

SEA HS&E Committee Webinar Update 19th April 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
- Environment Issues
- Any sector / Institution Reports

UK REACH – SEA Consortium

Suppliers not applying for authorisation for chromium trioxide

On track to make first applications before 30th June 2022 deadline.
Decorative Chromium Electroplating

All other applications by 21st March 2023

Current authorisations valid until 21st September 2024

Over 70 companies involved in SEA Group

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

UK REACH – SEA Consortium

Documents to be submitted with application:

- The use(s) applied for
- Chemical Safety Report
- Analysis of Alternatives
- Substitution plan
- Socio-economic Analysis
- Overview of Risk Management Measures
- Overview of Operational Conditions

UK REACH

Rolling Action Plan now in place

HSE has published list of 2 substances to be evaluated

EC:264-150-0 CAS:63449-39-8

Paraffin & hydrocarbon waxes and long-chain chlorinated paraffins

EC:411-570-9 CAS:41481-66-7

2,2'-diallyl-4,4'-sulfonyldiphenol (TG-SA)

1st Joint Meeting of Competent Authorities for REACH and CLP (CARACAL) and interest groups of Advisory Committee on Safety and Health at Work (ACSH) / Working Party on Chemicals (WPC)

Open session 5 April 2022

WebEx meeting

INTERFACE REACH - OCUPATIONAL SAFETY AND HEALTH (OSH)

Discussions regarding how REACH can better interface with occupational safety & health.

Options going forward include worker safety being primarily through OSH and not REACH where only exposures were in the workplace.

Van: DE BUSTOS Aurora <Aurora.DE-BUSTOS@ec.europa.eu>

Verzonden: vrijdag 1 april 2022 17:11

Aan: Veerle Fincken <v.fincken@vom.be>

CC: CASELLA Giuseppe <Giuseppe.Casella@ec.europa.eu>

Onderwerp: Re: CETS-ECHA's revised definition of intermediates in need for improvement // CARACAL-Meeting on

Urgentie: Hoog

Dear Mrs. Fincken,

Thank you for your email of 23 March 2022 sharing CETS' position on ECHA's updated guidance on intermediates. Following discussions at the CARACAL meeting on 23 March 2022, we are gathering final feedback from Competent Authorities and stakeholders. We take due note of the concerns expressed in your paper. A follow-up discussion will take place at the next CARACAL meeting on 20 May.

Best,

Aurora DE BUSTOS



European Commission

DG GROW

Unit F1 – REACH

Silver update

EPMF agree to self-classification as follows

- 1 - silver metal (massive) remains without environmental classification,
- 2 - silver metal (powder) remains classified as Aquatic Acute 1 (M=10) and Aquatic Chronic 1 (M=10)
- 3 - nanosilver will be classified as Aquatic Acute 1 (M=1000) and Aquatic Chronic 1 (M=1000),
- 4 - disilver oxide will be classified as Aquatic Acute 1 (M=100) and Aquatic Chronic 1 (M=10),
and
- 5 - All other EPMF silver substances remain classified as Aquatic Acute 1 (M=1000) and Aquatic Chronic 1 (M=100).

Health & Safety

On 6 April 2022 the [Personal Protective Equipment at Work \(Amendment\) Regulations 2022](#) (PPER 2022) came into force and amend the [1992 Regulations](#) (PPER 1992).

They extend employers' and employees' duties regarding personal protective equipment (PPE) to limb (b) workers. HSE has reviewed and updated its [guidance](#) to explain the changes. This includes a revised version of [the Personal Protective Equipment at Work Regulations 1992 guidance](#) (L25).

Health & Safety

HSE safety notice issued: Maintenance of industrial uninterruptible power supply (UPS) systems
Bulletin issued: 2 March 2022

HSE has [issued a safety notice](#) about the maintenance of industrial UPS systems.

Environment Issues

Environment Agency: New Metals Sector Lead / Senior Advisor

Message from Neil Goodlad

I am delighted to announce that following interviews last week, Claire Wiles has been appointed as the new Metals Sector Lead / Senior Advisor

to replace me when I leave the EA in May.

Many of you will be aware that Claire was an advisor in the metals sector before she moved to the UKBAT team working with Defra last year.

Water Abstraction

Just to inform you that the EA's new water resources abstraction charges scheme is now live. From today, the 1 April 2022, new application and annual charges will apply resulting in a clearer line of sight between costs and services received and raising an additional £25 million annually.

The new [Environment Agency \(Environmental Permitting Regulations and Abstraction Licencing\) \(England\) Charging Scheme 2022](#) and the supporting [Water resources charging guidance](#) are available on GOV.UK.

Due to ongoing work to move licences into the new charging scheme, customers will receive their annual bill later than usual. We anticipate bills will come out in Summer 2022. We will be notifying key external stakeholders and trade bodies of this delay. In the meantime, customers can use our online [Water Resources charge indicator tool](#) to calculate their charges, ahead of receiving their bill.

UK BAT

- UK Government and Devolved Governments have published the ***“Integrated pollution prevention and control: developing and setting of Best Available Techniques (BAT) provisional Common Framework”***. This is the provisional Framework Outline Agreement for the developing and setting of ‘Best Available Techniques’ Common Framework (known as the “BAT Common Framework”)

UK BAT

For more information, and to access the full document, please visit: <https://www.gov.uk/government/publications/integrated-pollution-prevention-and-control-developing-and-setting-of-best-available-techniques-bat-provisional-common-framework>



Nickel Update

Surface Engineering Association HSE Meeting

Tony Newson
Web Conference, 19 April 2022

OSH update



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

- Sep. 2020: Commission proposal (inorganic **Ni compounds**, Benzene, Acrylonitrile)
 - 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)
- NI supports the EC proposal:
- 2021: examination by European Parliament and Council
- Dec. 2021: Provisional Agreement on the CMD4 dossier
 - Main change introduced: extension of the scope to reprotoxic substances
 - The remaining amendment on nickel compounds OELVs were dropped
- **Status: the Directive was formally adopted in March 2022** .Publication in the [EU Official Journal](#) on 16 March 2022.
- **Next steps:** Member States to transpose the Directive by 5 April 2024

Positive outcome of EU process: no changes to the Commission's proposal for nickel compounds OELVs. Now need to follow implementation at national level

Nickel – REACH Restrictions update



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

- In 2021: the Danish EPA launched a study on “mapping and control of nickel-containing products with nickel-free coating”.
- The objective of the study was to:
 - Gather information on types, uses and durability of nickel-free coatings on consumer products
 - Test approx. 40 consumer products with nickel-free coatings for compliance for nickel release
 - Assess whether products with nickel-free coatings are a potential source of exposure to nickel
- Draft report finalised in March 2022
- Next step: publication expected in May 2022

NI to follow review the study and provide comments



Review of EU Nickel EQS

- **Background:** the Ni EQS was revised by the EU in 2013, setting a state-of-science standard fully supported by the NI
- **Issue:** the COM is preparing another revision of the EQS Directive and **the Ni EQS is considered again for review / revision**

	AA-EQS Inland surface waters	AA-EQS Other surface waters (marine)	MAC-EQS Inland surface waters	MAC-EQS Other surface waters (marine)
2008	20 µg/L	20 µg/L	Not applicable	Not applicable
2013 (current standard)	4 µg/L (Bioavailable)	8.6 µg/L	34 µg/L	34 µg/L
Draft by JRC (Nov. 2021)	4 µg Ni/L (tbc) bioavailable	2.25 µg Ni/L	3 µg Ni/L	0.072 to 0.55 µg Ni/L
Draft by JRC (Apr. 2022)	2 µg Ni/L (bioavailable)	3.1 µg Ni/L	7.2 µg Ni/L	7.2 µg Ni/L

- NI-NiPERA has concerns on draft Ni EQS. Extensive scientific comments on the draft Ni EQS dossier (Nov. 2021) sent by NiPERA in Dec. 2021

Issue relevant to all nickel value chain. EQS can impact the permit conditions

Review of EU Nickel EQS

Next steps in the EU process:

- Q1 2022: further technical work by Joint Research Center on draft Ni EQS
- Q2 2022: consultation of EU scientific committee (SCHEER)
- Q2 2022: draft Impact Assessment
- **Sep. 2022 (tbc): publication of EC legislative proposal**
- 2023-24: examination and adoption by EP and Council (political process)

NI-NiPERA's views:

- The existing EU Ni EQS is scientifically robust and protective: when properly implemented, compliance is very high, indicating that Ni is not a broad risk
- Rather than revising the existing Ni EQS, the EU priority should be to support MS in

We have concerns on contents, potential impacts and review process
Ongoing NI-NiPERA technical and engagement activities



DONM – 19th July 2022 @ 11:00