



National Industrial Chemicals Notification and Assessment Scheme

Proposal for Regulatory Reform of Industrial Nanomaterials

Public Discussion Paper – October 2009

Business Impact Survey

All submissions will be placed on NICNAS's website. For submissions made by individuals, all personal details other than your name will be removed from your submission before it is published on the NICNAS website. Confidential material contained within submissions should be clearly marked. Reasons for a claim to confidentiality must be included in the submission coversheet. Where possible confidential material will be redacted from information published on the NICNAS website.

1. Are you ... ? (Tick one or more)

- a manufacturer of nanomaterials an importer of nanomaterials
 an importer of products containing nanomaterials

2. Is your business currently registered with NICNAS?

- Yes No

3. If yes, what NICNAS tier do you register under?

- Tier 1 Tier 2 Tier 3

4. How many substances that you import or manufacture would be classified as an industrial nanomaterial, or classified as containing nanomaterials, according to the definition supplied in the Public Discussion Paper?

What type of nanomaterials are these, and what is their intended application?

Re: Impact of regulation of nano-forms of new chemicals (Section 3a of the Discussion Paper):

5. If interested in manufacturing or importing a nanoform of new chemical would you introduce under a NICNAS exemption category? If so, under which of the following exemption categories?

- Low Volume or <1% cosmetic Transhipment Research and Development

6. If interested in manufacturing or importing a nanoform of new chemical would you apply for a permit or certificate for that substance?

- Permit Certificate

Why?

Duponts intent would be sell paint resins or pigments

7. If in industry, would removal of the self-assessment certificate category affect your business?

Yes No

If so – how?

8. Would the proposed changes (in 3a of the Discussion Paper) to the current regulatory framework negatively impact on your ability to import/manufacture a nanoform of new chemical?

Yes No

Explain the impact of these changes on your business:

Delays of time to respond to NICNAS especially when many of these nanoform substances have been assessed by TSCA or other jurisdictions.

Re: Impact of regulation of nano-forms of existing chemicals (Section 3b of the Discussion Paper):

9. If you are manufacturing or importing a nanoform of an existing chemical or importing a product that contains a nanoform of an existing chemical, how many (and what types of) substances would you be required to report under a one-off use specific reporting scheme?

The types of materials may vary from this initial position where it is clear that Titanium pigments of nano types will be a product. (So will many traditional paint resins which will be captured and add very low value to the regulation).

10. Would this incur an unacceptable regulatory burden on your operating costs?

Yes No

How much would you expect this to cost?

\$A20,000- \$A30,000 per chemical all inclusive

11. Is a mandatory notification and assessment program for nanoforms of existing chemicals feasible?

Yes No

Why?

As pointed out previously nano form emulsions and resins have been produced by traditional paint industry and resin making processes for decades and dealt with by regular NICNAS assessment or have stood the test of time have no justifiable reason for reassessment. This will be the majority of existing nanotechnology nano technology.

Thus traditional technology and new highly engineered nano uniform particles should be treated significantly different as there is no track record of safety.

12. Would the types of data (shown in flow chart of Attachment 7 of the Discussion Paper) be available for you to serve these requirements?

Yes No

If No, why?

Many of the paint resins never required such support data as they are PLC's these should be treated different to highly enegineered nanostructures which should be assessed for safety.

13. Would the proposed changes (in 3b of the Discussion Paper) to the current regulatory framework negatively impact on your ability to import/manufacture a nanoform of an existing chemical?

Yes No

Explain the impact of these changes on your business:

Assuming this question is aimed at new highly eneginneered nanoforms while it may impact the business the impact of the process is applicable to the safety of the community.

If such engineered particles have full tox and ecotox data packages then the change to the business will be little.

General impacts:

14. Do you think that these proposals would affect competition?

Yes No

If yes, then which ones in particular?

15. If yes to Q15, would this increase or decrease competition?

Increase Decrease

Why?

16. Will these proposals affect consumers?

Yes

No

If yes, then how?

Possibly by slowing the introduction of new highly engineered nano technology versions of existing chemicals to the market until appropriate testing has defined the safety of the nanoscale chemical!

Thank you