

July 2020

NUCOR CORPORATION
Statement on the European Union's
Registration, Evaluation, Authorization and Restriction of Chemicals (REACH)
Regulation (EC 1907/2006)

Purpose of the REACH Regulation

The purpose of the REACH regulation is to ensure a high level of protection of human health and the environment.

Impact of REACH on Importers of Nucor Steel and Steel Products

The REACH Regulation generally requires the registration of *substances* that are manufactured in or imported into the European Union (EU) either as the substance or as part of a mixture. In general, if greater than 1 tonne is imported, registration is required. Article 6(1). Different rules apply, however, to imports of *articles*.

An *article* is defined under the REACH Regulation as “an object which during production is given a special shape, surface or design which determines its function to a greater degree than does its chemical content.” Article 3(3). The European Confederation of Iron and Steel Industries (EUROFER) has demonstrated, and the European Chemicals Agency (ECHA) has accepted in a letter dated 2 September 2009, that steel slabs, bars, billets and blooms are articles. Similarly, ECHA guidance for articles has determined that bars, blanks, coil, forgings, plate, pipe and tube, sheet and strip (coated and uncoated), stampings, wire rod and wire (coated and uncoated) are articles. All Nucor Corporation steel products meet the definition of an *article*.

REACH Registration

An *article* requires *registration* under the REACH Regulation if the article contains a substance that is intended to be released under normal or reasonably foreseeable conditions of use (Article 7 (1)). ECHA has further clarified that “substances that are released because of aging of articles, because of wear and tear or as an unavoidable side-effect of the functioning of the article, are generally not intended releases, as the release as such does not provide a function in itself.” (Requirements for substances in articles, Version 2, § 3.1 (April 2011))

Nucor steel products are not designed to release substances under normal or reasonably foreseeable conditions of use. Therefore, under Article 7 and the ECHA guidance, registration is not required.

REACH Notification

An *article* requires *notification* under the REACH Regulation if an article contains a substance on the latest candidate list of *Substances of Very High Concern* (SVHC List) and the substance is present in the article in concentrations greater than 0.1 percent by weight (Article 7 (2)), except that notice is not required exposure to humans or the environment can be “excluded” during “normal or reasonably foreseeable conditions of use including disposal.” (Article 7 (3)).

In such cases, the producer or importer shall supply appropriate instructions to the recipient of the article. (Article 7 (3)).

Based upon the foregoing, a Nucor steel or steel product would only require notification if it contains greater than 0.1% by weight of an SVHC or candidate substance. This includes all Hot Rolled, Cold Rolled steel products produced at our facilities in Berkeley, SC, Crawfordsville, IN, Decatur, AL, Hickman, AR and Gallatin, KY as well as all Castrip™ products. As of the date of this Statement, the only Nucor steel products that may exceed these thresholds and potentially require notification under the REACH Regulation are the following:

- High chrome alloy steels (> 2.5% by weight chrome)
- Galvanized and/or coated steel coil product
- Galvanized and/or coated steel deck product

Nucor does not intentional add or use perfluorooctanoic acid (PFOA), its salts or PFOA related compounds in our processes. Additionally, PFAS, a large class of chemicals that include PFOA, PFOS and GenX chemicals, are 99.99% destroyed when subjected to temperatures above 1,000°C for 1 second or more¹.

All other Nucor steel products do not require either **registration** or **notification** under the REACH Regulation. If a high chrome alloy steel or coated steel deck product will be imported, please contact the undersigned Nucor contact to confirm whether that product may require registration or notification prior to import.

REACH Communication

Article 33 (1) of the REACH Regulation requires that Nucor, as the manufacturer of an article that contains more than 0.1% of a SVHC, supply the recipient of the article with sufficient information, available to the supplier, to allow safe use of the article including, as a minimum, the name of that substance. Similarly, Article 33 (2) requires Nucor to supply this information to a consumer of the article or substance upon request.

Nucor supplies this information on its safety data sheets (SDS), which are supplied to each purchaser and which are available to anyone at <https://www.nucor.com/certifications/> or upon written request.

If you need additional information, please contact:

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¹ EPA Technical Brief, “Per- and Polyfluoroalkyl Substances (PFAS): Incineration to Manage PFAS Waste Stream”, August, 2019.