

Health, Safety & Environment Committee

Minutes of meeting held on **Tuesday 19th April 2016 at 11:00am** in the Diamond Suite of Federation House, 10 Vyse Street, Birmingham B18 6LT.

Present:	Bill Southworth Chris Taylor Dave Canham David Cass Jan Hughes John Oliver Lee Cooper Nikki Burge Rebecca Green Roger Hooper Sarah Palfreyman	BSTSA Vitreous Enamel Association Environment Agency Anopol Ltd Poeton Industries Anochrome Group MacDermid Enthone UK Ltd The Royal Mint Natural Resources Wales Nickel Institute HSE - Birmingham
Apologies:	Andy Bartlett Cathy Phillips Chris Halliday Daniel Meakin Lee Grant Malcolm Griffiths Mervyn Brown Mike Smith Paul Burke Paul Handley Wieslaw Piatkiewicz William Smith William Southall	Anopol Ltd Rolls Royce Stainless Plating Rimex Metals Stainless Plating AdQual Haven Environmental Institute of Materials Finishing Texturing Technology Heat Treatment 2000 Ltd (CHTA) Brook Green Consulting Zinc Information Centre Frost Electroplating
In attendance:	David Elliott	SEA/Secretary/Acting Chairman

Actions **Min 14/16 Apologies**

As listed above.

Min 15/16 Approval of Minutes of last meeting

The minutes of the previous meeting were approved and signed by the acting Chairman.

Min 16/16 Matters Arising

There were no matters arising that were not covered by the agenda, but the acting Chairman confirmed that he had attended a meeting regarding REACH and its impacts on SMEs held at the Hessen Representation in Brussels.

Min 16/16 Correspondence

We have received the following correspondence:

1 – Email from Paul Burke, Texturing Technology Ltd confirming that they had submitted an application for authorisation for the continued use of trivalent chromium as a group of companies under the Court Holdings Europe banner. Paul asked for information on other applications that had been submitted. DE to provide details & circulate with minutes.

2 – Notification from the Environment Agency regarding reformed EPR Web Guidance. Full details at <https://www.gov.uk/topic/environmental-management/environmental-permits>

3 – Notification from the European Commission of the publication of the work programme for the exchange of information in respect of the BREF documents. Full details are attached with the minutes.

4 – Notification from DEFRA of the UK Process for negotiating Best Available Technique (BAT) Reference Documents (BRefs). Full details are attached with the minutes.

5 – Notification from the European Commission of the publication of the draft meeting report from the Kick-Off Meeting of the STS BREF technical working group. Full details can be found at: http://eippcb.jrc.ec.europa.eu/reference/BREF/STS_KoM_final.pdf

6 – Notification from the Environment Agency of the publication of updated River Basin Management Plans: Full details are at:

- For RBMPs published by the Environment Agency: <https://www.gov.uk/government/collections/river-basin-management-plans-2015>
- For RBMPs published by Natural Resources Wales (Dee and Western Wales): <https://naturalresources.wales/water/quality/?lang=en>
- RBMPs published by the Scottish Environment Protection Agency (Solway Tweed): <http://www.sepa.org.uk/environment/water/river-basin-management-planning/>

7 – Notification from the HSE of the publication of their new strategy – Helping Great Britain work well. Full details can be found at: <http://www.hse.gov.uk/strategy/index.htm>

8 – Notification from DEFRA of the publication of the Waste Duty of Care Code of Practice. Full details at: <https://www.gov.uk/government/publications/waste-duty-of-care-code-of-practice>

9 – Notification from the Environment Agency regarding Open Data. Briefing note attached to the minutes.

10 – Pre-notification from ECHA of the upcoming public consultation on applications for authorisation. Full details at http://echa.europa.eu/documents/10162/18584504/afa_upcoming_consultations_en.pdf

Min 17/16 REACH & GHS

DE gave an overview of the latest developments with REACH. He explained that many applications for authorisation for the continued use of chromium trioxide in our sector had been submitted and the CTAC-Sub Consortium had stated that they were confident of their applications being approved. However, there is concern that as the application was very generic and covered the whole of the supply chain, this might result in short review periods and stringent conditions being attached to the authorisation that many companies may not be able to abide by. Lobbying will continue and further meetings at the European Parliament area planned for June and a meeting with the Bavarian Representation in Brussels before the summer break.

NOTE – since the meeting, the application for authorisation for the continued use of chromium trioxide made by German shower/bathroom fitting manufacturer Grohe has been considered by both the RAC and SEAC Committees and they have stated that the authorisation should be granted with a review period of 12 years.

Min 18/16 Industrial Emissions Directive (formerly IPPC)

DC informed the Committee that Norman Donnelly, SEPA, was now the UK lead for the STS BREF as Steve Shrewsbury, EA, had now retired. He also explained that the BREF review timetable was very optimistic and the review process needed to be considerably shortened and refined. When the STM BREF review starts, we will need to “front load” the process with as much relevant data as we can and provide key indicators that reflect environmental impacts. DE informed the Committee that CETS would start a STM BREF review in 2017 to assist with the process.

DC explained that the EA would be contacting permitted companies within 6 months of the publication of the revised BREF asking them to confirmed how they intended complying with the new

BAT conclusions and to provide a timetable to ensure that compliance would be complete within a 4 year period.

DE asked about consent to discharge limits and DC replied that he thought that the BREFs would just concentrate on discharges to open water rather than to water treatment works. DC also informed the Committee that the BREF authors would have less flexibility than in the past and proposals for BAT would have to be verified by regulators prior to inclusion in the BREF.

Min 19/16 HSE matters

SP informed the Committee that further funding had been obtained to continue with the biological monitoring programme. The charges for FFI is increasing to £129 per hour from £124 per hour.

SP also reported on a number of incidents that had occurred recently that might be of interest to our sector:

An electro-polishing company in Hampshire has been fined after a worker suffered chemical burns: <http://press.hse.gov.uk/2016/worker-suffers-chemical-burns-at-electropolishing-company/>

A worker was killed whilst assisting a reversing lorry: <http://press.hse.gov.uk/2016/worker-killed-while-assisting-a-reversing-lorry/>

And a metalwork casting and machining company has been fined for unsafe work practices after an employee almost fell through a fragile roof. <http://press.hse.gov.uk/2016/company-fined-for-safety-failings/>

SP informed the Committee that draft guidance regarding the Control of Electromagnetic Fields at Work Regulations was now available at <http://www.hse.gov.uk/radiation/nonionising/index.htm>

JO asked if EMF tests carried out on one site could be used to assess other sites or did individual test need to be carried out (costs were around £3.5k). SP said yes but with the proviso that the sites were of a similar nature, carried out similar processes and had similar EMF profiles. She will double-check her interpretation and report back if it is not correct.

SP

SP

Subsequent Note Having consulted with colleagues, SP confirmed that she is content with the advice given so long as the site that has undertaken the EMF is representative of what is occurring at all sites and with the proviso that organisations have identified individuals at ALL sites which are at a higher level of risk i.e. those with pacemakers or other medical devices and have ensured that their individual risk has been properly assessed and controlled.

DE asked if there had been any further developments with HSL and the breath condensate testing for hex chrome exposure. SP will check with Liz Leese and report back.

Min 20/16 BERR (DTI) & DEFRA

Nothing further to add

Min 21/16 Environment Agency Matters

DC informed the Committee that EPR Guidance had been significantly curtailed on the gov.uk website and that the sector specific guidance was no longer there. If anyone wanted this guidance they should approach their local inspector in the first instance. RG stated that this did not apply to NRA and they still had guidance on their website.

Open data – the EA now considers all data to be open (publically available) unless there is a good reason not to publish it, such as national security and commercial confidentiality.

Min 22/16 Specialist Reports

22.1 Zinc

Nothing further to report

22.2 Nickel.

RH reported that EN1811 – reference test method for release of nickel had been amended and published. EN 16128, which relates specifically to nickel release for spectacle frames, should become a

Actions national standard later this year. Workshops have been held and guidance has been produced by the Nickel Institute regarding NACD – Non-Allergic Contact Dermatitis. The key issue is to now resolve the definition of “prolonged” in respect of in prolonged contact with the skin. ECHA have suggested that this could be as short as 10 minutes.

Nickel release from coinage is not seen as an issue at present.

22.3 Chromium / PFOS / COMAH

DE informed the Committee that he had asked CETS colleagues for information on how they intended to calculate COMAH / SEVESO threshold levels and he would report back when any further information was available.

22.4 Waste Treatment

RG reminded the Committee that the recent changes to waste consignment notes did not apply in Wales. Welsh companies will need to re-register and receive a new hazardous waste producer code number.

22.5 Organic Coatings

No report

Min 23/16 Association / Institute reports

23.1 BSTSA

New Chairman has been appointed, Rob Sawyer of Sefilco and good attendance at first meeting following this. Information sheets are being reformatted and will be available for download from the website.

23.2 IMF

Nothing further to report

23.3 VEA

Nothing further to add

23.4 CHTA

Nothing to report.

Min 24/16 Any other business

No other business

Min 25/16 Date of next meeting

19th July 2016

18th October 2016

Signed: _____

Chairman

Date: _____