



Council of the
European Union

Brussels, 18 February 2016
(OR. en)

6280/16
ADD 1

COMPET 64
ENV 81
CHIMIE 4
MI 92
ENT 33
SAN 55
CONSOM 36

COVER NOTE

From:	European Commission
date of receipt:	16 February 2016
To:	General Secretariat of the Council
No. Cion doc.:	D041942/03 ANNEX
Subject:	ANNEX to the COMMISSION REGULATION (EU) .../... of XXX amending Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards asbestos fibres (chrysotile)

Delegations will find attached document D041942/03 ANNEX.

Encl.: D041942/03 ANNEX



EUROPEAN
COMMISSION

Brussels, **XXX**
D041942/03
[...] (2016) **XXX** draft

ANNEX 1

ANNEX

ANNEX

"1. The manufacture, placing on the market and use of these fibres and of articles and mixtures containing these fibres added intentionally is prohibited.

However, if the use of diaphragms containing chrysotile for electrolysis installations in use on [*date of entry into force*] had been exempted by a Member State in accordance with the version of this paragraph in force until that date, the first subparagraph shall not apply until 1 July 2025 to the use in those installations of such diaphragms or of chrysotile used exclusively in the maintenance of such diaphragms, provided that such use is carried out in compliance with the conditions of a permit set in accordance with Directive 2010/75/EU of the European Parliament and of the Council(*).

Any downstream user benefiting from such an exemption shall send, by 31 January of each calendar year to the Member State in which the relevant electrolysis installation is located, a report indicating the amount of chrysotile used in diaphragms pursuant to the exemption. The Member State shall transmit a copy to the European Commission.

Where, in order to protect the health and safety of workers, a Member State requires monitoring of chrysotile in air by downstream users, the results shall be included in that report"

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