MCA

GENERAL ASSEMBLY

21 OCTOBER 2026 BARCELONA

Pollution and Waste – The Political, Legal and Regulatory Environments

A EUROPEAN UNION FOCUS FOR THE MCA

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UPDATES AND REPORTS

SLIDES WILL BE SENT TO MEMBERS AFTER THE MEETING:

TODAY WE WILL TRY TO COVER FROM A MARITIME PERSPECTIVE:

- **EU LAND AND MARINE EMISSION SCHEMES INCLUDING OCEANS AND PORTS POLICY**

- **EU ENVIRONMENTAL POLICIES AND CHALLENGES**
  - **WASTE TOPICS, CIRCULAR ECONOMY, END OF WASTE**
  - **CHEMICALS: REACH/CLP/ PFAS**

Roger Creswell

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AT THE MAY 2026 ANTWERP MEETING THE EUROPE FACED:

- **IRAN AND UKRAINE WARS**
- **HIGH ENERGY COSTS**
- **OIL PRICES WERE GENERALLY OVER $105/bbl**
- **US ADMINISTRATION POLICY - APPEARS AGGRESSIVE TOWARDS EUROPE**
- **EU SIMPLIFICATION POLICIES (DEREGULATION, DECARBONISATION, SECURITY of raw materials)**
- **EU MAKING SLOW PROGRESS TOWARDS IMPROVING COMPETITIVENESS**
- **NOTED MANY OF THESE POINTS CHALLENGE THE CONCEPT OF SUSTAINABILITY**

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HAS MUCH CHANGED SINCE THE MAY ANTWERP GA ?

- **PROBABLY NOT A LOT**
- **IMPACT OF HIGH OIL PRICES BECOMING ACCEPTED AS THE 'NORM' AND FUELLING INFLATION**
- **POLITICS HAS BECOME MORE DIVISIVE - 'THE ECONOMY vs THE ENVIRONMENT'**
- **FOR MCA MEMBERS, A CHALLENGE OF ALIGNING MARINE WITH LANDSIDE POLICIES**

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FOR THE SHIPPING SECTOR IN THE LAST 12 MONTHS, IT HAS FACED ……

- **DISRUPTION AROUND THE MIDDLE EASTERN ROUTES WITH SHIPPING ADAPTING TO LONGER JOURNEYS**

Overall ranking (2025–2026)

Sector	Performance
Crude Tankers	★★★★★
Vehicle Carriers	★★★★★
LNG Carriers	★★★★☆
Container Shipping	★★★★☆
Dry Bulk	★★★☆☆

- **FREIGHT RATES GENERALLY FELL**
- **GROWTH IN NEW SHIPS OUTPACING ANY INCREASE IN TRADE**
- **MOST MAJOR SHIPPING COMPANIES HAVE SEEN A REDUCTION IN PROFITS**
- **MORE THAN HALF OF NEW SHIPS ORDERED CAN RUN ON ALTERNATIVE FUELS, AT PRESENT METHANOL AND LNG FAVOURED**
- **INCREASE IN REGULATION - EU FUEL MARITIME AND EU EMISSIONS TRADING**

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EUROPEAN OCEAN ACT - MOVING INTO THE IMPLEMENTATION PHASE

- GATHERING SEPARATE POLICIES ON MARINE PROTECTION, FISHERIES, SHIPPING, OFFSHORE ENERGY, MARITIME SECURITY, COASTAL COMMUNITIES AND OCEAN RESEARCH INTO A SINGLE STRATEGY
- THE EU INCREASINGLY VIEWS PORTS AS ENERGY, LOGISTICS AND INDUSTRIAL HUBS RATHER THAN SIMPLY TRANSPORT INFRASTRUCTURE.

IMPACT

- FOR PORT OPERATORS: EXPECT STRONGER REQUIREMENTS AROUND: AIR EMISSIONS MONITORING. WATER QUALITY PROTECTION. MARINE LITTER PREVENTION. BIODIVERSITY ENHANCEMENT WITHIN PORT AREAS. CLIMATE RESILIENCE PLANNING.
- FOR SHIPPING: FUEL EFFICIENCY, DECARBONISATION AND ENVIRONMENTAL PERFORMANCE
- FOR WASTE OPERATORS: INCREASED SCRUTINY OF PORT-BASED WASTE STREAMS FACILITIES HANDLING: SHIP-GENERATED WASTE, MARPOL WASTES. FISHING GEAR WASTE. MARINE PLASTICS.

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EUROPEAN PORTS STRATEGY (LOOKING to 2040)

A STUDY COMMISSIONED BY THE EU PARLIAMENT

- **GLOBAL COMPETITIVENESS**
- **SAFETY AND SECURITY**
- **ENERGY EFFICIENCY AND DECARBONISATION**
- **DIGITAL SYSTEMS**
- **HINTERLAND CONNECTIVITY**



- **https://www.europarl.europa.eu/RegData/etudes/STUD/2026/783530/CASP_STU(2026)783530_EN.pdf**

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EMISSIONS TRADING SYSTEM (EU ETS) AND FUELEU MARITIME

- **MECHANISMS TO BUILD IN TO FUEL USAGE AS A COST OF CARBON OR GREENHOUSE GAS INTENSITY –THE SYSTEMS CAN AND DO OVERLAP**
- **ETS IS MEASURED AS THE AMOUNT OF $CO2_e$ EMITTED DURING A VOYAGE A PRICE ON CARBON**
- **GREENHOUSE GAS INTENSITY LOOKS AT GASES ARISING FROM FUEL PRODUCTION AND TRANSPORT AND ONBOARD COMBUSTION MEASURED AS GRAMS CO_2e PER MJ OF ENERGY (GCO_2e/MJ) A PRICE ON ENERGY**

AND BOTH CAN APPLY AT THE SAME TIME, EU LOOKING TO STRENGTHEN THE SCHEMES IF IMO DOES NOT PERFORM

- **EU ETS ADMINISTERED BY AN AUTHORITY APPOINTED BY A MEMBER STATE. EACH SHIPPING COMPANY IS ALLOCATED TO ONE SPECIFIC AUTHORITY.**
- **FOR EU SHIPPING COMPANIES THE ADMINISTRATOR IS GENERALLY THE AUTHORITY OF THE STATE, BUT FOR COMPANIES OUTSIDE THE EU/EEA THE AUTHORITY IS TYPICALLY ASSIGNED BASED ON THE MEMBER STATE WITH THE LARGEST NUMBER OF RELEVANT PORT CALLS OVER A DEFINED PERIOD.**

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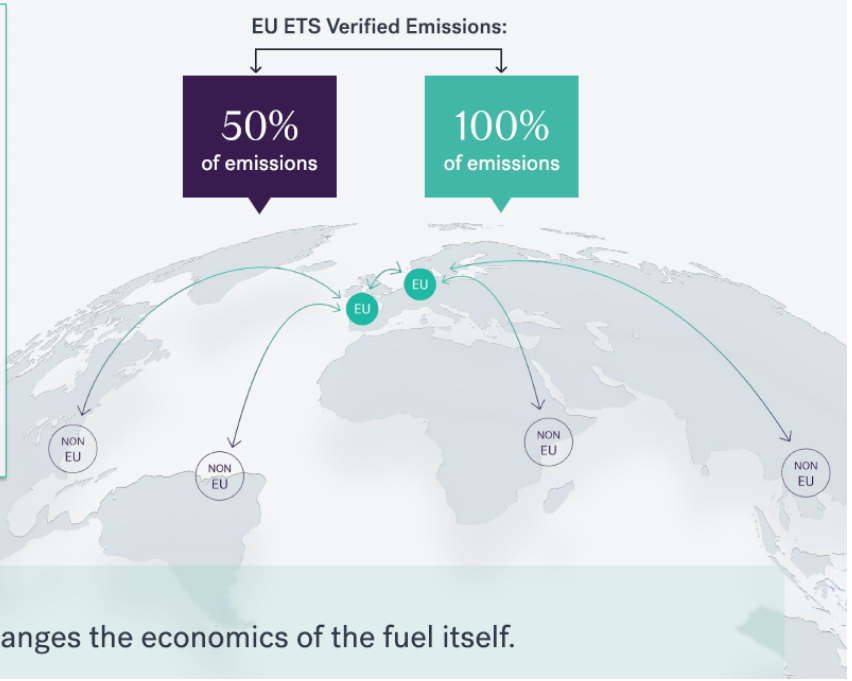
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EMISSIONS TRADING SYSTEM (EU ETS) AND FUELEU MARITIME

01 EU ETS & FuelEU Maritime: What is changing?

Marine fuel procurement is no longer simply about securing the right fuel at the right price. EU ETS and FuelEU Maritime are now firmly embedded in the annual procurement cycle, making compliance costs, fuel choices and working capital increasingly important considerations for shipowners.

	What it covers:	How it works:	Next deadline:
EU ETS	Carbon exposure	Vessels under the EU ETS must purchase and surrender allowances for their regulated greenhouse gas emissions.	**30 September 2026** (surrender deadline for 2025 emissions)
FuelEU Maritime	GHG intensity of energy used	Enforcement of yearly, well-to-wake greenhouse gas (GHG) intensity limits on the energy used on board commercial ships above 5,000 gross tonnes.	**31 January 2027** (end of 2026 reporting year)



In summary: EU ETS puts a price on carbon. FuelEU Maritime changes the economics of the fuel itself.

Source Integr8 Fuels

02 The cheapest fuel isn't always the lowest-cost decision.

The introduction of EU ETS and FuelEU Maritime has fundamentally changed marine fuel procurement. Today's fuel decisions affect not only bunker costs, but also cash flow, carbon exposure, supplier relationships and long-term competitiveness.

The equation for vessel economics has changed:

Before Fuel price → Buy fuel → Operate vessel

Now: Fuel price → Carbon cost → Working capital → Compliance → Commercial risk → Operate vessel

Sample cost analysis of fuels purchased in Rotterdam and consumed on intra-EU and extra-EU voyages:

Intra-EU Voyage:

Cost Component	HSFO (with scrubber)	LSMGO	B30-LSMGO	B100
Fuel Cost (€/mt)	€465	€1,031	€1,159	€1,256
EU ETS Exposure	€259	€266	€188	€4
FuelEU Penalty	€62	€39	—	—
FuelEU Pooling Credit	—	—	(€91)	(€321)
Total Fuel + Compliance Cost	**€786**	**€1,337**	**€1,255**	**€939**

Extra-EU Voyage:

Cost Component	HSFO (with scrubber)	VLSFO	B30-VLSFO	B100
Fuel Cost (€/mt)	€465	€573	€813	€1,256
EU ETS exposure	€129	€129	€91	€2
FuelEU penalty	€31	€31	—	—
FuelEU pooling credit	—	—	(€94)	(€160)
Total Fuel + Compliance Cost	**€625**	**€734**	**€810**	**€1,097**

Source: ENGINE Technologies

Source Integr8 Fuels

EMISSIONS TRADING SYSTEM (EU ETS) AND FUELEU MARITIME

SIGNIFICANCE TO MCA MEMBERS

- WHILE IT SEEMS THE USE OF RESIDUAL FUEL WITH A SCRUBBER SYSTEM IS A WINNER, THESE BRING WITH THEM ISSUES OF INSTALLATION COSTS AND DISPOSAL OF CONTAMINATED WASTE WATERS –SOME PORTS WILL NOT HAVE THE FACILITIES
- THREAT OF ACTION OVER BLACK CARBON FROM RESIDUAL FUELS ON ARCTIC ROUTES
- IMPACT ON DECLINING VOLUMES OF USE OF RESIDUAL FUELS HFO/VLSFO
- CHANGE OF CRUDE OIL SOURCES LEADING TO HEAVIER RESIDUES
- COMPOSITION OF MARPOL WASTE STREAMS E.G. DIFFICULTIES OF SOME BIO-FUELS AND WATER SEPARATION

Source Integr8 Fuels

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BACK TO DRY LAND

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EUROPEAN UNION

STATE OF THE UNION PRESIDENT'S SEPTEMBER 2026 SPEECH

CLIMATE

- **SUMMER OF TRUTH/ DROUGHTS, WILDFIRES AND RECORD TEMPERATURES**
- **EUROPE MUST STAY THE COURSE ON CLIMATE TARGETS**
- **THE FOCUS NOW ON ADAPTING TO CHANGE RATHER THAN CURBING EMISSIONS**
- **NEW INITIATIVES: WATER SCARCITY, CLIMATE INSURANCE, HEATWAVE PLAN, WILDFIRE PROTECTION (ALL - LITTLE DETAIL GIVEN)**

SIMPLIFICATION

- **ONE EUROPE ONE MARKET - FOCUS NOW MORE ON MEMBER STATE LEVEL ACTION**
- **INITIATIVES: PACT AGAINST GOLD PLATING (BY MEMBER STATES)**
- **SIMPLIFYING PERMITTING - MUST BE ACCELERATED - MORE DIRECTED TOWARDS IMPACT ASSESSMENTS /HABITAT DIRECTIVES, RATHER THAN INDUSTRIAL EMISSIONS**

- **GENERALLY, NOT WELCOMED BY THE ENVIRONMENT'S GREEN LOBBY**

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THE BIGGER POLITICAL HEADLINES FROM THE EU

VIA THE PRESIDENT URSULA VON DER LEYEN
STATE OF THE UNION SEPTEMBER 2026

1. **SANCTIONS ON RUSSIA, TARGETING ENERGY REVENUES, SHADOW TANKER FLEET ETC**
2. **DEFENCE**
3. **COMPETITIVENESS AND INDUSTRIAL POLICIES (Critical Materials, reducing regulation, strengthening the single market CBAM)**
4. **BUDGETS**
5. **MIGRATION AND BORDERS**
6. **CLIMATE RESILIENCE AND ENERGY SECURITY**

IN SUMMARY - security, industrial resilience and strategic autonomy, rather than the climate-led agenda that dominated much of the previous decade, 1, 2, 3 IMPORTANT TO INDUSTRIAL GROWTH

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HOW DOES THIS FIT WITH ENVIRONMENTAL STRATEGY?

THE EU AGENDA IS FOCUSED ON A NUMBER OF POLICIES , ACTS AND REGULATORY PROPOSALS:

- **EUROPEAN OCEAN ACT – IMPACT ON PORTS**
- **AN OMNIBUS SIMPLIFICATION PROCESS**
- **CLEAN INDUSTRIAL DEAL (CBAM PROTECTION)**
- **INDUSTRIAL ACCELERATOR ACT ('MADE IN EUROPE' - CONTENTIOUS WITH SOME MEP's)**
- **CIRCULAR ECONOMY ACT**
- **THE CHEMICALS PACKAGE (REACH) NOW FOCUSED ON PFAS**

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HOW DOES THIS FIT WITH ENVIRONMENTAL STRATEGY

WHERE ARE WE NOW?

OMNIBUS SIMPLIFICATION

- **CSRD (Corporate Sustainability Reporting Directive)**
- **Reduced Reporting Now Only companies with > 1000 employees and turnover of € 450 M included**
- **Commission to develop reporting standards**

- **CSDDD / CS3D (Corporate Sustainability Due Diligence Directive)**
- **Narrowed to companies > 5000 employees and more than €1.5 billion turnover**
- **No need for their business model to match the Paris (Climate) Agreement**
- **Voluntary actions not precluded**

- **HENCE A ROLLING BACK OF PREVIOUS SUSTAINABILITY IDEALS**

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HOW DOES THIS FIT WITH ENVIRONMENTAL STRATEGY

WHERE ARE WE NOW?

CLEAN INDUSTRIAL DEAL

CIRCULAR ECONOMY ACT DUE 11 NOVEMBER 2026

AIMS TO CREATE A GENUINE MARKET FOR SECONDARY MATERIALS BY:

- **Creating a more integrated European market for recycled and recovered materials.**
- **Reducing barriers to cross-border movement of secondary raw materials.**
- **Improving access to recycled content for industry.**
- **Supporting industrial competitiveness and reducing dependence on imported raw materials.**
- **Contributing to the goals of the Clean Industrial Deal and industrial decarbonisation.**

Green groups fear ‘watering down’ of the original ideas

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HOW DOES THIS FIT WITH ENVIRONMENTAL STRATEGY

WHERE ARE WE NOW WITH THE CIRCULAR ECONOMY ACT

KEY POLICY AREAS. THESE INCLUDE SEVERAL MAJOR ISSUES THAT THE COMMISSION AND LEGISLATORS NEED TO ADDRESS:

- **End-of-waste rules and market fragmentation**
- **Different Member States often apply different rules to determine when waste becomes a product, creating barriers to trade in recycled materials**
- **Critical raw materials. The EU wants more recovery and recycling of strategic materials such as lithium and rare earths to improve supply security.**
- **Competitiveness of recycled materials as recycled materials frequently struggle to compete with virgin materials, particularly when energy and processing costs are high.**
- **Demand creation. Policymakers are exploring ways to create stronger demand for recycled and circular products through procurement and market incentives.**

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HOW DOES THIS FIT WITH ENVIRONMENTAL STRATEGY

CIRCULAR ECONOMY ACT

ACTIONS FOR MCA GENERAL ASSEMBLY

- **DURING PREVIOUS MEETINGS WE HAVE DEBATED END OF WASTE HIGHLIGHTING THE FACT THAT FOR SOME MEMBER STATES REGULATORY INTERVENTION HAD BECOME A BARRIER TO TRADE. THIS RESULTED IN MCA RESPONDING TO EU CONSULTATION (NOVEMBER 2025) ASKING THE COMMISSION TO:**

a) Address the lack of harmonization in the application of Article 6 of the Waste Framework

Directive which stems from the discretion granted to Member States and their competent authorities in interpreting and implementing EU definitions and concepts.

b) Addressing the lack of harmonized application of the REACH Regulation (EC) No

1907/2006, Article 2(7d), regarding recycled substances, by national competent authorities.

c) Clarifying and harmonizing the interface between these two legislative frameworks.

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WHAT CAN WE EXPECT TO EMERGE FROM THE CIRCULAR ECONOMY ACT

A FOCUS ON TWO KEY AREAS

- **HARMONISING END-OF-WASTE CRITERIA AND ALIGNING EXTENDED PRODUCER RESPONSIBILITY (EPR) SCHEMES ACROSS EUROPE.**

DEMANDING

- **EFFECTIVE END-OF-WASTE CRITERIA, ACCOMPANIED BY REVISED CEN STANDARDS AND CN CODES, AS BASIS FOR COMMON STANDARDS ACROSS EUROPE TO CREATE A STRONG SINGLE MARKET FOR SECONDARY RAW MATERIALS.**

- **MORE WASTE STREAMS TO ENTER INTO EXTENDED PRODUCER RESPONSIBILITY (EPR) SCHEMES**

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END OF WASTE OUTLOOK?

- UNLIKELY THAT THE COMMISSION WILL WANT TO CREATE A CENTRAL BODY TO MANAGE ALL END OF WASTE DECISIONS, WHILE MEMBER STATE COMPETENT AUTHORITIES WILL BE RELUCTANT TO GIVE UP THEIR CONTROL

- MCA SHOULD BE PREPARED TO RESPOND TO MORE CONSULTATION IN RESPECT OF END OF WASTE
- and IMPORTANT THAT MCA GENERAL ASSEMBLY PRESENT A VIEW TO THE COMMISSION THAT REPRESENTS THE MAJORITY OF ITS MEMBERSHIP
- TO HELP THAT MCA NEEDS TO BETTER UNDERSTAND THE MEMBERS VIEWS
- SENSIBLE TO UNDERTAKE A SURVEY?

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END OF WASTE SURVEY

SUGGEST EACH MEMBER COUNTRY MIGHT GIVE SHORT ANSWERS TO THE FOLLOWING QUESTIONS:
SEEKING YES/NO ANSWERS

a) Is there national or regional officially written legislation or guidance as to How to Determine End of Waste?

b) Is this mandatory or voluntary?

c) Who instigates action for End of Waste determinations - the Regulator or Industry?

d) Are detailed standards published?

e) Are REACH/CLP issues addressed?

f) Are End of Waste decisions published?

g) How well does this work in practice: Positively/Neutral/Negatively

h) Are there restrictions on exports of recovered materials?

i) Would you welcome change and a more common consistent European approach to End of Waste?

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POLICY AND LEGISLATIVE IMPACTS ON THE REGULATORY ENVIRONMENT

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WASTE

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DIGITAL WASTE TRACKING SYSTEM (DIWASS)

- **EFFECTIVE 21 MAY 2026**

- **FEW REPORTS OF MAJOR DIFFICULTIES OUTSIDE OF ANNEX VII GREEN WASTE WHERE A TRANSITION TO 31 DECEMBER 2026 ALLOWS THE CONTINUED USE OF PAPER DOCUMENTATION**

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WASTE SHIPMENT REGULATIONS

(RECENT) EUROPEAN COURT OF JUSTICE CASE

UNDER THE WASTE SHIPMENT REGULATIONS (Summarised):

Article 12(1)(a) of Regulation (EC) No 1013/2006 must be interpreted as meaning that a Member State of destination may raise objections to the shipment of waste from another Member State, destined for recovery without being incinerated, on the ground that that shipment would not comply with the waste management plan of the Member State of destination.

- **FOR EXAMPLE, A MEMBER STATE COULD REFUSE TO ACCEPT A SHIPMENT OF WASTE FOR RECOVERY IF THAT COMPROMISED THE CAPACITY OF THEIR NATIONAL INFRASTRUCTURE (OR EPR ARRANGEMENT)**

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WASTE FRAMEWORK DIRECTIVE

- LITTLE NEW/ SIGNIFICANT CURRENTLY BEING PROPOSED BY THE COMMISSION
- FOOD AND TEXTILE TARGETING WAS INCLUDED IN THE LAST AMENDMENT
- THESE ARE THE FIRST MAJOR CIRCULAR ECONOMY TOPICS TO BE QUANTITIVELY REGULATED
- NOW ACTION IS WITH MEMBER STATES TO TRANSPOSE INTO NATIONAL LAW
- HOWEVER, EXPECT THE CIRCULAR ECONOMY ACT TO REOPEN A NUMBER OF NEW REVISIONS/DEFINITIONS ETC

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INDUSTRIAL EMISSIONS DIRECTIVE 2024 REVISION

- **THE EUROPEAN COMMISSION HAS SENT FORMAL NOTICES ON 25 SEPTEMBER TO ALL MEMBER STATES DUE TO OUTSTANDING CONFIRMATIONS THAT THEY HAVE IMPLEMENTED 2024 UPDATES TO THE INDUSTRIAL EMISSIONS DIRECTIVE (IED) BY THE 1 JULY 2026 LEGISLATIVE DEADLINE.**

- **THE POLITICALLY CHARGED AMENDMENTS TO THE IED WERE NARROWLY ADOPTED IN 2024.**

- **BY SEPTEMBER 2026 NO MEMBER STATE HAD ISSUED CONFIRMATION OF TRANSPOSITION INTO NATIONAL LAW**

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INDUSTRIAL EMISSIONS DIRECTIVE

IN SUMMARY, THE KEY THEMES OF THE IED REVISION WERE WIDER SECTOR COVERAGE, TIGHTER EMISSION STANDARDS, STRONGER ENFORCEMENT, DECARBONISATION AND CIRCULAR ECONOMY REQUIREMENTS, DIGITAL PERMITTING, AND SUPPORT FOR INDUSTRIAL INNOVATION

CONCERNS FOR SOME MCA MEMBERS:

- **Proposed tighter emission limit values based on Best Available Techniques (BAT).**
- **Stronger permit conditions.**
- **Fewer opportunities for derogations from BAT-associated emission levels.**
- **Transformation plans for industry. Operators would be required to develop plans showing how their installations will contribute to a Sustainable economy /Circular economy/Climate-neutral EU by 2050**

CURRENTLY, THE EU PARLIAMENT ARE PROPOSING NEW AMENDMENTS WITH RIGHT WING PARTIES RECOMMENDING DELETION AND LEFT-WING PARTIES SEEKING ADOPTION. COUNCIL OF MINISTERS LOOKING TO A CULTURE OF MANAGING 'SIGNIFICANT' EMISSIONS

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SEVESO DIRECTIVE (MAJOR ACCIDENTS HAZARDS LEGISLATION)

EUROPEAN COURT OF JUSTICE RULING

Summarised:

Article 3(12) of Directive 2012/18/EU must be interpreted as not precluding a practice, possibly included in the waste management permit issued by the competent administrative authority, for the purpose of assessing the 'presence of dangerous substances' in an establishment, and of proving that the quantities thereof at no time reach the quantities indicated in Part 1 or Part 2 of Annex I to Directive 2012/18, (ruled) it is not permissible to rely solely on a management system implemented by the operator of that establishment ensuring the continuous monitoring of such substances actually present within …

- **MEANING THAT AN OPERATOR'S PLAN TO CONTROL AND LIMIT THE STORAGE/PRODUCTION OF HAZARDOUS QUANTITIES TO REMAIN BELOW THE SEVESO THRESHOLDS IN A SITE WHERE CAPACITY POTENTIAL IS LARGER IS NOT LEGALLY ACCEPTABLE (EVEN IF PERMITTED TO DO SO).**

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REACH

IMPORTANT FOR THOSE RECOVERING MATERIALS AND PLACING THEM ON THE MARKET AS NON-WASTE

- **OUTSIDE OF PFAS AND SOME DETAILED TECHNICAL ISSUES REACH LEGISLATION IS LARGELY PARKED**

- **BUT REACH WILL RE-APPEAR IN THE SIMPLIFICATION AND CHEMICAL INDUSTRY ACTION PLANS**

ONGOING:

- **ADDRESSING COMPLIANCE AND ENFORCEMENT WEAKNESSES (END OF WASTE!)**

- **PURSUING DIGITAL SAFETY DATA SHEETS, INTEGRATION WITH DIGITAL PRODUCT PASSPORTS**

- **MORE STRUCTURED CHEMICAL INFORMATION SHARING ACROSS SUPPLY CHAINS.**

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CLP POISON CENTRES

- **Poison centre notifications: distributors' obligations clarified ahead of January 2027**
- **From 1 January 2027, distributors will be explicitly identified as duty holders under Article 45 of the Classification, Labelling and Packaging (CLP) Regulation. This change aims to clarify their role in supporting poison centre notifications and help reduce information gaps across the supply chain.**

The clarification affects companies that:

- **sell mixtures in a Member State and are not covered by an existing notification; or**
- **rebrand products under their own name or label.**

- **WEBINAR RECORDING at** SME webinar: Steps for notifying to poison centres

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PFAS

PFAS (Per- and Polyfluoroalkyl Substances) are a large family of thousands of fluorinated chemicals used because they are resistant to heat, water, oil, chemicals, and wear.

THE MIRACLE CHEMICALS NOW TURNED OUR ENEMY?

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PFAS - WHY A PROBLEM?

- NOW A RECOGNISED PERSISTENT ORGANIC POLLUTANT (POP)
- WIDESPREAD - MANY LIVING IN A DEVELOPED SOCIETY WILL NOW HAVE PFAS IN THEIR BLOOD
- SOME TYPES ACCUMULATE MORE THAN OTHERS IN BOTH PEOPLE AND WILDLIFE
- DIFFICULT AND EXPENSIVE TO REMOVE
- REGULATORY CONCERN HAS SHIFTED FROM SINGLE SUBSTANCES TO FAMILIES

WHY THIS MATTERS TO YOU…..

PFAS: A miracle chemical ?



1950's-2000: Indestructible, unreactive, hydro- and oleophobic

→ "A perfectly safe chemical to release into the environment"

2000: PFOA and PFOS are accumulative in the body (difficult to excrete)

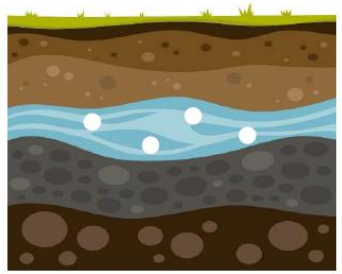


→ Phase out and regulatory measures

↓

Replacement by PFBS, telomer, GenX,…
(slightly less hydrophobic, easier to excrete)

2023: New replacements are highly persistent in the environment



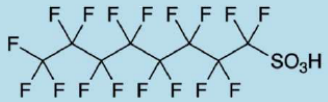
→ Restriction proposal with grouping of all PFAS
(= everything with CF_3- or -CF_2-)

Slide Courtesy of Indaver

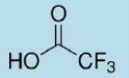
Subdivisions of PFAS

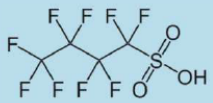
Perfluoroalkyl acids (PFAA's)

Long-chain PFAA



(Ultra-)Short-chain PFAA





Other PFAS

Perfluorinated

Perfluorinated substances

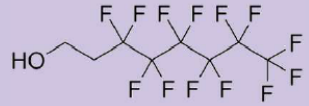


Perfluorinated polymers

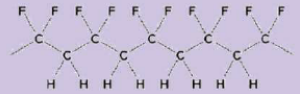


Polyfluorinated

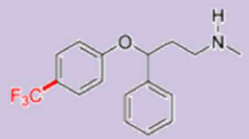
Polyfluorinated substances



Polyfluorinated polymers



Other Fluor-containing compounds (e.g. API's)



Slide Courtesy of Indaver

MCA GENERAL ASSEMBLY MEETING

21 OCTOBER 2026 BARCELONA

REACH AND THE PFAS FOCUS - SINGLE LARGEST PIECE OF RECENT CHEMICALS LEGISLATION

- **THE CURRENT POSITION IS THAT PFAS WILL BE RESTRICTED TO A SINGLE BROAD CHEMICAL CLASS UNDER REACH, IN EFFECT A BAN ON MANUFACTURE APART FROM A FEW DISCRETE EXEMPTIONS**

- **HOWEVER, SIGNS APPEARING THAT THE COMMISSION MAY INTRODUCE DEROGATIONS E.G. MILITARY USE**

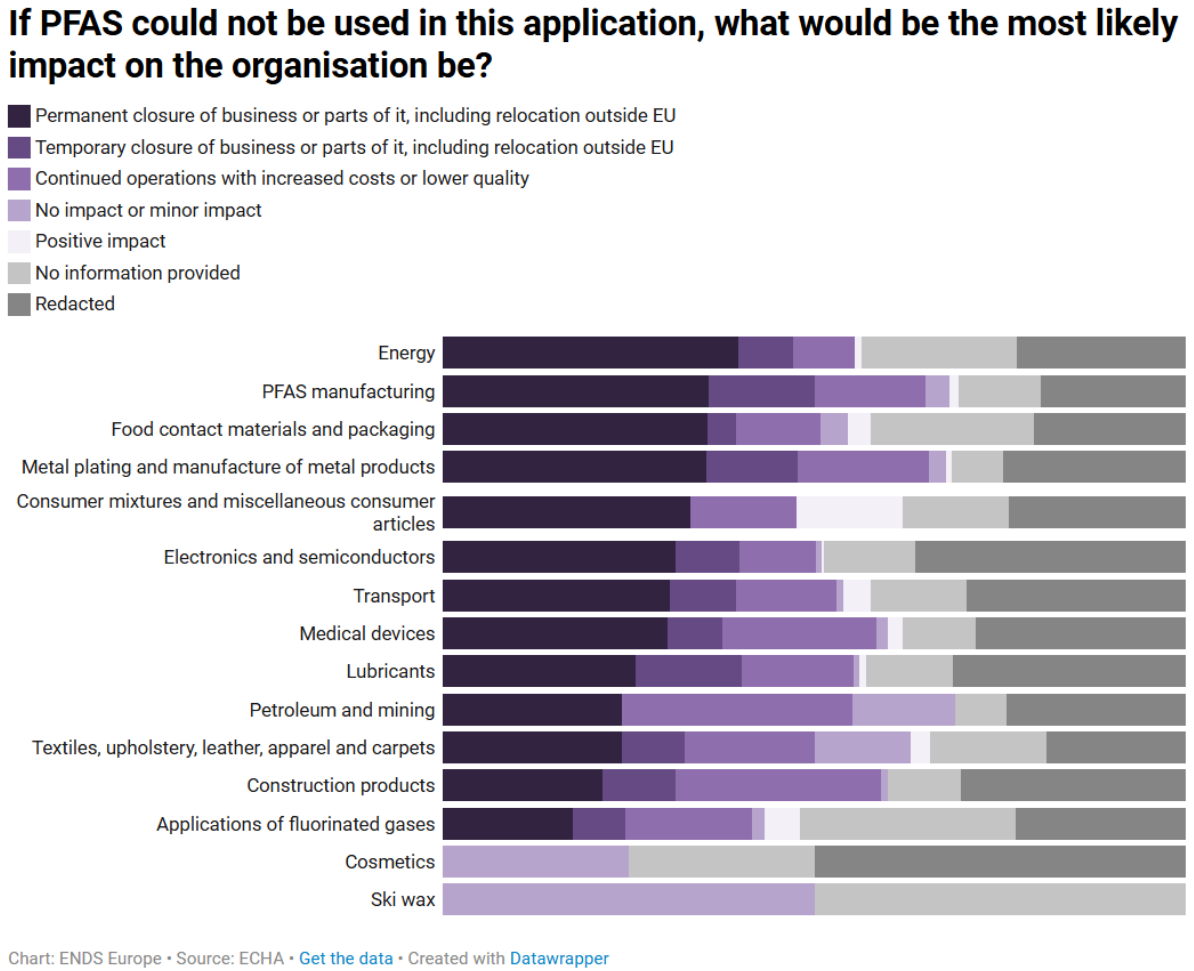
Stage	Status (April 2026)	Notes
RAC final opinion	**Completed**	Confirms PFAS hazard and risk profile.
SEAC draft opinion	**Published**	Final opinion due end-2026.
Final ECHA opinions	**Expected end-2026**	Triggers Commission drafting.
Commission proposal (Annex XVII)	**Early 2027**	After receiving RAC + SEAC opinions.
Adoption	**2027**	With transitional periods and exemptions.

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REACH AND PFAS FOCUS

- **THE ENORMITY OF THE TASK FACED BY THE COMMISSION SHOULD NOT BE UNDERESTIMATED. RECENT SURVEY SHOWED:**



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REACH AND PFAS FOCUS

Shipping and Marine

PFAS are found in:

- **Fuel and cargo transfer hoses**
- **Valve seals and gaskets**
- **Corrosion-resistant coatings**
- **Marine electrical cables**
- **Navigation and electronic equipment**
- **Firefighting foams carried on vessels and at ports**
- **Bearings and low-friction engineering components**

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TURNING TO WASTE AND THE PFAS FOCUS

- **MEMBERS CAN EXPECT EU PFAS EMISSION LIMIT VALUES TO BE NEWLY CONSIDERED UNDER THE INDUSTRIAL EMISSIONS DIRECTIVE AND THE WASTE BREF**

- **CONSULTATION IN PROGRESS ON ACCEPTABLE LIMITS IN WASTES**
- **A FUNCTION OF TOXICITY WITH IN GENERAL LONGER CHAIN PFAS BEING MORE BIOACCUMULATIVE**

- **SHORT CHAIN PFAS TEND TO BE MORE MOBILE AND PERSISTENT IN THE ENVIRONMENT**

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WASTE AND THE PFAS FOCUS

- CURRENTLY IN THE 2018 WASTE BREF PFAS TYPE MATERIALS ARE LISTED AS POLLUTANTS BUT NO GIVEN EMISSION LIMIT VALUES – EACH MEMBER STATE CAN DECIDE

- UNDERSTOOD THAT THE MOST TOXIC PFAS ARE HYDROPHOBIC AND BANNED FROM THE MARKET SO THE CONTAMINATION FOCUS HAS BEEN ON AQUEOUS STREAMS; NOTED TRIFLUOROACETIC ACID (TFA) IS VERY SOLUBLE AND REGULARLY FOUND AS A BREAKDOWN CHEMICAL FROM OTHER PFAS's. TFA NOW CONSIDERED REPROTOXIC

- CURRENTLY, DIFFERENT AUTHORITIES ADOPT DIFFERENT APPROACHES INCLUDING APPLYING TOXICITY FACTORS (FRANCE/NETHERLANDS)

- VARIOUS MEMBER STATE COMPETENT AUTHORITIES HAVE INTRODUCED THEIR OWN LOW VALUES BUT THAT IS NOT HELPED BY THE LEVEL OF DETECTION LIMITS AND REPEATABILITY/ REPRODUCIBILITY OF THE TEST METHODS

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WASTE AND THE PFAS FOCUS

- **FOR WASTE WATERS, FRANCE HAS INTRODUCED A LIMIT FOR PFOA of 4.4 ng/l WHEREAS FOR TFA IT IS MUCH HIGHER**

BUT

- **DESPITE LOW LIMITS OF DETECTION, CONSISTENTLY MEASURING 4ng/l LEVELS FOR REGULATORY PURPOSES IS CONSIDERED BY SOME AUTHORITIES AS NOT YET POSSIBLE**

- **HENCE FOR EXAMPLE, THE FLANDERS REGION OF BELGIUM HAS OPTED FOR 20ng/l**

- **SO, WE CAN EXPECT A RANGE OF MEMBER STATE EXPERT OPINIONS AND THE NEED WILL BE FOR THE COMMISSION TO TAKE A DECISION ON EMISSION LIMIT VALUES FOR IED PURPOSES**

- **KEY MESSAGE IS IF NOT DONE SO ALREADY UNDERTAKE SOME TESTING TO ASCERTAIN WHERE PROBLEMS MAY LAY - PROBLEMS: COST OF TESTING – SUITABLE METHODS**

- **THERE ARE WASTEWATER TREATMENT OPTIONS AVAILABLE USUALLY CONCENTRATING THE PFAS (CARBON/ABATEMENT) AND SENDING THE SPENT CARBON FOR HIGH TEMPERATURE INCINERATION**

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CONCLUSIONS FOR TODAY

- EUROPE IS ADAPTING TO A NEW WORLD ORDER AND LOOKING TO BECOME MORE STRATEGICALLY INDEPENDENT ‘MADE IN EUROPE’
- EMISSIONS TRADING SCHEMES IMPACTING SHIPPING AND FUELS ARE CHANGING TO REFLECT EUROPEAN VALUES
- MANAGING THE INTERFACE BETWEEN MARINE AND LAND SIDE WASTE OPERATIONS HAS IMPLICATIONS FOR MEMBERS CORE BUSINESSES e.g. COMPOSITION OF MARPOL OIL WASTES
- SUSTAINABILITY IDEOLOGY IS BEING IMPACTED BY THE HARD DAWN OF DELIVERING COMPETITIVENESS - BUT SO FAR, FEW SIGNS OF WEAKENING POLLUTION REGULATIONS
- LARGE NUMBER OF ENVIRONMENTAL POLICIES UNDER DEVELOPMENT, WITH SOME AT THE DRAFTING STAGE OF LEGISLATION
- FINALLY, DO NOT UNDERESTIMATE THE COST OF MANAGING PFAS IN WASTE STREAMS AND RECOMMEND TO START CHECKS NOW

END