

**Chair:**  
Ian Still  
NALCO Champion  
Bundrant Technical Centre  
Peterseat Drive, Altens  
Aberdeen AB12 3HT  
Tel: +44 (0)1224 854064  
[ian.still@champ-tech.com](mailto:ian.still@champ-tech.com)



**Executive Secretary:**  
Nik Robinson  
NIKAM Consulting Ltd  
North Standryford  
Newmachar  
Aberdeenshire AB21 7PW  
Tel: +44 (0)1224 959185  
[secretary@eosca.eu](mailto:secretary@eosca.eu)

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## **ECHA Consultation on the Restriction of Microplastics**

**28 March 2018**

### **INTRODUCTION**

In January 2018 the European Commission asked ECHA to prepare proposals for possible restrictions of oxo-plastics and intentionally added microplastic particles, to support the EC's activities to support their plastics strategy which was published on 16 January 2018.

On 1<sup>st</sup> March ECHA announced this consultation and a call for evidence:  
<https://echa.europa.eu/calls-for-comments-and-evidence/-/substance-rev/19224/term>

And a webinar was held (12 March) which is available here:  
<https://echa.europa.eu/-/call-for-evidence-on-possible-restrictions-of-oxo-and-microplastics>  
<https://www.youtube.com/watch?v=uNYo1bTbfF8>

The deadline for responses to the ECHA consultation is 11<sup>th</sup> May 2018.

EOSCA responded to the earlier AMEC consultation for information which informed the initial Commission report, we commented on the plastic papers presented at OSPAR OIC (March 2018) and intend to respond fully to the ECHA consultation as well.

### **DEFINITION OF A MICROPLASTIC**

ECHA have made their initial scope intentionally broad, wider even than that original Commission request, so that they can consider all potential aspects and then better define the scope of any restriction that may occur. ECHA state their scope as:

“Any polymer-containing solid or semi-solid particle having a size of 5mm or less in at least one external dimension”

- Definitions of solid and semi-solid are available in the background document <https://echa.europa.eu/documents/10162/d7237d21-0e0f-b32d-0fe7-5db3a4507d90>
- Definition is for the purpose of assessment, but not necessarily restriction
- All relevant sectors (not limited to cosmetics or personal care)
- All potential functions of microplastic particles
- Intentional uses of 'biodegradable' or 'bio-based' microplastic particles
- Intentional uses of 'nanoplastic' particles
- Intentional uses of non-carbon based polymers (e.g. polysiloxanes) in particles
- Intentional uses of hydrogel polymers

EOSCA, however, for the purpose of responding to the consultation are reverting to the European Commission's working definition (June 2017) which is more meaningful in relation to oilfield chemicals and allows for a clear assessment of existing products used and discharged to be made using readily available data.

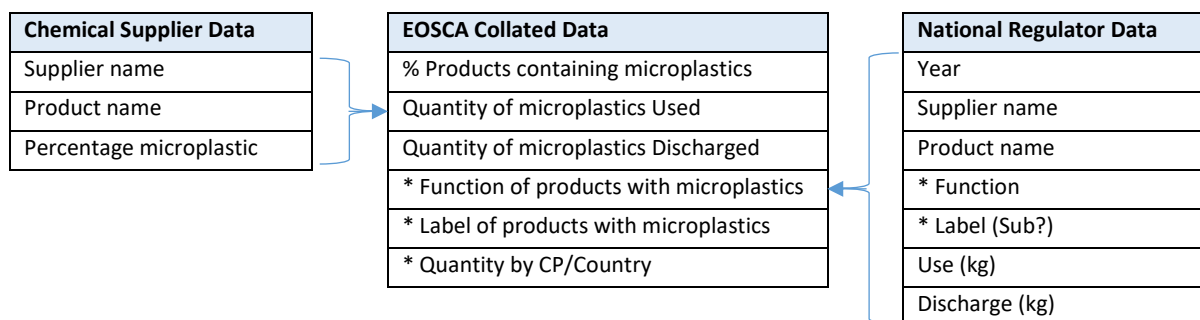
**Definition of Microplastics** - The Commission’s June 2017 working definition is as follows:

EC	Comments
Synthetic polymer	May be produced from either petro-based and bio-based raw materials.
Containing (semi) solid particles (20°C)	Solid at ambient temperature (20°C) and pressure of 101.3 kPa, or a semi-solid when the melting point is above 20°C and the glass transition temperature is below 20°C.
Water-insoluble	Water soluble plastics are not perceived as microplastics. IUPAC definition of polymer dissolution (IUPAC 2012) is “Process of dispersion of macromolecules in a liquid medium where they are solvated.” And in standard tests the water solubility (in mg/l) of a substance is measured in distilled water at 20°C. Within REACH, water solubility below 10mg/L is related to low water solubility. PAM, PEG, PVA and PVP among others, are water soluble.
Smaller than 5 mm	In all dimensions is based on the generally accepted cut-off and US controls on microbeads. ECHA have widened scope to include <5mm in any dimension, however this would include plastic bags and thin films. The EC definition of <5mm in the largest dimension therefore makes more practical sense.
	No parameter for degradation is included. Whilst control strategies on degradable and non-degradable microplastics may be different, they are all microplastics by the definition, but have different environmental fates.

### EOSCA DATA GATHERING EXERCISE

EOSCA have agreed with IOGP and the OSPAR Contracting Parties that they will lead a data gathering exercise, to obtain confidential information from chemical suppliers on percentage of microplastics present in products.

These data will then be combined with data from OSPAR Contracting Parties on the use and discharge of products to generate a more accurate assessment of the quantity of microplastics being used and discharged by the offshore oil and gas industry in the North Sea.



### ECHA CONSULTATION ON THE RESTRICTION OF MICROPLASTICS

The intention of any proposed restrictions under REACH is to address a risk that is not adequately controlled elsewhere. [We must look to provide evidence to support that potential discharges of microplastics are adequately controlled.](#)

The key criteria for justifying a restriction on EU-wide basis are:

- Targeted to the exposure or risks – [need to quantify the exposure & risk for offshore O&G](#)
- Capable of reducing these risks – [would a restriction reduce the risk for offshore O&G](#)
- Proportionate to risk: (i.e. costs/benefits) – [would restriction be proportionate for O&G?](#)

The EC request to ECHA focussed on Consumer and Professional uses, however ECHA have widened this and in their webinar said that Professional use could be any use that isn’t a consumer use! The distinctions are however important, because consumer uses are generally wide and dispersive, with limited controls.

Professional uses are similar to consumer, although they are easy to control through use parameters etc.

Industrial uses are generally point source, are well controlled, and may indeed involve closed systems.

[Offshore O&G industry need to demonstrate that a risk-based rather than hazard-based approach is therefore more appropriate for their industrial uses.](#)