

Advisory Committee on Toxic Substances Paper		ACTS/21/2005	
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ADVISORY COMMITTEE ON TOXIC SUBSTANCES

Respirable Crystalline Silica CD - HSC Comments

A Paper by Peter Roberts

Cleared by Steve Coldrick on 13 June 2005

Issue

1. This paper informs members of the decision made by the Health and Safety Commission at their meeting on 5 April, concerning the draft consultative document (CD) relating to respirable crystalline silica. This paper also informs members about the revised timetable for the project.

Timing

2. Routine.

Recommendation

3. That members note the decision made by HSC and also note the revised timetable for the project.

Background

4. Members last considered this topic (Paper ACTS/35/2004) during the meeting held on 25 November 2004. Members decided to propose a draft CD for consideration by the Commission, recommending a choice of Workplace Exposure Limits of either 0.1 mgm^{-3} or 0.05 mgm^{-3} . For the lower level the CD was to acknowledge that it would not be reasonably practicable to control exposure to this level across all industry sectors, and that there would also be measurement difficulties associated with this level.

Argument

5. The Commission decided that the CD should positively recommend a Workplace Exposure Level of 0.1 mgm^{-3} and point out to consultees that a lower exposure figure would be difficult to achieve and difficult to enforce at this stage, mainly due to measurement problems. The Commission went on to say that if measurement techniques improved in the future to give a reliable and practical means of measuring exposure levels below 0.1 mgm^{-3} , then the exposure level should be reconsidered at

that stage. The Commission requested that the CD should be redrafted to take on board these comments and they would consider the redraft at the 26 July 2005 meeting.

6. The Commission's decision means that the consultation exercise will be delayed. In addition, the Commission has a general policy that consultation documents should not be published in late July or August, as many potential consultees will be on holiday during that period. Thus, the earliest practical date for publication is 5 September. With the minimum 12-week consultation period, this would mean a closing date for comments of 25 November.
7. Projecting forward, it is likely to take HSE 2 or 3 weeks to categorise and collate the comments – which will therefore not be available by the time of the next ACTS meeting. If the new WEL is to be introduced by April 2006, which we would aim for, the final proposal can be cleared through ACTS by correspondence. We think this feasible if the results of consultation indicate substantial support for a WEL of 0.1 mgm^{-3} . If, however, there is substantial opposition to this, then the issue will probably need to be discussed at an ACTS meeting, thus delaying the introduction of the new WEL.


Link to HSC Strategy

8. Given the large size of the working population exposed to RCS, and the potential severity of the health effects, the WEL proposals for RCS are viewed as a contribution to HSE's Disease Reduction Programme. However, silicosis develops after long-term exposure to RCS, thus the health benefits will not become apparent for a number of years.

Communication Plan

9. See Paper ACTS/35/2004.

Evaluation Plan

10.  See Paper ACTS/35/2004.

Consultation

11. See Paper ACTS/35/2004.

Costs and Benefits

12. The regulatory impact assessment appended to paper ACTS/35/2004 was drafted to consider the costs and benefits of a workplace exposure limit of 0.1 mgm^{-3} and is therefore still valid.

Financial/Resource Implications for HSE

13. See Paper ACTS/35/2004.

Environmental implications

14. None.

European implications

15. The European Scientific Committee on Occupational Exposure Limits (SCOEL) issued a recommendation in 2002, stating that to protect against silicosis, an occupational exposure limit for RCS would need to be below 0.05mg.m^{-3} . It was anticipated that this recommendation would form the basis for European negotiations on a future-binding limit for RCS. However, given the lack of current activity in Europe on the development of binding limits, any action on this may not occur for many years.

Other implications

16. None.

Action

17. That members note the decision made by HSC and also note the revised timetable for the project.

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