

N°20010/14/GIFAS/BC.PSB
Paris, 1st December, 2014

Subject: Answer on boron substances

Y/Ref: Public consultation issued on 1st September, 2014 -ECHA's 6th recommendation of priority substances to be included in Annex XIV

Dear Sir,

The European Chemicals Agency (ECHA) published a draft recommendation of 22 priority substances for inclusion in the list of substances subject to authorisation (Annex XIV).

This letter constitutes the GIFAS (French aerospace industries association)¹ response regarding the following boron substances:

- Boric acid (CAS 10043-35-3, 11113-50-1)
- Disodium tetraborate, anhydrous (CAS 1330-43-4, 12179-04-3, 1303-96-4)
- Diboron trioxide (CAS 1303-86-2)
- Tetraboron disodium heptaoxide, hydrate (CAS 12267-73-1).

The Aeronautic and Aerospace Industry fully commits to environmental excellence, to the highest level of health protection and to REACH compliance. The Aerospace Industry has been working for years towards a voluntary eradication of some of the most hazardous substances. In particular, a huge effort is currently deployed on chromate eradication as per policies set up amongst the main companies. Nevertheless, despite a collective mobilisation of the sector, alternative options are not yet mature for some critical applications. More extensive R&D efforts, very long qualification tests, certification and technical documentation updating are therefore still necessary prior to getting the solutions approved. The elimination of these substances would require substantial ultimate efforts, due to the complexity of the authorisation process with a complex supply chain involving many SMEs.

Regarding the above mentioned boron substances, we still have specific uses in the aerospace and defence areas, in particular, boric acid and disodium tetraborate for which no known validated alternative options are currently available, nor will be, on the proposed ECHA's sunset date.

¹ GIFAS has more than 342 members, from major prime contractors and system suppliers to small specialist companies. They cover the full spectrum of skills from the design, development and production of aerospace systems to marketing and maintenance and operation. GIFAS members are active in civil and military aircraft, helicopters, engines, missiles and weapons, satellites and launch systems, UAV, large aerospace, defence and security systems, equipment, subassemblies and associated software applications. This sector comprises 177 000 direct employees and its turnover exceeds € 47,9 billion.

Mr Geert Dancet
Executive Director
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Copy: directly to the ECHA website

We, of course, support the highest level of public safety but also need to keep the competitiveness of our industry in mind. Due to the long life cycle and development costs of its products, ensuring the required stability in the applicable regulatory frame is paramount. The uncertainty concerning substances such as boron substances, in particular boric acid and disodium tetraborate which may enter into the REACH Annexe XIV, is not compatible with the need to ensure clarity of the requirements to be considered at the time of design and decision of replacement options.

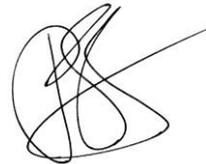
Therefore, in line with the response from our European Federation (ASD²) which we support, we would like to add that some additional important R&D efforts are still necessary to develop acceptable alternative options. Taking into account the fact that most of the required expertise is similar to the one necessary for the chromates eradication in surface treatment, major difficulties will be encountered as duplication of this expertise within companies in a medium term schedule would remain impossible.

We remain at your disposal for any information you may require.

Yours faithfully,

A handwritten signature in blue ink, appearing to read "Cz." with a stylized flourish.

Bruno COSTES
Chairman of the GIFAS Environment &
Sustainable Development Commission

A handwritten signature in blue ink, consisting of a large, stylized initial "PS" followed by a long horizontal stroke.

Pierre-Stéphane BENATI
GIFAS REACH Working Group Leader

² ASD represents the Aeronautics, Space, Security and Defence industries in Europe. These industries reach a turnover of 186,8 billion €, employ 750,000 people and encompass over 3,000 companies and 80,000 suppliers, many of which are SMEs.