Consultation Questionnaire Exemption 9(a)II of RoHS Annex III

Current wording of the exemption:

Up to 0.75 % hexavalent chromium by weight, used as an anticorrosion agent in the cooling solution of carbon steel cooling systems of absorption refrigerators:

— designed to operate fully or partly with electrical heater, having an average utilised power input ≥ 75 W at constant running conditions,

—designed to fully operate with non-electrical heater.

Expires in 21. July 2021 for cat. 1

# Acronyms and Definitions

Cr6+ hexavalent chromium

# Introduction

## Background

Bio Innovation Service, UNITAR and Fraunhofer IZM have been appointed[[1]](#footnote-2) by the European Commission through for the evaluation of applications for the review of requests for new exemptions and the renewal of exemptions currently listed in Annexes III and IV of the RoHS Directive 2011/65/EU.

Dometic submitted a request[[2]](#footnote-3) for the renewal of the above-mentioned exemption. The request has been subject to a first completeness and plausibility check. The applicant has been re-quested to answer additional questions and to provide additional information, available on the request webpage of the stakeholder consultation.[[3]](#footnote-4)

The stakeholder consultation is part of the review process for the request at hand. The objective of this consultation and the review process is to collect and to evaluate information and evidence according to the criteria listed in Art. 5(1)(a) of Directive 2011/65/EU.[[4]](#footnote-5)

To contribute to this stakeholder consultation, please answer the below questions until the 27th of May 2021.

## SUMMARY OF THE EXEMPTION REQUEST

Dometic states that: “Dometic feel confident in substituting the existing corrosion inhibitor containing hexavalent chromium (Cr VI) in all its absorption refrigerators. We have already started the substitution process for our absorption refrigerators with low boiling temperatures such as hotel minibars. For products with higher boiling temperature, we need addition time to finalize the task related to the substitution. Such tasks include redesign of the cooling units, development of a safety monitoring system and extensive testing internally as well as by customers. Therefore we ask for a prolonging of exemption 9(a)-II until 31 December 2025.”

As for the substances concerning this exemption Dometic states:

*“Hexavalent chromium works very well as corrosion inhibitor thanks to a thin chromium oxide (Cr2O3) layer that is formed on the interior surface of the steel tubes. This layer is very thin and tight which protects the steel from further corrosion.”*

# Questions

1. Dometic requested the renewal2 of the above exemption until 31 December 2025 for EEE of cat. 1 until end of 2025 with the same wording and scope.
   1. Please let us know whether you support or disagree with the wording, scope and re-quested duration of the exemption. To support your views, please provide detailed technical argumentation / evidence in line with the criteria4 in Art. 5(1)(a).
   2. If applicable, please suggest an alternative wording and duration and explain your proposal.
2. Please provide information concerning possible substitutes or elimination possibilities at present or in the future so that the requested exemption could be restricted or revoked.
   1. Please explain substitution and elimination possibilities and for which part of the ap-plications in the scope of the requested exemption they are relevant.
   2. Please provide information as to research to find alternatives that do not rely on the exemption under review (substitution or elimination), and which may cover part or all of the applications in the scope of the exemption request.
   3. Please provide a roadmap of such on-going substitution/elimination and research (phases that are to be carried out), detailing the current status as well as the estimated time needed for further stages.
3. Do you know of other manufacturers producing devices of comparable features and performance like the ones in the scope of this exemption request that do not depend on RoHS-restricted substances, or use smaller amounts of these substances compared to the applications in the scope of this exemption?
4. As part of the evaluation, socio-economic impacts shall also be compiled and evaluated. For this purpose, if you have information on socioeconomic aspects, please provide details in respect of the following:
   1. What are the volumes of EEE in the scope of the requested exemptions which are placed on the market per year?
   2. What are the volumes of additional waste to be generated should the requested ex-emption not be renewed or not be renewed for the requested duration?
   3. What are estimated impacts on employment in total, in the EU and outside the EU, should the requested exemption not be renewed or be renewed for less than the re-quested time period? Please detail the main sectors in which possible impacts are expected – manufacturers of equipment in the scope of the exemption, suppliers, re-tail, users of MRI devices, etc.
   4. Please estimate additional costs associated should the requested exemption not be renewed, and how this is divided between various sectors (e.g. private, public, industry: manufacturers, suppliers, retailers).
5. Any additional information which you would like to provide?

**Please note that answers to these questions can be published in the stakeholder consultation, which is part of the evaluation of this request. If your answers contain confidential information, please provide a version that can be made public along with a confidential version, in which proprietary information is clearly marked.**

**Please do not forget to provide your contact details (Name, Organisation, e-mail and phone number) so that the project team can contact you in case there are questions concerning your contribution.**

1. It is implemented through the specific contract 070201/2020/832829/ENV.B.3 under the Framework contract ENV.B.3/FRA/2019/0017 [↑](#footnote-ref-2)
2. Exemption request available at <http://www.rohs.biois.eu/RoHS_V_Application_Dometic%2020200116.pdf> [↑](#footnote-ref-3)
3. Clarification questionnaire available at:

   <http://www.rohs.biois.eu/Ex_9aII_Annex-III_Dometic_Questionnaire-1_Clarification_answer.pdf> [↑](#footnote-ref-4)
4. Directive 2011/65/EU (RoHS) available at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32011L0065:EN:NOT>   
   5 Ref. Ares(2019)5042663 - 01/08/2019, <https://ec.europa.eu/info/law/better-regulation/initiatives/ares-2019-5042663_en> [↑](#footnote-ref-5)