

Health, Safety & Environment Committee

Minutes of meeting held on **Tuesday 21st January 2020 at 11:00am** in the Board Room of Federation House, 10 Vyse Street, Birmingham B18 6LT.

Akin Fajimi	AF	Zinc Information Centre
Chris Taylor	CT	Vitreous Enamel Association
Godfrey Evans	GE	Swinton Electroplating / SEA Chairman
James Ansell	JA	Mortek Ltd / BSTSA
Keith Tucker	KT	Ashton & Moore
Lee Cooper	LC	MacDermid Performance Solutions Ltd
Rebecca Green	RG	Natural Resources Wales
Roy Sedgwick		Anochrome Group
Tom Stokes	TS	John Stokes Hard Chrome
Tony Newson	TN	Nickel Institute

Apologies:

Bill Southworth	BS	BSTSA
Clare Wiles		Environment Agency
Daniel Meakin	DM	Rimex Metals
David Cass	DC	Anopol Ltd
David Fletcher	DF	Gardener Aerospace
Judy Bradley	JB	Anopol Ltd
John Oliver	JO	Anochrome Group
Mike Smith	MS	Institute of Materials Finishing
Paul Handley	PH	Heat Treatment 2000 Ltd (CHTA)
Roy Sedgwick	RS	Anochrome Group
Sarah Palfreyman	SP	HSE - Birmingham
Stephen Salter		Indestructible Paints
Wieslaw Piatkiewicz	WP	Brook Green Consulting / NFA
William Smith	WS	Zinc Information Centre
William Southall		Frost Electroplating

In attendance:

David Elliott	DE	SEA/Secretary/Acting Chairman
Karen Wale		NEBOSH
Paul Field		Toolstation

Actions The meeting started with introductions and housekeeping arrangements as there were a few new attendees

Min 01/20 Apologies

As listed above.

Min 02/20 Approval of Minutes of last meeting

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

Min 03/20 Matters Arising

There were no matters arising that were not covered by the agenda.

Min 04/20 Correspondence

1 – Notification from Cobalt Industry regarding the latest developments with potential restrictions on the use of 5 Cobalt salts. Full details at <https://chemicalwatch.com/86440/echas-rac-suggests-higher-reference-exposure-for-cobalt-restriction>

2 – Notification from HSE International Chemicals Unit of proposed revised classification for Barium diboron tetraoxide. Full details at <https://www.echa.europa.eu/harmonised-classification-and-labelling-consultation>

3 – Notification from DEFRA of the introduction of the Environment Bill which contains chemical-related provision with enabling powers to amend the articles of REACH as it applies in UK law. Full details at <https://services.parliament.uk/bills/2019-19/environment.html>

4 – Notification from ADCR of the minutes of the launch meeting. Full details at <https://www.adcr-consortium.eu/>

5 – Notification from HSE of the publication of revised guidance regarding controlling welding fume. Full details at <https://www.hse.gov.uk/welding/index.htm>

6 – Information from the Senior Coroner for the county of Dorset regarding a suicide through cyanide poisoning.

7 – Notification from European Precious Metals Federation regarding ongoing issues with silver metal classification. <https://www.epmf.be/silver/>

8 – Notification from Citation regarding the introduction of the Good Work Plan in April 2020. Full details at <https://www.citation.co.uk/good-work-plan/>

9 – Notification from The EA regarding new arrangements for climate change adaptation in the Environmental Permitting Regulations. Full details at <https://www.gov.uk/government/publications/application-for-an-environmental-permit-part-b2-new-bespoke>

10 – Notification from Natural Resources Wales of the Clean Air Consultation. Full details at <https://gov.wales/sites/default/files/consultations/2019-12/consultation-a-clean-air-plan-for-wales.pdf>

11 – Publication by the Environment Agency of the Third Target Period report in respect of climate change agreements.

12 – Notification from HSE of training course and event for LEV. Full details at

20 February 2020 HSE LEV Practical Management of Local Exhaust Ventilation Controls
<https://www.hsl.gov.uk/health-and-safety-training-courses/lev---practical-management-of-local-exhaust-ventilation-controls>

25 February 2020 BOHS and ILEVE joint LEV – Extracting the Best Practices event
https://login.bohs.org/iCore/Events/Event_display.aspx?EventKey=LEV2020&WebsiteKey=6d387463-2fao-42c2-a901-967460d905eb

13 – EA update provided by Neil Goodlad. Will be covered under Environment Agency matters

14 – Notification from ECHA of their move into a new building. Full details at https://echa.europa.eu/documents/10162/24162967/echa_directions_en.pdf/2faf6414-f868-65fd-1f6b-0237c70670c4

And main stakeholder event - Safer Chemicals Conference to be held on 2nd & 3rd June 2020.

15 – Notification from the HSE of the publication of an update to EH40 to include new and revised workplace exposure limits for carcinogenic substances. Full details at <https://www.hse.gov.uk/pubns/books/eh40.htm>

16 - NRW provided information on the South Wales Industrial Cluster. Full details at <https://www.swic.cymru/>

PRESENTATION – Karen Wale, NEBOSH – copy of the presentation attached

Min 05/20 REACH & GHS

DE gave an update regarding the ongoing Cobalt issues. The RAC (Risk Assessment Committee) have recommended to use a limit value for cancer (0.5 µg Co/m³ respirable, with cancer risk) based on a breakpoint approach and a limit value for non-cancer effects in the upper respiratory tract (1 µg Co/m³ inhalable). Both of these limit values are 8-hour time-weighted averages (TWAs), like that of an OEL. The RAC's view, although they supported an EU wide OEL, was that the Restriction is currently the most appropriate EU-wide measure to address the 5 Co salts.

The SEA, through its European Association, CETS, is in discussions with the European Chemicals Agency (ECHA) and European Commission with a view to holding a workshop in April 2020 in Frankfurt, Germany to try and resolve the outstanding chromium trioxide authorisation applications. The provisional dates are 23rd & 24th April 2020. An agenda and guest list is being developed and it is anticipated that around 50 people will attend.

The Chancellor, Sajid Javid, has stated that there will not be regulatory alignment with the EU after BREXIT and that companies will have to adjust to new regulations. As there is a transition period until the end of 2020 and negotiations on a trade deal are still ongoing, this may just be part of the negotiating strategy. However, this could mean that UK REACH is not aligned with EU REACH in the future. It is therefore vitally important that the applications for authorisation for chromium trioxide are approved by the EU before the end of this year so that they will then transfer into UK REACH. There is a meeting of the UK REACH X-Sector Group next week and DE will attend and get an update from DEFRA, BEIS and HSE.

Min 06/20 Industrial Emissions Directive (formerly IPPC)

DE reported that the Environment Agency had stated that the Metals Sector would be represented on the Regulated Business Forum by the UK Metals Council. Neither SEA nor the NFA (Non-Ferrous Alliance) are members of the UK Metals Council and, as the two organisations represent over 75% of all IED permits in the sector, it would appear that this decision of the EA is not representative and was taken without consultation. The SEA will be taking this matter up with their President Lord Whitby.

Min 07/20 HSE matters

SP had rung to say that she was unable to attend today due to illness. There were no specific issues to raise that hadn't already been covered under the correspondence item on the agenda.

Min 08/20 BERR (DTI) & DEFRA

Nothing further to report.

Min 09/20 Environment Agency Matters

New Government:

The election has provided clarity about the way forward on EU Exit. We will now leave the EU on 31 January with a deal - the Withdrawal Agreement and there will be an Implementation Period until 31 December 2020, during which **EU law will continue to apply** in the UK and of course that includes environmental law.

The government's environmental agenda is also clear. The Conservative Manifesto reaffirmed the government's support for the 25 Year Environment Plan and an Environment Bill to guarantee its protection, to reform agriculture based on payments of public money to farmers for public goods, to invest in new flood defences, and to lead the global fight against climate change by hosting the UN Summit next year and achieving Net Zero by 2050. The EA will play a central role in the delivery of all these strategies.

Metals Climate Change returns

Coming out of the above, I have provided information from this sector to an information gathering exercise concerning industry actions to reduce greenhouse gas emissions and adaptive measures to manage the impacts of climate change. Responses will help identify levels of engagement, best practice and consistency of approaches across sectors, not just metals. This information will be used as an initial guide to inform on strategies and planning so we maximise what we do to drive the changes needed to achieve net zero.

In the near future I may be approaching you for support as we look at actions to reduce GHG emissions from both up and downstream activities not just the activities we regulate, as well as considering the whole life cycle of an operators' activities (e.g. supply/product chain, construction, operation, decommissioning).

Sector roadmaps

Defra's Clean Air Strategy, published in January 2019, committed us to working with Defra and industrial sectors to develop a series of ambitious sector roadmaps to make UK industry world leaders in clean technology and to secure further emissions reductions. Defra have initially identified 5 sectors for roadmaps: Refineries and downstream fuel; Iron and Steel Industry; Glass; Cement and Lime; Food and Drink; Paint and Coatings; Energy Generation; Ceramics; Chemicals. We and Defra are reviewing background data and evidence within Defra group before further external stakeholder consultation. We currently looking at:

- Better understanding the current contributions from these specific industry sectors and LA-permitted activities.
- Identifying any gaps in our data and understanding
- Ensuring historic NAEI emissions are accurate and can be relied upon for future projections

These are the 5 initial sectors but in fact 'iron and steel' is only a subsector of the metals sector so its remit may be expanded at a later date to cover the whole sector.

Incorporation of climate change adaptation into EPR via permitting.

This came fully into effect for **new bespoke waste and installations applications** on the 1st December.

From this date, old style applications will no longer be accepted by us, so please make sure that you and your members are aware of the new arrangements. My inspectors will be informing operators when they next have contact.

The new application forms and guidance and risk assessment and user guide can be viewed as follows:

- B2 bespoke permit app form and guidance:

<https://www.gov.uk/government/publications/application-for-an-environmental-permit-part-b2-new-bespoke>

- B3.5 Intensive farming app form and guidance:

<https://www.gov.uk/government/publications/application-for-an-environmental-permit-part-b35>

- Risk assessment user guide:

<https://www.gov.uk/guidance/adapting-to-climate-change-risk-assessment-for-your-environmental-permit>

- Risk assessment worksheets:

<https://www.gov.uk/government/publications/adapting-to-climate-change-risk-assessment-worksheets>

Dashboard

A performance dashboard for the metals sector is provided by our Evidence team on a quarterly basis. Currently the sector is performing well, has a consistent permit stock and our inspectors are managing to meet their target of making sure that some compliance work is done at all sites during the year (to ensure that for charging purposes, we have no 'U' bands). I will be able to give you the annual dashboard results (April 19-Mar 20) for your next Committee meeting.

Sector inspector's day

We are holding our next inspector's training day in Birmingham at the end of February and we are pleased to have speakers from industry in the metals sector (one from the surface treatment sector plus Alfred). On this occasion it is not a 'joint' event with industry but that may be back on the agenda for 2021.

RG gave a presentation regarding the Clean Air Act for Wales and asked that members respond to the consultation. Copy of presentation attached.

Min 10/20 Specialist Reports

10.1 Zinc

Nothing further to add

10.2 Nickel.

Nothing further to add

10.3 Chromium / PFOS / COMAH

DE informed the committee that the EA were contacting members and asking for information on PFOS and PFOS related substances being used in relation to the POP regulations. However, they had previously asked for the quantity of PFOS / POP being held on site but now they are saying that any material containing a POP counts towards the 50kg notifying threshold, no matter how small the concentration of the POP within the material. DE will discuss this with the EA when he meets with them on 29th January 2020

10.4 Waste Treatment

Nothing further to add

10.5 Organic Coatings

Nothing further to add

Min 11/20 Association / Institute reports

11.1 BSTSA

The BSTSA Christmas meeting was well attended and James Ansell & Bill Southworth are continuing as the officers for a further year. They will now have 3 meetings per year covering relevant topics. Will be attending ChemUK this year <https://www.chemicalukexpo.com/>

11.2 IMF

No report

11.3 VEA

Nothing further to add

11.4 CHTA

No report

Min 12/20 Any other business

The SEA Awards evening will be held on Friday 2nd October 2020 at the Park Regis Hotel in Birmingham. Entries for the awards should be made as soon as possible via the SEA website.

Min 13/20 Date of next meeting

Tuesday 21st April 2020 at 11:00

Tuesday 21st July 2020 at 11:00

Tuesday 20th October 2020 at 11:00

Signed: _____
Chairman

Date: _____