REACH – SCOEL – OEL – RMOA
Why the Action Guide?

29 novembre 2018

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Forword

- Presentation only focused on worker protection

- Other initiatives linked to IED, VOC labelling, formaldehyde low emission class, indoor air quality... may indirectly reduce worker potential exposures

- Several interfaces between regulations not so easy to understand... with some overlapping
EU Regulations – key pillars

- **OCCUPATIONAL SAFETY REGULATION**
- **GENERIC PRODUCT SAFETY REGULATIONS**
  - REACH
  - CLP
- **SPECIFIC PRODUCT SAFETY REGULATION**
  - COSMETICS
  - TOYS...
- **OTHER REGULATIONS: IED, WASTE REGULATION, DANGEROUS GOODS TRANSPORTATION...**

- Dedicated regulation for worker protection
- Worker protection in the scope
- No provisions regarding worker protection
- Indirect impact
EU Regulations – key pillars

**OCCUPATIONAL SAFETY AND HEALTH REGULATION**

**Legal basis:** art 153 of EU Treaty

+ Subsidiarity principle (art 5)

**EU Directives**

Minimum EU requirements

National transposition

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**GENERIC PRODUCT SAFETY REGULATIONS REACH CLP**

**Legal basis:** art 95 of EU Treaty

Internal market functioning

**Regulation w/o transposition**

High level requirement
EU guidance/guidelines

**OCCUPATIONAL SAFETY AND HEALTH REGULATION**
Dir 2004/37 (CMD)

- **STOP principle**
  - **Substitution** (obligation of mean)
  - **Technical controls according to the** hierarchy principle
    - Containment (closed process);
  - **Organisational measures**
  - **Personal protective equipment**
    - Minimisation principle (CM)
  - **Regular risk assessment**
  - **(B)OELv**
  - **Traceability**
  - **Information and training**

**GENERIC PRODUCT SAFETY REGULATIONS**
REACH/CLP

- **Hazard assessment:** data on intrinsic properties => DNEL/DMEL
- **Exposure assessment** (ES) mainly based on modelling
- **Risk Management Measures**
- **Authorisation/restriction** substitution (obligation of result)
- **Safety data sheet**
- **Classification and labelling**
EU guidance/guidelines

**OCCUPATIONAL SAFETY AND HEALTH REGULATION**

OSH non binding EU Guidance
- Practical guidelines on the protection of the health and safety of workers from the risks related to chemical agents at work
- Risk Assessment

**EU Voluntary agreement (NEPSI)**

**EU Road map on carcinogens**

**EU NORMS (EN 689...)**
- Strategy of measurement of exposure by inhalation

**GENERIC PRODUCT SAFETY REGULATIONS REACH/CLP**

ECHA concise and in-depth guidance
- Chemical Safety Assessment
- R8: DNEL/DMEL/OEL
- R13: conditions of uses
- R14: exposure estimation
- ...

Guidance for employers on controlling risks from chemicals - Interface between Chemicals Agents Directive and REACH

SOCOTEC – Health and Product-safety Agency
# Interfaces between OSH and REACH specific topics

<table>
<thead>
<tr>
<th></th>
<th>OSH</th>
<th>REACH</th>
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<tbody>
<tr>
<td><strong>Scope</strong></td>
<td>All chemical agents including intended and non intended uses, process generated agents, waste</td>
<td>Focused on substances intended to be imported/produced/used</td>
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<tr>
<td><strong>OEL/DNEL</strong></td>
<td>RAC (SCOEL)</td>
<td>RAC Establishment of RMMs</td>
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<td>Mainly based on workplace measurements</td>
<td></td>
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<tr>
<td><strong>Risk assessment</strong></td>
<td>Performed on the floor and involving workers</td>
<td>Mainly theoretical</td>
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<tr>
<td></td>
<td>Risk assessment shall be kept up-to-date</td>
<td></td>
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<tr>
<td><strong>Deliverable</strong></td>
<td>Risk assessment documented</td>
<td>ES annexed to the SDS Information publicly available (guidance on safe use)</td>
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</table>
Added value of social partners voluntary agreements

When considering existing regulations, guidance and norms: limited number of practical tools and best practices available

- Speeding-up of the implementation of future EU requirements (OEL)
- Harmonised level playing field in terms of worker protection and prevention
- Best practices: practical tool regarding risk management
- Reporting and measurement of progress
- Agreement between social partners at EU level
EPF Self Commitment on Workers Health Protection through the Good Handling and Use of Formaldehyde

- Proposed **in the frame of a Social Partner Project** (implementing the EU Social Dialogue Program)
  - REF-WOOD EU Social Dialogue Project ("Reduction of Formaldehyde in the Woodworking Industries")

- Involving the European Federation of Building and Woodworkers (EFBWW),

- Complemented by an action guide
Principles of the action guide for compliance with the OEL of formaldehyde in the woodworking industries

- **Action Guide**: practical tool to improve health protection and demonstrate compliance with the EPF voluntary agreement

- **Objective**: reduction of exposure to formaldehyde
  - Compliance with national regulations
  - Compliance with SCOEL, social partners and CMD3 COM proposal
    - TWA: 0.3 ppm (0.369 mg/m³)
    - STEL: 0.6 ppm (0.738 mg/m³)
  - In line with EN689

- **Action Plan**: risk assessment and management process, procedures to ensure compliance with the OEL and reporting procedures.
  - Risk management measure based on workplace zoning
Production area sub-divided into 3 individual zones on the basis of their formaldehyde potential emission and exposure based on two complementary approaches in accordance with EN 689

- Assessment based on **stationary measurements and definition of exposure level areas**
- Assessment based on **personal monitoring and Similar Exposure Groups (SEG)**

Required protective measures (technical, organisational or personnel-related) defined according to the level of potential exposure
## FA action guide

Zone model for complying with short-term exposure limit value (0.6 ppm)

<table>
<thead>
<tr>
<th>Zone</th>
<th>Green</th>
<th>Green/Red</th>
<th>Red</th>
</tr>
</thead>
<tbody>
<tr>
<td>FA concentration $X$ [ppm]</td>
<td>$X &lt; 0.3$</td>
<td>$0.3 &lt; X \leq 0.6$ Max 15 minutes 4x per shift</td>
<td>$X &gt; 0.6$</td>
</tr>
<tr>
<td></td>
<td>SAFE</td>
<td>Appropriate PPE to be made available</td>
<td>Appropriate PPE required</td>
</tr>
</tbody>
</table>
The action guide can include one or all of the following improvements:

- level of containment of facilities and/or equipment,
- capture of canalised emissions
- control of fugitive emissions
- general ventilation
- efficiency of local exhaust ventilation
- work organisation to reduce duration of exposure
- training and information of workers and their representative
- selection, storage and maintenance of PPE and training of workers
Update of the risk assessment:

➢ It is expected to realise a **yearly reassessment**. In case of significant changes to the production, the risk assessment may need to be reviewed or revised.

Measuring reports required: measurement **strategy** and campaigns, with details of workplace and production conditions, **results by Similar Exposure Groups (SEG) or task**, as the case may be.

Ongoing process of R&D / literature search regarding substitution of formaldehyde.
FA action guide

**Reporting at EU level:** all EPF member companies shall implement this Action Guide in all their panel manufacturing facilities in the EU and report to EPF directly or via the national member association(s):

- **Division of the zone system** and working areas
- **Measurement values in support of the zone definition** for each production area (mean, maximum, and number of test results)
- **Results of mean values per shift**
- **Number of workers trained and participating in the implementation of the Action Guide**;
- **Name of the company responsible**
Conclusion

- Real added value of the action
  - Binding for member companies
  - Compliance with the future BOELs (0.6/0.3 ppm) especially for MSs not having implemented these values
  - Process of continuing improvement of worker protection based on
    - Substitution watching activities,
    - Risk assessment based on quantitative measurement,
    - Risk management Measures based on zoning approach
    - Reporting