

Health, Safety & Environment Committee



Minutes of meeting held on Tuesday 1st May 2012 at 11.00am in the Board Room of Federation House, 10 Vyse Street, Birmingham B18 6LT.

Federation House 10 Vyse Street
Birmingham B18 6LT

T: +44 (0)121 237 1123

F: +44 (0)121 237 1124

E: info@sea.org.uk

W: www.sea.org.uk

Present:	Adrian Jones Bill Southworth Chris Taylor John Oliver Lee Cooper Malcolm Griffiths Neil Goodlad Paul Smith Roger Hooper Ron Read	MacDermid plc (BSTSA) BSTSA Secretary Vitreous Enamel Association Anochrome Group MacDermid plc (BSTSA) Ad-Qual Castech Environment Agency HSE Nickel Institute IMF
Apologies:	Andrew Cant Cathy Phillips Chris Bird Chris Keen David Gowlett Jan Hughes John McAlinden Paul Burke Paul Handley Paul Lansdell Peter Atkinson Richard Woodward Roger Haw Roy Caughlin Stuart Whitehouse William Southall	Elementis UK Rolls Royce plc Plating Engineering Ltd HSL Batten & Allen Ltd Poeton Industries HSE Texturing Technology Heat Treatment 2000 Ltd (CHTA) Hart Materials Ltd Dowding & Mills Schloetter (BSTSA Reserve) Flame Hardeners Environment Agency Galvanisers Association Frost Electroplating
In attendance:	David Elliott	SEA/Secretary/Acting Chairman

Actions **Min 14/12 Apologies**

As listed above.

Min 15/12 Approval of Minutes of last meeting

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

Min 16/12 Matters Arising

There were no matters arising that weren't covered by the agenda

Min 17/12 Correspondence

We have received the following correspondence:

1 – Notification from DEFRA regarding the draft revision of process guidance notes issued under the Environmental Permitting Regulations. Full details can be found at

<http://www.defra.gov.uk/environmental/quality/industrial/las-regulations/review-pg-notes/>

2 – Notification from the Chemical Hazards Communication Society (CHCS) that they had developed a new website <http://www.understandthelabel.org.uk> to raise awareness and understanding of the new CLP label pictograms.

Actions 3 – Advance notification from SE regarding the proposed 5th ATP to the CLP Regulations. The final list of harmonised classifications will be available after the June 2012 meeting of the Risk Assessment Committee. A copy of the draft list can be obtained from the SEA offices.

4 – Notification from HSE of the 6th GHS Stakeholder Meeting on Friday 15th June 2012 from 10:30 to 13:30 at Department of Transport, Great Minster House, Horseferry Road, London. Anyone interested in attending should contact jan.harris@hse.gsi.gov.uk

5 – Notification from DEFRA of a consultation on the transposition of the Industrial Emissions Directive in England & Wales. Full details at <http://www.defra.gov.uk/2012/03/12/industrial-emissions-1203/>

6 – Notification from ECHA regarding substances on the candidate list that may be present in articles. Full details at: <http://echa.europa.eu/en/web/guest/regulations/reach/candidate-list-substances-in-articles/notification-of-substances-in-articles>

7 – Notification from DEFRA that Local Authorities will no longer be collecting Environment Agency Water Fees for A(2) facilities.

8 – Notification from DEFRA that a the LAPPC and LA-IPPC Fees and Charges Schemes for 2012/13 are now on-line at <http://www.defra.gov.uk/environment/quality/industrial/las-regulations/charges-risk/>

9 – Notification from DEFRA that the Environmental Permitting (England & Wales)(Amendment) Regulations , excluding the civil sanctions provisions, came into force on 6th April 2012. Full details at

NG <http://www.legislation.gov.uk/uksi/2012/630/contents/made>
Civil sanctions to be discussed at next meeting.

10 – Notification from DEFRA regarding consultations about water resource planning. As these related to water companies it was not of specific interest for the Committee.

11 – Notification from DEFRA regarding amendments to the General Guidance Manual for LAPC. The amendments cover, permit transfers when an operator cannot be located, death of a sole operator, burning material that has ceased to be waste etc. Full details can be found at: <http://www.legislation.gov.uk/uksi/2012/630/made/data.pdf>

Min 18/12 REACH & GHS

The acting Chairman gave an overview of SEA activities in respect of REACH since the last meeting. The cross-sector industry group met with DEFRA (responsible for REACH policy issues) and discussed our concerns regarding authorisation and the next phase of registration. The Nickel Institute held a workshop to investigate alternatives to surface treatment process using nickel as part of their preparatory work in case nickel substances are proposed for authorisation. The cross-sector group then met with BIS and BIS agreed to raise our concerns at the Enterprise Policy Group meeting at a European Level. The SEA then met with the HSE at Bootle to finalise the details of the Biological Monitoring Programme report prior to presenting the results at the British Occupational Hygiene Society annual conference on 24th April 2012. A meeting was also held with JCB but they were not too concerned regarding REACH because if their suppliers were unable to get authorisation for chromium trioxide / chromic acid for their hard chromium plating operations, they would simply get this done at their plant in India or their new plant in Mexico.

Malcolm Harbour, MEP has also raised our concerns at a meeting with the new head of the European Commission DG Enterprise & Industry Department. Finally, we held another briefing luncheon at the House of Lords and the MPs and Peers present have agreed to try a broker a meeting with either the Industry Minister or the Environment Minister to discuss our concerns. The findings from the Biological Monitoring Programme indicate that it is possible to operate both chromium and nickel plating operations with exposure levels close to background levels. It is hoped that new guidance will now be produced and all members will sign up to this so that we can demonstrate that exposure are well controlled in our sector.

Actions 172 companies have joined the Chromium Trioxide Consortium which is being administered by McKenna, Aldridge & Log in Brussels. A number of our members have joined the consortium.

Min 19/12 Industrial Emissions Directive (formerly IPPC)

DEFRA and the Welsh Government are currently consulting on the proposed transposition of the Industrial Emissions Directive (IED) in England & Wales. There is concern that site condition reports may need to include soil sampling data but the acting Chairmen will discuss this at this meeting with DEFRA shortly.

The EA made members aware that there were prescriptive AELs (associated environmental levels) in the BREF documents. The Iron & Steel BREF is expected to be published in March 2012 and contains 96 BAT conclusions. This means that permitted sites will have 4 years to comply with the BREF document and where there were ranges quoted against AELs, the EA expects compliance with the upper limits unless there was a specific reason to adopt tighter limits. Sector permitting plans made need to be revised as well as IED gives specific limits on site inspections by regulators.

The EA's lead on IED is Chris Smith.

Min 20/12 HSE matters

The Cost Recovery Scheme has been delayed and is likely to come into force in October 2012. Pilot schemes are underway and the final details are being established.

RIDDOR's over three day injury reporting requirement has now changed and the trigger point has increased to over seven days incapacitation. (not counting the day on which the accident happened). There is still a requirement to record over three day injuries. Full details are available at: <http://www.hse.gov.uk/riddor/reporting-change.htm>

A new Myth Busting Challenge Panel has been launched to curb the worst examples of Health & Safety misuse. Full details at <http://www.hse.gov.uk/myth/index.htm> Paul Smith asked for any information from the Committee on alternatives to DCM being used for alloy wheel stripping. He has heard of benzyl alcohol based strippers being used but would appreciate any further information.

John Oliver asked what the requirements were for forklift truck driver instructors in respect of eye tests. Paul agreed to check this out and get back to John.

One of our member companies had been prosecuted by the HSE but had agreed that this should feature in the next Newsletter to make other members aware of maintenance issues which are sometimes overlooked in risk assessments.

All Consultation with HSE in the 'Review of Guidance' for all our guidance documents but particularly those which will be rewritten as a result of the BM project. Any input from the committee would be welcome.

Min 21/12 BERR (DTI) & DEFRA

The Department of Energy & Climate Change (DECC) is currently consulting on the new climate change agreements and it is likely that the SEA will be holding a series of seminars in Q3 2012 to prepare members for the new arrangements. Neil Goodlad agreed to provide a speaker from the EA regarding this.

Min 22/12 Environment Agency Matters

With the development of IED, this might make new permits simpler as the permit could just say that operators must comply with the BAT conclusions. John Oliver asked if this would mean that variations due to throughput increases would no longer be required. Neil Goodlad thought that this would be the case but obviously the details need to be finalised. From April 2013, Wales will

Actions split from the Environment Agency and this has created a lot of uncertainty. There are not enough sites in Wales to allow for specialisation and currently, all of the expertise is within the English head office. Full details will be in the next Newsletter.

Drought is a key issue at the moment and although we have had the wettest April on record, groundwater levels remain exceptionally low so everyone needs to be mindful with respect to water consumption. <http://www.environment-agency.gov.uk/drought>

The EA are examining their policies on the re-use of waste / contaminated water and are working closely with the water companies regarding possible drought permits.

Min 23/12 Specialist Reports

23.1 Zinc

No report

23.2 Nickel

A number of stories have appeared in the press regarding the nickel plating of 5p & 10p coins. It was likely that the nickel plated coins would release more nickel than the cupro-nickel coins they replaced but because the coins were not designed to be in prolonged contact with the skin, it was not thought to be an issue. However, the Swedish Riksbank recently reviewed its coinage and concluded that nickel plated coins pose unacceptable risks to health.

23.3 Chromium / PFOS / COMAH

The Environment Agency are likely to republish their PFOS statement indicated that PFOS will be permitted in waste waters at a similar level that is allowed in drinking water. This was an issue that was raised at one of our House of Lords meetings.

23.4 Waste Treatment

Nothing to report

23.5 Organic Coatings

Malcolm reported that he had been approached by the television programme Watchdog regarding the yellowing of certain paints. He suggested that this was due to the introduction of the second stage of the Paint Directive which had further reduced the permitted amount of solvents in paints. New resin systems were being developed but all of this took time and resources.

Min 24/12 Association / Institute reports

24.1 BSTSA

Bill Southworth informed the Committee that he is now the BSTSA Secretary and Paul Griffiths, Schloetter UK the new Chairman. Adrian Jones was retiring and Lee Copper would be taking his place on the Committee. The BSTSA are currently revamping their suite of brochures and asked members to provide any relevant photographs that they may have of surface finishing applications on plant and equipment. It was hoped to produce new brochures for electro-polishing and anodising.

24.2 IMF

The next major conference and exhibition, will take place in June 2013. Called TRANSFAIR13, the conference and exhibition will focus on the surface finishing in the whole transport industry to include automotive, rail, aerospace and marine requirements. The event will be held at the Heritage Motor Centre Museum, at Gaydon Warwickshire

24.3 IVE

Nothing further to report

24.4 CHTA

Nothing to report

Actions **Min 25/12 Any other business**

The Committee offered its thanks to the help and support given by Adrian Jones during his time on the Committee and wished him a long and happy retirement.

Min 26/12 Dates of next meetings

17th July 2012

24th October 2012

Signed

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Chairman

Date

DE/04/05/12