

2 July 2015

## Workshop on the use of REACH/CLP information at industrial sites 16-17 April 2015

### 1. Introduction

ECHA organised a workshop to initiate a discussion with stakeholders on how information generated through the REACH registration and CLP can be used to achieve the safe use of chemicals at industrial sites.

The workshop was an opportunity to identify possibilities for better use of the data generated by REACH/CLP to support different legislative regimes at site level and to influence how stakeholders can move in the direction of improved information flow between the different regimes. It was not an information or training event, neither was it intended to deal with policy aspects related to the interface between REACH/CLP and other legislations.

This was the first workshop of its kind organised by ECHA. Its aims were to:

- a. Explore potential efficiency gains through the use of REACH/CLP information to support compliance under other legislations
- b. Enhance common understanding on the interactions between certain workplace-based legislation
- c. Identify potential ways to maximise the use of the information
- d. Identify barriers to the information use and determine the further support needs.

### 2. Participants

Over thirty industry practitioners and staff from authorities (including Commission) participated. They provided a sound practical knowledge of REACH/CLP and of the main environmental and occupational health and safety directives within the scope of this Workshop: Industrial Emissions Directive (IED), Chemical Agents Directive (CAD) and Carcinogens or Mutagens at work Directive (CMD).

### 3. Conclusions and next steps

- a. Currently, the new elements brought by REACH/CLP (mostly information contained in the exposure scenarios) are used rather little as an input to CAD/CMD and in particular IED. But it was recognised that untapped potential exists and that companies have opportunities to further integrate different legal requirements at site level.
- b. REACH/CLP Regulations are bringing new knowledge on the chemical substances used by industry. There have been improvements in the information available (e.g. safety data sheets have improved due to REACH). Many downstream end users of substances find it difficult currently to read the REACH generated information (as it is not "tailor made" for their context). A challenge is of course to make improvements in this regard.
- c. REACH has led individual companies to understand and structure their chemicals management internally. There are further opportunities to use the REACH/CLP information to improve chemicals management throughout the supply chain.

- d. Formulators were identified in the discussion as having an important role in passing on REACH information. However, in practice this has proven to be a challenge at least thus far. ENES has already taken up this issue<sup>1</sup>.
- e. There was a wide agreement on the importance of promoting the use of REACH information and the alignment and integration of REACH with other environmental and OSH legislation. This is particularly challenging for the environmental legislation.
- f. ECHA could support this possibly through a dedicated webpage. Furthermore, practical guidance and tools for industrial users / authorities (developed in consultation with the target group) could be developed.
- g. Follow-up activities (e.g. REACH-OSH and REACH-IED) and greater cooperation between the relevant institutions (ECHA-DG EMPL, ECHA-DG ENV/JRC) would be beneficial.
- h. ECHA will prepare a report with the aim to have it published on the ECHA website together with presentations by June 2015.

## 4. Annexes

The agenda and presentations of the workshop are available on ECHA's website:

[http://echa.europa.eu/news-and-events/events/event-details/-/journal\\_content/56\\_INSTANCE\\_DR2i/title/workshop-on-the-use-of-reach-clp-information-at-industrial-sites](http://echa.europa.eu/news-and-events/events/event-details/-/journal_content/56_INSTANCE_DR2i/title/workshop-on-the-use-of-reach-clp-information-at-industrial-sites)

## 5. Summary of the presentations and discussions

### Session 1 Opening – Setting the scene

Elina Karhu (ECHA) reminded the audience about the responsibility of the industry with regard to chemical safety. She also talked about the expectations for the information generated by REACH for the different stakeholders.

Christian Heidorn (DG ENV) presented the REACH elements with a focus on data/knowledge generation and gave an overview of the existing and potential use of this information under other legislations and initiatives.

Thomas May (DUCC, Axalta) explained the challenges which formulators of mixtures face when consolidating substance-related information into relevant information for mixtures and called for pragmatism to deal with these issues. He also underlined the benefits of REACH/CLP in terms of more information, the pressure to substitute and changes in classification.

Irene Cañas Sierra (Eurometaux, Nickel Institute) explained how REACH/CLP information can contribute to better chemical management from the registrant's perspective and reflected on the challenges and opportunities for improvement. She presented some proposals which illustrated the type of practical advice needed at all levels to support an integrated chemical management.

### Discussion: main points

- REACH/CLP generates a lot of new and useful data but the information needs to be communicated all the way to the end user in an understandable and practical way to be efficient.

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<sup>1</sup> Link to the ENES web pages: <http://echa.europa.eu/about-us/exchange-network-on-exposure-scenarios>

- Good quality and well implemented exposure scenarios can give confidence to the workers that they are working safely and that their employers are doing the right thing.
- The actual potential scope for use of information is wider than what is looked at in the workshop. For example many industrial installations not covered in the scope of the IED would be covered by national legislation.
- Could IT systems help downstream users to pick out the most relevant information from extended safety data sheets rather than to be put off by multiple page paper documents?

### Session 2 REACH information

Fesil Mushtaq (ECHA) gave an overview of information generated by REACH/CLP, how this data is published on the ECHA website and what is available to support substitution. He also introduced how the communication in the supply chain could work including the actors, their roles and the information flows.

Jouni Räisänen (Finnish competent authority Tukes) presented the Finnish product register, a centralised system giving access to REACH-based data on substances and products to different authorities in Finland. He presented some reflections on how different elements of REACH and REACH-related activities (extended safety data sheets, REACH tools, ENES activities etc.) influence the safe use of chemicals amongst DU and authorities and concluded that the situation differs greatly among different sized companies and within authorities as well.

Dirk Jepsen (Ökopol) explained what specific environmental release categories (SpERCS) are and how they could be used in the implementation of the IED. He also mentioned that a better connection at institutional level would be needed to realise the use of REACH information (in the IED?) and that the different approaches taken in REACH and IED (single substance vs parameters, load vs concentration) set some limitations to the possibilities.

### Discussion: main points

- Agreement with the situation described by Tukes but an emphasis must also be given to current support and development activities (such as the ENES work).
- Call for more consideration to be given to REACH data while drafting BREF documents.
- Caution on not losing sight of what SpERCS are originally aimed (designed) at supporting (REACH CSA).
- Call for a more collective approach IED – REACH – OSH also recognising and addressing the potential effects measures taken under a legislative framework could have under another legislative framework.

### Session 3 The experience and learnings so far: Case histories and approaches

Pekka Korttesmaa (Borealis) presented how Borealis has implemented REACH and what changes that has yielded in the organisation. He shared experience about supply chain communication and explained Borealis' procedure for checking ES received from suppliers. Borealis has not yet used REACH/CLP data for other legal requirements but the clear potential is acknowledged. Time and guidance is needed though to realise this potential.

Richard Schreurs (SPG Prints) explained how SPG Prints deals with REACH and other chemical-related legislation as a downstream user. The company has set their own internal directive/system to explain the obligations of REACH and CLP and how to deal with them at site level.

Discussion: main points

- The relationship between OEL vs DNEL remains a challenging topic at site level, for instance “What to do in situations where measurements would show compliance with an OEL but you can’t show compliance with the ES?” However neither of the 2 company experiences has come across problems with conflicting DNELs and OELs so far.
- Use of standardised letters to communicate with suppliers/customers (for example on SVHC content of articles), availability of sector use maps to communicate information about uses.
- Both companies recognised the potential for the use of REACH/CLP information for other legal requirements but in practice this is not implemented yet. Reasons for this are that i) companies have established procedures to deal with different legal requirements and these need time to be changed; ii) so far, the conditions of use of substances at their sites have met the conditions described in the incoming exposure scenarios, therefore not requiring changes in operations; iii) industry would be more willing to integrate different legal requirements, if they knew authorities (especially enforcement authorities) would support and approve such practices.

Session 4 Introduction to the ECHA case study

Monique Pillet (ECHA) presented the case study on Nickel electroplating illustrating where and how REACH and CLP information can be used to comply with requirements under the CAD, CMD and IED legislations.

Session 5 Support

Bridget Ginnity (ECHA) explained the main ongoing initiatives that help to support the use of information and reflected on the different support needs (type, scope, format) of the various target groups (DU end users, formulators etc.).

Discussion: main points

- Importance of involving formulators in the information flow e.g. via sector use maps, to improve the readability of the information<sup>2</sup> provided downstream as they have better access to task-specific information related to uses.

Panel discussion after breakout session

- Information already included in extended SDS is seen by the workshop participants as more readily applicable to OSH than to IED, at the moment.
- For REACH information to be used in IED context, substance knowledge needs to be translated into mixture knowledge.
- Exposure scenarios contain good information that can be used to perform risk assessment, and PNECs can also be used for the environmental impact assessment
- Experience suggests that many end-users receive SDS/ES of poor quality or no exposure scenario at all.
- At the formulator’s level in the supply chain, the information required according to the REACH requirement is more or less available in the SDS/ES provided.

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<sup>2</sup> “Information” here refers to the safe use information on mixtures.

- It seems that the availability of extended safety data sheets in the supply chain is not related to the size of the company but rather to the distance or proximity of the company to the registrant.
- In addition to starting from the SDS/ES information and developing support material, it could be useful to take the point of view of the DU and determine what he needs and develop a single tool to support an integrated chemical management.

#### Session 6, Approaches from authorities

Eugen Anwander (Austrian enforcement authorities and member of CSR/ES Roadmap-ENES Coordination Group) presented a pilot study that looked at the use of SDS information for environmental management at a metal electroplating site. The study showed that the information contained in them is mainly fit for purpose but that it should further improve in the future when updated SDS/ES are communicated down the supply chain.

David Green (UK Health and Safety Executive - SLIC Working Group: Chemex) introduced the guidance published for national labour inspectorates on enforcement and the interaction between REACH/CAD and CMD. The guidance includes a useful flow chart which combines REACH and CAD and illustrates the steps inspectors would follow when assessing how chemical safety is addressed at the workplace.

Gisela Holzgraefe (German Ministry for Energy, Agriculture, the Environment and Rural Areas of Schleswig-Holstein, and member of IMPEL) presented the main features of an IMPEL project "Linking the Directive on Industrial Emissions (IED) and the REACH regulation". The project concluded that IED authorities can benefit from REACH/CLP information when dealing with applications for IED permits but that all the actors having a role in cross-legislation issues need guidance and tools on how to deal with them and to use the synergies identified.

#### Session 7, Conclusions and next steps

Matti Vainio (ECHA) summarised the discussions held during the workshop and gave an overview of conclusions and next steps (see section 3 above).

#### Discussion: main points

- Highly focussed follow-up activities should be organised to derive good practices from well organised companies.
- In addition to integrated activities, separate IED – REACH and OSH – REACH workshops would be needed.
- The contribution of all interested parties is needed to make sure their needs are clearly defined and communicated.