EUROPEAN
COMMISSION

Brussels, 20.1.2025
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COMMISSION IMPLEMENTING DECISION

of 20.1.2025

granting an authorisation under Regulation (EC) No 1907/2006 of the European Parliament and of the Council to Boeing Distribution Deutschland GmbH and others for a use of chromium trioxide and sodium dichromate

(Only the English text is authentic)

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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[1], and in particular Article 64(8) thereof,

Whereas:

(1) Chromium trioxide and sodium dichromate are listed in Annex XIV to Regulation (EC) No 1907/2006, and uses of those substances are subject to the authorisation requirement in Article 56(1), point (a), of that Regulation.

(2) On 14 April 2020, by Commission Implementing Decision C(2020) 2084[2], an authorisation was granted to Brenntag UK Ltd and AD International BV for certain uses of sodium dichromate, including in surface treatment of metals (such as aluminium, steel, zinc, magnesium, titanium, alloys), composites and sealings of anodic films for the aerospace sector in surface treatment processes in which any of the key functionalities listed in the Annex is required. Brenntag UK Ltd. and AD International BV were assigned, for this use, authorisation numbers REACH/20/5/3 and REACH/20/5/5 respectively. The expiry of the review period referred to in Article 60(9), point (e) of Regulation (EC) No 1907/2006 for those authorised uses of sodium dichromate was set at 21 September 2024.

(3) On 18 December 2020, by Commission Implementing Decision C(2020) 8797[3], an authorisation was granted to Chemservice GmbH, Boeing Distribution Inc and Cromital for certain uses of chromium trioxide, including in functional chrome plating where any of the following key functionalities is necessary for the intended use: wear

[1] OJ L 396, 30.12.2006, p. 1, ELI: http://data.europa.eu/eli/reg/2006/1907/oj.

[2] Commission Implementing Decision C(2020) 2084 of 14.4.2020 partially granting an authorisation for certain uses of sodium dichromate under Regulation (EC) No 1907/2006 of the European Parliament and of the Council (Brenntag UK Ltd and others).

[3] Commission Implementing Decision C(2020) 8797 of 18.12.2020 partially granting an authorisation for certain uses of chromium trioxide under Regulation (EC) No 1907/2006 of the European Parliament and of the Council (Chemservice GmbH and others).

resistance, hardness, layer thickness, corrosion resistance, coefficient of friction, or effect on surface morphology (‘Chemservice use 2’). Chemservice GmbH, Boeing Distribution Inc and Cromital S.P.A. were assigned, for this use, authorisation numbers REACH/20/18/7, REACH/20/18/9 and REACH/20/18/11 respectively. An authorisation was also granted by that decision for the use of chromium trioxide in surface treatment for applications in the aeronautics and aerospace industries, unrelated to functional chrome plating or functional chrome plating with decorative character, where any of the following key functionalities is necessary for the intended use: corrosion resistance / active corrosion inhibition, chemical resistance, hardness, adhesion promotion (adhesion to subsequent coating or paint), temperature resistance, resistance to embrittlement, wear resistance, surface properties impeding deposition of organisms, layer thickness, flexibility, and resistivity (‘Chemservice use 4’) and in surface treatment (except passivation of tin-plated steel (electrolytic tin plating - ETP)) for applications in architectural, automotive, metal manufacturing and finishing, and general engineering industry sectors, unrelated to functional chrome plating or functional chrome plating with decorative character, where any of the following key functionalities is necessary for the intended use: corrosion resistance/ active corrosion inhibition, layer thickness, humidity resistance, adhesion promotion (adhesion to subsequent coating or paint), resistivity, chemical resistance, wear resistance, electrical conductivity, compatibility with substrate, (thermo) optical properties (visual appearance), heat resistance, food safety, coating tension, electric insulation or deposition speed (‘Chemservice use 5’). Chemservice GmbH, Boeing Distribution Inc and Cromital S.P.A. were assigned, for Chemservice use 4, authorisation numbers REACH/20/18/14, REACH/20/18/16 and REACH/20/18/18 respectively, and for Chemservice use 5 authorisation numbers REACH/20/18/21, REACH/20/18/23 and REACH/20/18/25 respectively. The expiry of the review period referred to in Article 60(9), point (e) of Regulation (EC) No 1907/2006 for those authorised uses of chromium trioxide was set at 21 September 2024.

(4) On 20 November 2020, the European Chemicals Agency (‘the Agency’) received a notification that Cromital S.P.A. in its legal capacity as Only Representative of Türkiye Şişe ve Cam Fabrikaları A.S had succeeded in the rights and obligations of Cromital S.P.A. in its legal capacity as Only Representative of Soda Sanayii A.S. In its assessment, the Agency concluded that the notified change had no implications for the relevant Committee for Risk Assessment (‘RAC’) and Committee for Socio-economic Analysis (‘SEAC’) opinions referred to in Implementing Decision C(2020) 8797. The Commission accepts that conclusion.

(5) On 19 December 2020, the Agency received a notification that Brenntag UK Ltd changed its legal entity to Brenntag Chemicals Distribution (Ireland) Ltd. In its assessment, the Agency concluded that the notified change had no implications for the relevant RAC and SEAC opinions referred to in Implementing Decision C(2020) 2084. The Commission accepts that conclusion.

(6) On 8 September 2023, the Agency received a notification that Boeing Distribution Deutschland GmbH had succeeded in the rights and obligations of Boeing Distribution, Inc. In its assessment, the Agency concluded that the notified change had no implications for the relevant RAC and SEAC opinions referred to in Implementing Decision C(2020) 8797. The Commission accepts that conclusion.

(7) On 14 February 2023, Boeing Distribution Deutschland GmbH, AD International BV, Brenntag Chemicals Distribution (Ireland) Ltd, Chemservice GmbH and Cromital S.P.A. (‘the applicants’) submitted a review report in accordance with Article 61(1) of

Regulation (EC) No 1907/2006 for authorisation for a use of chromium trioxide and sodium dichromate. The use for which authorisation was sought is pre-treatments: deoxidising, pickling, etching and/or desmutting in aerospace and defence industry and its supply chains.

(8) The judgment of the Court of 20 April 2023 in Case C-144/21, *European Parliament v. Commission*[4], partially annulled Commission Implementing Decision C(2020) 8797. The annulment covered also Chemservice use 2, Chemservice use 4 and Chemservice use 5. Therefore, for the purpose of this Decision, the review report submitted by Chemservice GmbH, Boeing Distribution Inc and Cromital S.P.A. should be considered an application for authorisation as regards the use of chromium trioxide.

(9) The Agency sent the opinions[5] on the review report and the application adopted by RAC and SEAC to the Commission pursuant to Article 64(5), third subparagraph, of Regulation (EC) No 1907/2006. On 28 September 2024, the Commission received the opinions.

(10) In its opinion, RAC concluded that it is not possible to determine a derived no-effect level for the carcinogenic and mutagenic properties of chromium trioxide and sodium dichromate in accordance with Section 1.4 of Annex I to Regulation (EC) No 1907/2006 and that therefore chromium trioxide and sodium dichromate are substances for which it is not possible to determine a threshold for the purposes of Article 60(3), point (a), of that Regulation. As a result, Article 60(2) of Regulation (EC) No 1907/2006 does not apply to chromium trioxide and sodium dichromate and an authorisation may therefore only be granted with respect to those substances under paragraph 4 of that Article.

(11) In its opinion, RAC concluded that the risk management measures and operational conditions described in the review report and the application are not appropriate and effective in limiting the health risk for workers posed by the use of chromium trioxide and sodium dichromate described in the review report and the application. However, RAC concluded that they are appropriate and effective in limiting the health risk to the general population posed by that use. In particular, as regards occupational exposure, RAC highlighted some major concerns about the inconsistent implementation of operational conditions and risk management measures across the downstream users, the manual nature of certain tasks, the absence of physical segregation between different work areas, and the lack or inappropriate use of respiratory protective equipment.

(12) Therefore, and in order to contribute to the improvement of the risk management measures with the aim of minimising occupational exposure to hexavalent chromium (Cr(VI)), the toxic component of chromium trioxide and sodium dichromate, RAC recommended imposing additional conditions. Among the recommended measures, RAC included the implementation of appropriate technical improvements. Such improvements depend on the specificity of the workplace, and potentially consist of automated or closed systems to perform the dipping of the parts, redesigning to remove loading and unloading from the treatment area, bath coverage, using mist suppressants and physical segregation or removal of the workers from the treatment area through remote operation of hoists.

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4 C-144/21, ECLI:EU:C:2023:302.

5 https://ec.europa.eu/docsroom/documents/62002

(13) Moreover, RAC expressed moderate concerns about the representativeness of the information provided by the applicants on the risk management measures and operational conditions applied by their downstream users, and of the provided exposure and risk data. Nevertheless, RAC concluded that the estimates of cancer risk as presented by the applicants allow to carry out a health impact assessment, also for the purpose of the further SEAC assessment. RAC considered it important that the applicants and their downstream users continue their monitoring programmes on occupational exposure to and environmental release of Cr(VI), increasing their frequency, if applicable, and that they carry out specific measurements for occupational exposure per worker contributing scenario (WCS) and for environmental releases, as specified in the monitoring arrangements recommended by RAC.

(14) Having evaluated RAC's assessment, the Commission agrees with its conclusion and recommendations. Nevertheless, the Commission notes that the estimated excess cancer risk values for workers are higher than as regards other comparable applications for authorisation for the use of Cr(VI) substances. The Commission acknowledges that those values are conservative estimates of the most likely excess risk values taken for the purpose of carrying out a risk-benefit analysis. However, and also taking into account the concerns related to the representativeness, the Commission considers it appropriate to set out the measures concerning occupational exposure, recommended by RAC as monitoring arrangements, as a condition for authorisation.

(15) In its opinion, SEAC concluded that the societal costs of not granting an authorisation are higher than the monetised risk to human health arising from the uses of chromium trioxide and sodium dichromate described in the review report and in the application. The Commission, having evaluated SEAC's assessment, concurs with that conclusion and considers that the applicants have demonstrated that the benefits of the continued use outweigh the risk to human health arising from that use.

(16) For an alternative to be suitable it needs to be safer, available, and technically and economically feasible. Where suitable alternatives are available in the Union, but not technically or economically feasible for the applicant or the downstream users, the applicant is required by Article 62(4), point (f), of Regulation (EC) No 1907/2006 to submit a substitution plan.

(17) An alternative that provides the functionality and level of technical performance necessary for the use for which an authorisation is sought should be considered to be technically feasible. Certain potential alternatives may provide the functionality, but at some loss of performance or in a manner that involves technical compromises that would impair the functionality. In such cases, unless justified by particular circumstances, the Commission should not consider a potential alternative to be technically feasible for the applicant where the applicant has demonstrated that it or the downstream users are not able to accommodate such losses of performance or technical compromises by applying a reasonable additional effort, taking into account the circumstances of the case.

(18) In its opinion, SEAC concluded that there were no technically feasible alternative substances or technologies available for the applicants and their downstream users but that there were technically feasible alternatives in the Union at the time of adoption of the opinion. The Commission, having evaluated SEAC's assessment and the relevant information available, acknowledges that some of the identified alternatives are in use for a limited number of components and substrates subject to pre-treatment in the

aerospace and defence sector in the Union and, therefore, can be considered to provide the overall functionality for at least some components and substrates covered by the use for which an authorisation is sought. However, the Commission also notes that the alternatives identified cannot be implemented for the entire use for which an authorisation is sought as they are not suitable for all types of substrates and for all part geometries and they do not achieve the level of performance required for a number of functionalities, such as adequate corrosion protection, as imposed by the stringent regulatory framework of the aerospace and defence sector to ensure safety and airworthiness. Therefore, the Commission considers that the applicants have demonstrated that they are not yet able to accommodate such loss of performance and would need more time to further develop and implement an alternative. Thus, the Commission agrees with SEAC's conclusion and considers that, although suitable alternatives are available in the Union, they are not yet technically feasible for the applicants and their downstream users.

(19) In its opinion, SEAC concluded that the substitution plan submitted by the applicants is credible and is representative of the downstream users' situation. The Commission, having evaluated SEAC's assessment, concurs with that conclusion and considers, taking into account the availability of suitable alternatives in the Union for the use for which an authorisation is sought and the substitution plan submitted by the applicants, that the applicants have discharged their burden of proof in demonstrating the absence of suitable alternative substances or technologies.

(20) Therefore, having regard to the conditions laid down in Article 60(4) of Regulation (EC) No 1907/2006, it is appropriate to authorise the use of chromium trioxide and sodium dichromate described in the review report and the application, provided that the risk management measures described in the chemical safety report are applied and that the operational conditions described therein, as well as the conditions set out in this Decision, are fulfilled.

(21) The Commission has based its assessment on all relevant scientific evidence available, as assessed by RAC and SEAC, and, after having carried out a detailed examination, has concluded on the basis of a sufficient amount of material and reliable information. Nevertheless, additional scientific evidence would allow the Commission to perform its assessment on a more robust or broad evidentiary basis in the future. Hence, it is appropriate to require the authorisation holders to generate and include additional information about exposure and emissions in the review report.

(22) In its opinion, SEAC recommended that the review period referred to in Article 60(9), point (e), of Regulation (EC) No 1907/2006 be set at 12 years. The Commission agrees with that recommendation, taking into account the relevant elements from RAC's and SEAC's assessments. In particular, the Commission takes into account RAC's conclusion that the risk management measures are appropriate and effective in limiting the risk to human health for the general population, as well as the recommended additional conditions for authorisation imposed to limit the risk based on RAC's conclusions that the current risk management measures and operational conditions are not appropriate and effective in limiting the occupational risk. The Commission also takes into account SEAC's conclusion on the applicants' commitment to the substitution of chromium trioxide and sodium dichromate, the current technical limitations of the identified alternatives, the stringent safety requirements in the aerospace and defence sector, as well as both the socio-economic benefits, including the contribution to the Union strategic autonomy, and the risk associated with the continued use of the substances.

(23) The language used to describe the risk management measures and operational conditions in the application for authorisation may be different from the official language of the Member State where the use takes place. Therefore, in order to facilitate supervision and enforcement of compliance with the authorisation, it is appropriate to require the authorisation holders and their downstream users to submit, upon request, a brief summary of those risk management measures and operational conditions to the competent authority of that Member State in an official language of that Member State.

(24) This Decision does not affect the obligation of the authorisation holders and their downstream users to ensure that the use of a substance does not adversely affect human health or the environment, having regard to the principle set out in Article 1(3) of Regulation (EC) No 1907/2006. Furthermore, this Decision does not affect the obligation of the authorisation holders under Article 60(10) of that Regulation to ensure that the exposure is reduced to as low a level as is technically and practically possible or the obligation of the employer under Article 4(1) and Article 5 of Directive 2004/37/EC of the European Parliament and of the Council[6] to reduce the use of carcinogens, mutagens or reprotoxic substances at the place of work, in particular by replacing those substances, in so far as is technically possible, and to prevent workers' exposure to a risk to their health or safety. This Decision does not affect the application of Union law in the area of health and safety at work, in particular Council Directives 89/391/EEC[7], 92/85/EEC[8], 94/33/EC[9], 98/24/EC and Directive 2004/37/EC, or any national binding occupational limit values which may be stricter than the applicable limit values under Union law.

(25) This Decision does not affect any obligation to comply with emission limit values or other requirements set in accordance with Directive 2008/50/EC[10] or Directive 2010/75/EU[11] of the European Parliament and of the Council, nor any obligation to comply with emission limit values set to achieve compliance with the environmental quality standards established by Member States in accordance with Directive 2000/60/EC of the European Parliament and of the Council[12] or the environmental

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6 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, mutagens or reprotoxic substances 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, ELI: http://data.europa.eu/eli/dir/2004/37/oj).

7 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, 29.6.1989, p. 1, ELI: http://data.europa.eu/eli/dir/1989/391/oj).

8 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, ELI: http://data.europa.eu/eli/dir/1992/85/oj).

9 Council Directive 94/33/EC of 22 June 1994 on the protection of young people at work (OJ L 216, 20.8.1994, p. 12, ELI: http://data.europa.eu/eli/dir/1994/33/oj).

10 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, ELI: http://data.europa.eu/eli/dir/2008/50/oj).

11 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, ELI: http://data.europa.eu/eli/dir/2010/75/oj).

12 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, ELI: http://data.europa.eu/eli/dir/2000/60/oj).

quality standards established in Directive 2008/105/EC of the European Parliament and of the Council[13]. Compliance with the provisions of this Decision does not necessarily imply compliance with any emission limit values or environmental quality standards under any other provisions of Union law, which may include further or more onerous requirements.

(26) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 133 of Regulation (EC) No 1907/2006,

HAS ADOPTED THIS DECISION:

Article 1

An authorisation is hereby granted in accordance with Article 60(4) of Regulation (EC) No 1907/2006 to the following persons for the following uses of chromium trioxide (EC No 215-607-8; CAS No 1333-82-0) and sodium dichromate (EC No 234-190-3; CAS No 10588-01-9, 7789-12-0):

Authorisation number	Authorisation holder	Authorised use
REACH/24/67/0	Boeing Distribution Deutschland GmbH	Use of chromium trioxide in pre-treatments: deoxidising, pickling, etching or desmutting in aerospace and defence industry and its supply chains
REACH/24/67/1	ChemService GmbH	
REACH/24/67/2	Cromital S.P.A.	
REACH/24/67/3	AD International BV	Use of sodium dichromate in pre-treatments: deoxidising, pickling, etching or desmutting in aerospace and defence industry and its supply chains
REACH/24/67/4	Brenntag Chemicals Distribution (Ireland) Ltd	

The authorisation is granted subject to the risk management measures and operational conditions described in the chemical safety report[14], and to the conditions set out in Article 2.

Article 2

1. The authorisation is subject to the conditions set out in paragraphs 2 to 9.

[13] 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, ELI: http://data.europa.eu/eli/dir/2008/105/oj).

[14] https://ec.europa.eu/docsroom/documents/61969

2. Without delay, and at the latest by 20 January 2026, the authorisation holders and their downstream users shall:

(a) implement the necessary technical improvements to the risk management measures and operational conditions to ensure that occupational exposure to hexavalent chromium (Cr(VI)) is at a level as low as technically and practically possible at all downstream users' sites. Such measures shall follow the hierarchy of control principles set out in Article 5 of Directive 2004/37/EC;

(b) ensure that manual handling of solid and liquid Cr(VI) substances for measuring, weighing and solution preparation is performed in dedicated work areas under local exhaust ventilation ('LEV') with high containment;

3. The authorisation holders and their downstream users shall:

(a) until adequate technical improvements referred to paragraph 2(a) are implemented and exposure data pursuant to the measurements referred to in paragraph 4 or 6 allow for a conclusion that exposure to Cr(VI) is at a level as low as technically and practically possible, ensure that workers manually performing the tasks related to dipping of parts into treatment baths, bath sampling, bath make-ups and concentration adjustment use appropriate respiratory protective equipment ('RPE'), taking into account the duration of the tasks and the comfort of the workers during its use;

(b) ensure that the relevant workers:

i. are provided with adequate RPE, which has been subjected to a fit test prior to its first use;

ii. always perform a fit check of the seal of their RPE before starting a relevant task; and

iii. are adequately supported to undergo the fit tests referred to in point (i) and trained to undertake the fit checks referred to in point (ii).

4. The authorisation holders and their downstream users shall conduct control measurements to validate the appropriateness and effectiveness of the additional risk management measures and operational conditions implemented in accordance with paragraph 2. If necessary, additional risk management measures or operational conditions shall be implemented to further reduce exposure to Cr(VI) to a level as low as technically and practically possible.

5. By 20 January 2026 and afterwards each time that new relevant information becomes available, the authorisation holders and their downstream users shall carry out and document studies to assess the feasibility of implementing the following measures:

(a) the substitution of solid Cr(VI) substances with liquid solutions or the implementation of a closed or automatic system to perform the dissolution of solid Cr(VI) substances and any subsequent (re-)filling of the baths with liquid solutions;

(b) the installation of a closed or automatic system to perform bath sampling tasks, where exposure to Cr(VI) is expected;

(c) the installation of a system that continuously controls the LEV and automatically triggers an alarm in case the LEV is not functioning properly and the implementation of appropriate and effective measures to reduce the exposure of workers in case the LEV is not functioning properly; and

(d) the installation of an air abatement system at those sites where such a system is not yet in place, even if the authorisation holder or downstream user expects a low Cr(VI) emission.

The authorisation holders and their downstream users shall act in accordance with the outcome of those studies.

6. The authorisation holders and their downstream users shall carry out a monitoring programme measuring occupational exposure to Cr(VI) at all sites. The programme shall include measurements which shall:

(a) take place at least annually, or more frequently if a significant increase of chromium trioxide or sodium dichromate consumption takes place on site, and shall be sufficiently frequent to capture any potential increase in exposure of workers to Cr(VI);

(b) be based on relevant standard methodologies or protocols;

(c) ensure a sufficiently low limit of quantification;

(d) comprise personal or static inhalation exposure sampling;

(e) be representative of all the tasks with possible exposure to Cr(VI), including maintenance tasks, the operational conditions and risk management measures for each of those tasks, and of the total number of workers that are potentially exposed;

(f) be recorded so as to include contextual information about the tasks performed during exposure sampling.

7. The authorisation holders and their downstream users that already conduct a biomonitoring programme at their site shall continue with the programme and shall ensure that it covers a representative number of the workers potentially exposed to Cr(VI).

8. The authorisation holders and their downstream users shall use the information gathered by way of the monitoring programmes referred to in paragraphs 6 and 7 to review, at least annually, the appropriateness and effectiveness of the risk management measures and operational conditions in place. While doing so, the authorisation holders and their downstream users shall also review and, if needed, update their assessment of the combined exposure for the different groups of workers. If needed, based on the outcome of this review, the authorisation holders and their downstream users shall introduce measures to further reduce to a level as low as technically and practically possible occupational exposure to Cr(VI). Such measures shall follow the hierarchy of control principles set out in Article 5 of Directive 2004/37/EC.

9. The authorisation holders and their downstream users shall document and maintain the information from the monitoring programmes referred to in paragraphs 6 and 7 and from the control measurements referred to in paragraph 4, including the contextual information associated with each set of measurements, as well as the outcome and conclusions of the reviews and study and any measure taken in accordance with paragraphs 2, 4, 5 and 8, and shall make that information available, including, where relevant, pseudonymised or aggregated biomonitoring results, upon request, to the competent authority of the Member State where the authorised use takes place.

Article 3

The review period shall expire on 14 February 2035.

The authorisation shall cease to be valid on 14 February 2035 in relation to any authorisation holder who has not submitted the review report in accordance with Article 61(1) of Regulation (EC) No 1907/2006 by 14 August 2033.

Article 4

1. The monitoring arrangements set out in paragraphs 2 to 5 shall apply.

2. The authorisation holders and their downstream users shall carry out a monitoring programme measuring the environmental releases of Cr(VI) to the air and wastewater at all sites. The programme shall include measurements which shall:

   (a) take place at least annually, or more frequently if a significant increase of chromium trioxide or sodium dichromate consumption takes place on site, and shall be sufficiently frequent to capture any potential increase in emission of Cr(VI);

   (b) be based on relevant standard methodologies or protocols;

   (c) ensure a sufficiently low limit of quantification;

   (d) be representative of the operational conditions and risk management measures used at the sites where the authorised use takes place;

   (e) be recorded so as to include contextual information associated with each set of measurements.

3. The authorisation holders and their downstream users shall use the information gathered by way of the measurements referred to in paragraph 2 to review, at least annually, the appropriateness and effectiveness of the risk management measures and operational conditions in place. While doing so, the authorisation holders and their downstream users shall also review and, if needed, update their assessment of the exposure of the general population via the environment. If needed, based on the outcome of this review, the authorisation holders and their downstream users shall introduce measures to further reduce to a level as low as technically and practically possible Cr(VI) emissions to the environment.

4. The authorisation holders and their downstream users shall document and maintain the information from the monitoring programmes referred to in paragraph 2, including the contextual information associated with each set of measurements, as well as the outcome and conclusions of the reviews and any measure taken in accordance with paragraph 3, and shall make that information available, upon request, to the competent authority of the Member State where the authorised use takes place.

5. The authorisation holders and their downstream users shall document the steps taken to substitute chromium trioxide and sodium dichromate in accordance with the substitution plan, including information on the technical difficulties in meeting the required standards in the aerospace and defence sectors. Any deviations from the initial substitution plan and information on any contingency measures taken shall also be documented. The authorisation holders and their downstream users shall make such documentation available, upon request, to the competent authority of the Member State where the authorised use takes place.

Article 5

If a review report is submitted, it shall include the information referred to in Article 2(9) and Article 4(4) and (5).

Article 6

Upon request, the authorisation holders and their downstream users shall submit a brief summary of the applicable risk management measures and operational conditions described in the chemical safety report to the competent authority of the Member State where the authorised use takes place. The brief summary shall be drafted in an official language of that Member State.

Article 7

This Decision is addressed to:

(1) Boeing Distribution Deutschland GmbH, Rudolf Diesel Strasse 11-13, 24558 Henstedt-Ulzburg, Germany;

(2) AD International BV, Markweg Zuid 27, 4794 SN Heijningen, Noord-Brabant, Netherlands (the);

(3) Brenntag Chemicals Distribution (Ireland) Ltd, Greenogue Business Park, Rathcoole, Dublin 24 Dublin, Ireland;

(4) Chemservice GmbH, Herrnsheimer Hauptstrasse 1b, 67550 Worms, Germany;

(5) Cromital S.P.A., Strada 4 - Palazzo A7, 20057 Assago (MI), Italy.

Done at Brussels, 20.1.2025

For the Commission
Stéphane SÉJOURNÉ
Executive Vice-President

CERTIFIED COPY
For the Secretary-General

Martine DEPREZ
Director
Decision-making & Collegiality
EUROPEAN COMMISSION