Refractory Ceramic Fiber Association

Tokyo: September 21, 2013

European Chemical Agency
Annankatu 18
00120 Helsinki
Finland

Dear Sirs,

Re: Zirconia Aluminosilicate Refractory Ceramic Fibers (Zr-RCF)

This refers to the press release dated June 24, 2013 inviting interested parties to submit comments in response to the recommendation of 6 new substances to be included in the authorization list.
RCFA stands for Refractory Ceramics Fiber Association represents 5 manufactures of RCF and Zr-RCF established in Japan, and we would like to give the following comments.

First of all, we regret the situation in which our substances, RCF and Zr-RCF, are prioritized and recommended by the agency for inclusion in the authorization list. The announcement by the agency is expected to result in massive bureaucratic burden on industry not only in EU but also in the rest of the world. Related to exports into the EU this might be mitigated to some extend as the majority of our products are sold in the form of “articles”. It is our understanding that these will not be affected by authorization – is this correct?

We would also like to express our confusion related to the substance description which – as far as we understand – is related to the Candidate List entries. These entries apparently aim to describe RCFs using specific elements (fibre size, chemistry details) which are not in line with the single RCF registration filed by industry. Is there a reason for this? Would industry be forced to carry out a detailed chemical analysis (per fibre batch) to make a clear distinction between RCF covered by the entries vs RCF not covered? How is industry supposed to communicate this to the EU customer base following Article 33? Is this required on a “per batch” or “per shipment” basis?

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In light of the above questions it appears that there is some doubt even in the agency´s interpretation. We noticed that the "draft recommendation" documents were recently changed, revising and correcting the key ingredients used to produce RCF fibres. The documents still contain the following phrase in some sections "there might be more registrations falling under the Candidate List entry" – while we are only aware of one joint registration following the "one substance – one registration" principle. Does this indicate that ECHA isn´t sure which substances are meant to be covered? Is it common practice to change substantial elements of a background document in the middle of a public consultation? How can we be sure which substance is meant to be listed if this is apparently not entirely clear to the EU regulators?

RCFA doesn´t have precise data regarding the total volume manufactured or sold in the EU – including "articles" this might well be above 10,000 ton/year. However, we believe that only a small fraction of the total volume is potentially hazardous because respirability relates to fibre dimension (e.g. based on the WHO definition) and only a subset of the fibres as produced and sold meet applicable definitions of respirability or inhalability. Should this not be reflected in the volume criterion? How is the substance / mixture / article split reflected in the volume calculation?

The materials are used in industrial applications under controlled conditions and good handling practices published by the industrial associations to minimize the risk of exposure in the workplace. Thus, only small group of trained and adequately equipped workers are exposed. Why is this considered "wide dispersive use"? How is authorization supposed to improve worker protection?

Our understanding is that it can only regulate the "substance use" stage in the EU – how does it impact "article use"? Is authorization the best approach to control potential fibre exposure at the workplace? Have other regulatory approaches (like the EU wide definition of a dust limit – f.e. 0.5 f/ml) been considered?

RCF and Zr-RCF are comparable with mineral wools such as stone and glass wools, as recommended by the agency as alternative products for use in the temperature range to 300°C.

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The agency admits that the possibility for using AES wool in the temperature range above 900℃ to 1,200℃ may be reduced. This temperature range is where RCF is widely used as furnace lining. It is often spoken among refractory experts that a chemical reaction takes place between AES wools and alumina in kiln furniture. The temperature is not the only boundary to select the materials, but also chemical stability and physical properties are important factors. We are, therefore, skeptical about whether AES becomes a viable alternative to RCF and Zr-RCF in this temperature range.

Having extremely low thermal conductivity and heat storage, RCF and Zr-RCF have been noted as indispensable insulation lining for furnaces in many industries including steel, ceramic and petrochemical. They are contributor to energy conservation in the furnace operation and to reduction in the initial cost when the furnaces are fabricated because of simplified steel structures and reduced construction period. The use of dense refractories like bricks and castables means setback to old ages before RCF and Zr-RCF were in place.

The agency also recommends microporous insulation material, which is believed to develop more airborne dust than RCF and Zr-RCF at both manufacturing and application on site and which is limited in its use temperature and physical product form.

Have the suggested alternatives been tested and assessed in practical applications? Or are they just a collection of relatively heat resistant materials? Does ECHA apply any level of scrutiny on Annex XV dossiers submitted by Member States?

In conclusion, RCFA requests clarification and would appreciate answers to the questions above. If there is any remaining difficulty or doubt, we strongly suggest to fix lacking or faulty definitions before any further regulatory escalation.

Sincerely yours,

Refractory Ceramic Fiber Association

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Ryoji Nomura
Chairman