

SEA HS&E Committee Webinar Update 18th January 2022

Disclaimer

The material in this presentation is for informational purposes only and has been prepared by the Surface Engineering Association.

Although we have taken care to ensure that the information is current and accurate, it does not constitute legal advice and we are not liable for any omissions or misunderstandings.

Competition Law

During the webinar participants should not discuss any of the following items:

- 1 - Price or price elements (including discounts, rebates, surcharges, allowances, concessions, price mark-ups, and the like).
- 2 - Terms and conditions on which you supply services to your customers.
- 3 - Information relating to individual customers, suppliers, or competitors.
- 4 - Allocation of services, customers, markets, territories, or sales.
- 5 - Bids, bidding terms, tactics, strategies or practices.
- 6 - Refusals to purchase from, or modification of purchase arrangements with, suppliers.
- 7 - Profits, margins and costs.
- 8 - Strategic plans, business plans, intentions, promotional activities and marketing strategies or investment plans.
- 9 - Any other confidential or competitively sensitive information.

Overview

- REACH
- Silver Update
- HSE Issues
- STM BREF
- Environment Issues
- Any sector / Institution Reports

REACH

- Restrictions underway EU REACH

1. Restriction of lead compounds in Poly Vinyl Chloride (PVC)
2. Restriction of formaldehyde & formaldehyde releasers in articles
3. Restriction of Hazardous substances in disposable nappies
4. Restriction of Manufacture, use and placing on market of DechloranePlus™ (US Fire Retardant)
5. Restriction of the use of lead in fishing weights

REACH

Restrictions underway EU REACH

- 6.Restriction of the use of D4,D5,D6 in wash-off and leave-on cosmetics
- 7.Restriction of the use of intentionally added microplastics
- 8.Restriction of polycyclic aromatic hydrocarbons (PAHs) in rubber crumb
- 9.Restriction of the placing on the market, or use as a substance in articles of 2,4-dinitrotoluene
- 10.Restriction of skin sensitisers in clothing (and related) articles
- 11.Restriction of the use of calcium cyanamide in fertilisers

UK REACH

Suppliers not applying for authorisation for chromium trioxide

SEA Chromium Trioxide Authorisation Consortium Group closed

Original closing date 30th November 2021

Re-opened to allow further applications

Closed on 14th January 2022

Over 70 companies involved in SEA Group

Other companies in ADCR Group <https://www.adcr-consortium.eu>

UK REACH

Decorative applications must be submitted by 30th June 2021
(new sunset date when EU REACH transposed into UK REACH)

All other applications by 21st March 2023

Current authorisations valid until 21st September 2024

Both UK REACH & EU REACH are very costly, time consuming,
difficult for SMEs and uncertain.

Fees for applications for an authorisation under Article 62 of UK REACH

Table 1: Standard fees

Base fee	£47,229
Additional fee per substance	£9,446
Additional fee per use	£42,506

Table 2: Reduced fees for medium enterprises

Base fee	£35,422
Additional fee per substance	£7,084
Additional fee per use	£31,880

Table 3: Reduced fees for small enterprises

Base fee	£21,253
Additional fee per substance	£4,251
Additional fee per use	£19,128

Table 4: Reduced fees for micro enterprises

Base fee	£4,723
Additional fee per substance	£945
Additional fee per use	£4,251

Enterprise category	Headcount	Turnover or Balance sheet total	
medium-sized	< 250	≤ £43.650 million	≤ £37.539 million
small	< 50	≤ £8.730 million	≤ £8.730 million
micro	< 10	≤ £1.746 million	≤ £1.746 million

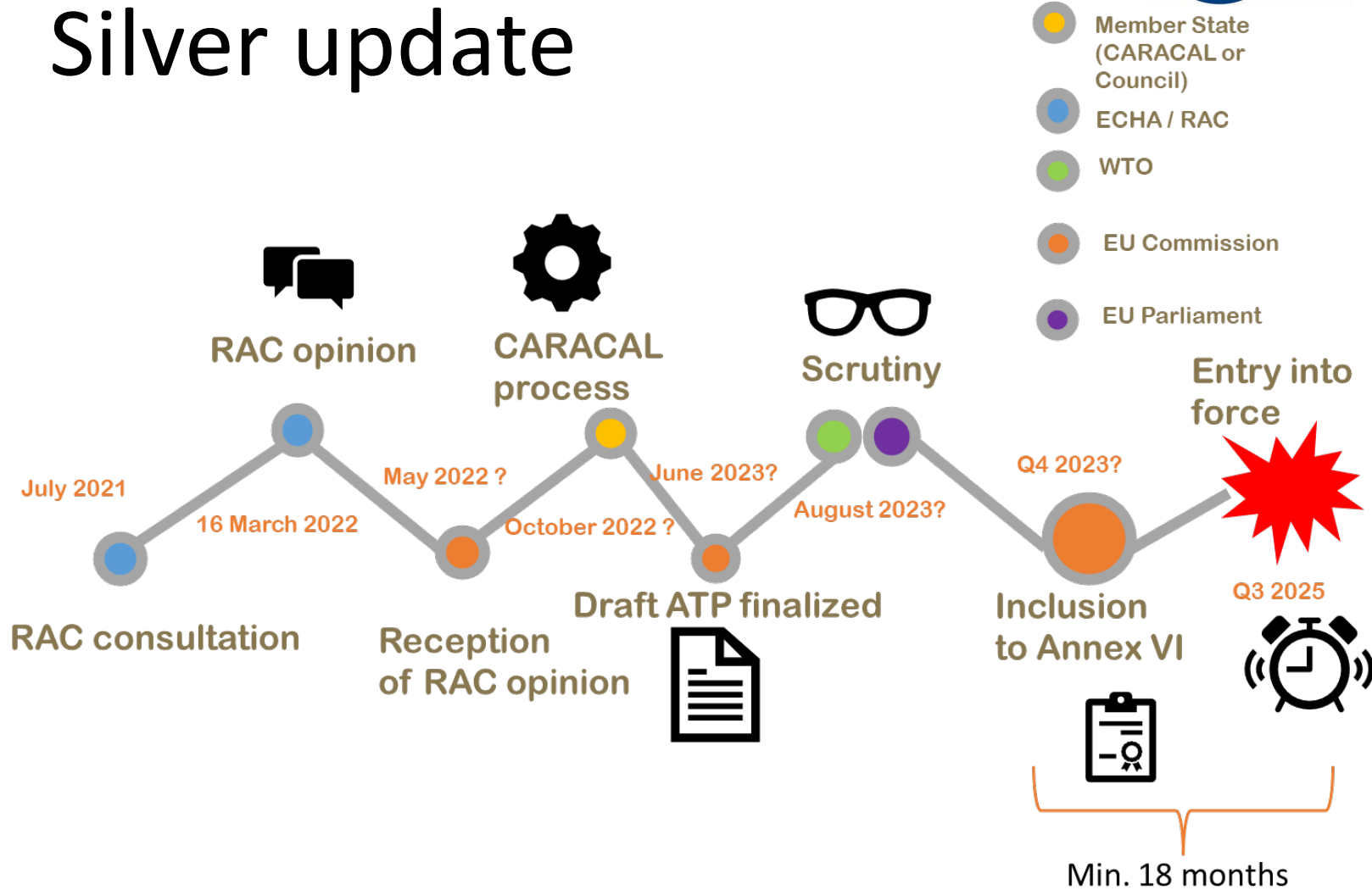
DRAFT AGENDA

43rd Meeting of Competent Authorities for REACH and CLP 27 January 2022 REACH 11:00 – 18:15

Items to be discussed:

- 1 – Reform of the authorisation and restriction process
- 2 – Information requirements on endocrine disruptors
- 3 – Increased hazard information requirements
- 4 – Information requirements on uses & exposure
- 5 – Registration of polymers
- 6 – Evaluation procedures
- 7 – Commission Impact Assessment

Silver update



Silver update

A workshop to present the next steps of the European Precious Metals Federation advocacy strategy and how you could contribute to it will be held on 22nd April 2022

Further details to follow

Health & Safety

The first and second editions of the Control of Major Accident Hazards (COMAH) Regulations guidance, L111, contain the following rule in paragraphs 341 and 416 respectively:

‘If a substance classified as ‘very toxic’ is diluted, it retains its ‘very toxic’ classification down to a concentration of 7%. Below this it is classified as ‘toxic’.’

The first and second editions of L111 refer to the Chemicals (Hazard Information and Packaging for Supply) Regulations which were revoked and replaced by the Chemical Classification, Labelling and Packaging (CLP) Regulations in 2015.

Health & Safety

The current (third) edition of L111 does not include the rule stated above and instead, contains the following guidance in paragraph 377 which refers the duty holder to the CLP regulations and the European Chemical Agency (ECHA) guidance:

'Part 1 of [Schedule 1] relates to generic classifications defined by the CLP Regulation. These classifications apply to mixtures as well as to pure substances. The CLP Regulation defines a number of classification calculations for each hazard class which may be applicable for mixtures, where the mixture itself has not been tested but where test data exist for all or most of the constituent pure substances. Further guidance is available on the ECHA website.'



A closer look at DSEAR webinar

Thursday 27 January 2022

12.00pm ending at 1.00pm

GoToWebinar – Hosted by BESA

This webinar is designed to provide attendees with information relating to DSEAR (Dangerous Substances and Explosive Atmospheres Regulations).

The webinar will include presentations from Peter Slee-Smith who heads up Dodman DSEAR, a company that specialises in helping UK food processing companies implement and comply with the DSEAR regulations, and Scott Harding - Sales Director and joint owner of industrial process fan manufacturer Woodcock & Wilson.

A Q&A session will follow the presentations.

Presentations:

Peter Slee-Smith

DSEAR is embedded in UK law under the Health and Safety and Work Act. Employers, not suppliers, are responsible for implementing DSEAR. This presentation is a brief introduction to DSEAR and the steps required by the employer to comply with these complex regulations. Peter will discuss responsibilities, the risk assessment process, implementation of DSEAR and how to seek guidance and support.

Scott Harding 'ATEX equipment - we don't know what we don't know'

Scott's presentation looks at how end-users can ensure their hazardous area equipment is safe. For all types of hazardous area equipment there is a reliance on manufacturers to get it right. Scott will look at the pitfalls in the certification process by both Notified Bodies & manufacturers 'They don't know what they don't know'. The presentation includes guidance on how to look for issues with product certification and how the reliance on a declaration of conformity could be fatal.

Who should attend:

The event is aimed at managers, directors and anyone involved in DSEAR compliance in SME companies.

Book your place now:

Please [follow this link](https://register.gotowebinar.com/register/4661245825464794382) to register for the webinar.



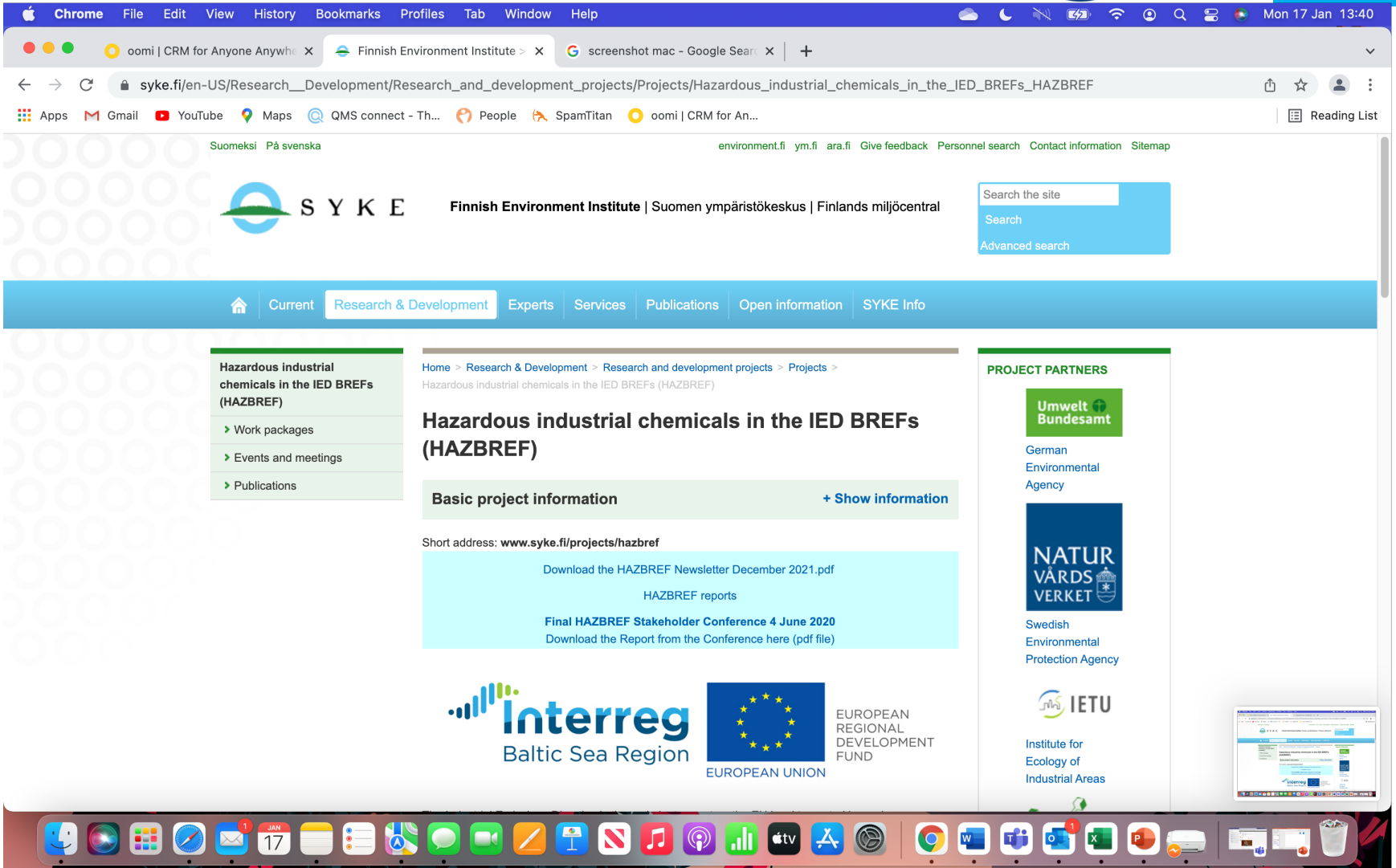
www.shepuk.co.uk

<https://register.gotowebinar.com/register/4661245825464794382>

Environment Issues

STM (surface treatment of metals) BREF

MILG – Metals Industry Liaison Group
Meeting 26th January 2022



The screenshot shows a web browser window displaying the SYKE (Finnish Environment Institute) website. The browser's address bar shows the URL: syke.fi/en-US/Research_Development/Research_and_development_projects/Projects/Hazardous_industrial_chemicals_in_the_IED_BREFs_HAZBREF. The website header includes the SYKE logo and the text "Finnish Environment Institute | Suomen ympäristökeskus | Finlands miljöcentral". A search bar is located in the top right corner. The main navigation menu includes links for Home, Current, Research & Development (selected), Experts, Services, Publications, Open information, and SYKE Info. The content area features a sidebar on the left with links to "Hazardous industrial chemicals in the IED BREFs (HAZBREF)", "Work packages", "Events and meetings", and "Publications". The main content area displays the title "Hazardous industrial chemicals in the IED BREFs (HAZBREF)" and a section for "Basic project information" with a "+ Show information" link. Below this, there is a short address: www.syke.fi/projects/hazbref. A light blue box contains links to "Download the HAZBREF Newsletter December 2021.pdf", "HAZBREF reports", "Final HAZBREF Stakeholder Conference 4 June 2020", and "Download the Report from the Conference here (pdf file)". The footer includes logos for Interreg Baltic Sea Region, the European Union, and the European Regional Development Fund. On the right side, there is a "PROJECT PARTNERS" section listing the German Environmental Agency (Umwelt Bundesamt), the Swedish Environmental Protection Agency (Natur Vårds Verket), and the Institute for Ecology of Industrial Areas (IETU).

STM – BREF (EU Level)

- TWG being reactivated
- CETS on Article 13 Forum
- CETS will have at least 4 representatives on TWG
- Will be able to provide feedback to UK

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Environment Issues

Metals Industry Liaison Group – Meeting 26th January 2022

Covers all “metal” activities subject to Environmental Permitting Regulations

Representatives from all “metal” activities are invited

Representatives from Devolved Administrations

Representatives from relevant UK Departments



Nickel Update

Surface Engineering Association HSE Meeting

Tony Newson
Web Conference, 18 January 2022

OSH update

4th revision of EU Carcinogens and Mutagens Directive (CMD4)



- Sep. 2020: Commission proposal (inorganic **Ni compounds**, Benzene, Acrylonitrile)
- NI supports the EC proposal:
 - An Inhalable OEL of 0.05 mg/m³ to be applicable as of Jan. 2025 (until then, a transitional inhalable OEL 0.1 mg/m³ will apply)
 - A Respirable OEL of 0.01 mg/m³ to be applicable as of Jan. 2025)
- 2021: examination by European Parliament and Council
 - Mar. 2021: the EP amendments suggesting lower OELVs for Ni compounds were dropped; but the EP Employment Committee adopted an Amendment proposing a review clause (by 2030)
 - In 2H 2021, NI reached out to COM, MS and EP to express concerns with amendment on review clause
- **15 Dec. 2021: EP and Council reached Provisional Agreement on the CMD4 dossier**
(Main change: extension of CMD scope to reprotoxic substances)

EP plenary to vote on Provisional Agreement in mid-February 2022
Directive to be formally adopted by March 2022 (tbc)
No changes expected to the OEL values proposed by the Commission

Nickel – REACH Restrictions update

1) Draft EC Roadmap on REACH restrictions under Chemicals Strategy for Sustainability



- Q4 2021: the EU Commission circulated a revised draft Roadmap
- Nickel (“articles in prolonged skin contact”) is still included in the Roadmap’s rolling list of substances / restrictions under consideration for a possible review in the future.
- But the COM has taken on board some of the NI comments and modified the Nickel entry. It is now explicitly stated that **a review of the Nickel restriction is considered as a low priority**
- Next step: final EC Restrictions Roadmap to be published in Q1 2022?

2) Danish EPA project on non-nickel coatings and nickel REACH restriction



- Q4 2021: Danish consultants finalised their work on the project on “mapping and control of nickel-containing products with nickel-free coating”. Danish study to be published in Q1 2022 (tbc)
- The objective of the study was to:
 - Learn about types and uses of nickel-free coatings on consumer products and their performance
 - Check approx. 40 consumer products with nickel-free coatings for compliance for nickel.
 - Assess whether products with nickel-free coatings are a potential source of exposure of the population to nickel

Nickel – Drinking Water update

1) Revision of WHO drinking water quality guidelines



- Draft WHO background document on nickel published in July 2021
- 22 Dec. 2021: [final WHO background document](#). **No changes to the existing WHO drinking water standard for nickel (70 µg/Ni/L)**
- Next step: new version of WHO DW Quality Guidelines to be published in Q1 2022

2) Implementation of EU Drinking Water Directive



- Commission and ECHA are preparing implementation of new harmonised EU regime for acceptance of materials in contact with DW
- Dec. 2021: ECHA draft compilation of national positive lists. Stainless steel, cast iron, carbon steel, “**platings**” and various alloys are on the metallic material list
- Work to continued in 2022 - EU Positive list of substances and materials by 2025



DONM – 19th April 2022 @ 11:00