

Submission from the CHEM TRUST on the Persistent Organic Pollutants (Amendment) Regulations 2023 (SI 2023/729)

The impact assessment is insufficiently clear regarding what specific use of perfluorooctanoic acid (“PFOA”) the government wishes to extend the exemption for, beyond saying “a specific exemption is provided for manufacturing, placing on the market and use for textiles for oil- and water-repellency for the protection of workers from dangerous liquids that comprise risks to their health and safety”.

- Could Defra confirm which uses of PFOA this exemption extension will cover?
- Has Defra assessed the PFOA emissions related to this exemption?
- Could Defra provide detail of the assessment process the department has used in order to reach the conclusion that there is no alternative currently available?
- Has Defra considered the health risks of continuing to use these chemicals and if so what are they?
- Has Defra assessed the health risk to workers involved in the whole chain from production of the chemicals to making the PPE, distribution and wearing of the PPE and its disposal? Has it quantified the number of workers affected?
- Has it consulted the trade unions and safety reps in the whole chain and especially those wearing the PPE, before making the case for exemption?
- Has the Govt/HSE produced a risk assessment of production and use of PFOAs and detailed steps to protect workers from these risks?
- We note that the European Union does not appear to have applied for the same exemption to use PFOA for textiles for oil- and water-repellency. Can Defra confirm if there are any other parties that have also applied this exemption under the Stockholm Convention and, if there are, are they seeking to extend it?

6 July 2023

Response from the Department for Environment, Food and Rural Affairs

The specific exemption for which the expiry date has been amended by this instrument refers to the following purposes: ‘textiles for oil- and water-repellency for the protection of workers from dangerous liquids that comprise risks to their health and safety’.

The MOD requires the use of a PFOA related compound for a single purpose: this use is both small and critical; a full safety and risk assessment has been carried out by MOD, who have consulted users on its use and have ensured that disposal is conducted responsibly by trained professionals. The risks to individuals and the environment has been assessed as very low.

Extensive research has been conducted by the MOD, and currently there is no identified alternative that meets the necessary requirements; MOD continues to conduct research on alternatives.

Details of the register of specific exemptions for PFOA (including its salts and -related compounds) can be found on the Stockholm Convention website. This includes details of which Parties to the Convention have registered for the various specific exemptions available under the Convention,¹ and any exemption expiry dates provided by those Parties. The relevant webpage is updated periodically by the Stockholm Convention Secretariat to reflect any changes to Parties’ registered exemptions and/or expiry dates. **11**

July 2023

¹ [Stockholm Convention, Register of Specific Exemptions: Perfluorooctanoic acid (PFOA), its salts and PFOA-related compounds, <https://chm.pops.int/Implementation/Exemptions/SpecificExemptions/PFOARoSE/tabid/8363/Default.aspx>.]