uses referred to in point 3 shall cease to be valid on 21 September 2021 should the holders of the authorisation referred to in Article 1 not submit a review report in accordance with Article 61(1) by 21 March 2020, unless a decision to withdraw the authorisation is adopted earlier in application of Article 61(2) and (3) of that Regulation.

### *Article 3*

The following monitoring arrangements shall apply:

- (a) the authorisation holders shall submit, upon request, to the competent authority of the Member State where the authorised use takes place a succinct summary of the applicable risk management measures and operational conditions described in the chemical safety report in an official language of that Member State;
- (b) the authorisation holders shall conduct regular occupational exposure measurements of chromium (VI), personal and stationary, related to the uses described in Article 1. Those measurements shall:
  - (i) take place at least annually;
  - (ii) be based on relevant standard sampling and analytical methods ensuring a sufficiently low detection limit;
  - (iii) be representative of the range of all the tasks with possible exposure to chromium (VI) and of the total number of workers that are potentially exposed and the number of sites;
  - (iv) include contextual information about the tasks with possible exposure to chromium trioxide;
- (c) the authorisation holder shall conduct measurements of emissions to the air of chromium (VI) from all applicants sites; measurements shall be performed according to standard sampling and analytical methods, where available;
- (d) the information gathered in the monitoring required by points (b) and (c) shall be used to regularly review the effectiveness of the risk management measures and operational conditions and to take action, as appropriate to further reduce workers' exposure to chromium (VI) and emissions to the air; that information, as well as the outcome and conclusion of the review of the risk management measures and

operational conditions shall be documented and, upon request, be submitted to the competent authority of the Member State(s) where the authorised uses take place;

- (e) the results of the measurements required by points (b) and (c), as well as the outcome and conclusions of the review and any actions taken as described in point (d), shall be included in the review report referred to in Article 61(1) of Regulation (EC) No 1907/2006.

#### *Article 4*

This Decision is addressed to:

1. Souriau SAS, RD323, 72470, Champagné, France;
2. Amphenol Limited, Thanet Way, CT5 3JF, Whitstable, Kent, United Kingdom;
3. Amphenol Socapex, 948, Promenade de l'Arve, 74311, THYEZ, France;
4. ITT Cannon, Cannonstrasse 1, 71384, Weinstadt-Beutelsbach, Germany;
5. Connecteurs Electriques Deutsch, 17 rue Lavoisier - BP 117, 27091, Evreux, France;
6. Tyco Electronics UK Ltd, Faraday Road, SN3 5HH, Swindon, United Kingdom.

Done at Brussels, 15.6.2018

*For the Commission*  
*Elżbieta BIENKOWSKA*  
*Member of the Commission*

