

**PARAGRAPHS INSERTED OR REVISED IN COSHH ACOP
CONSEQUENTIAL TO CLARIFICATION OF REGULATION 9 OF COSHH
(MAINTENANCE, EXAMINATION AND TESTING OF CONTROL
MEASURES), AND OTHER EDITORIAL CHANGES TO THE ACOP**

REGULATION 9

(Note: Paragraphs numbers below refer to the present edition of the COSHH ACOP, they may be different in the new edition when published.)

Replace paragraph 158 with:

The objective of this regulation is to ensure that every element of a control measure performs as originally intended, and continues to adequately control the exposure of employees to substances hazardous to health. This includes the identification of any significant deterioration in any element of the control measure, and the taking of any necessary corrective steps. The frequency of any checks carried out will depend on the likelihood of significant deterioration of that particular element of the control measure and its importance, and in any event should be done at intervals of not more than one year and after any incidents.

Replace paragraph 159 with:

'Maintenance' means any work carried out to sustain the efficiency of control measures, and not just work carried out by maintenance workers. It includes visual checks on any equipment relevant to the control of exposure, inspection, servicing, observation of systems of work, and any remedial work to maintain the effectiveness of control measures.

Replace paragraph 160 with:

Anyone who checks the effectiveness of any element of a control measure should have the competence to do so. The degree of theoretical and practical knowledge required will increase with the likelihood of control failure, the seriousness of the consequences, and the complexity of the control measure.

Replace paragraph 162 with:

All control measures in use should be visually checked, where possible, at appropriate intervals and without undue risk to maintenance staff. In the case of LEV and work enclosures, such checks should be carried out at least once a week.

Replace paragraph 168 with:

In the case of LEV plant, the requirements set out in paragraph 173 should be met. For all other engineering controls, the examination and test should be sufficient, to reveal any defect or latent defect.

Replace heading above paragraph 185 with:

Accommodation for, and checking of, personal protective equipment

Replace paragraph 186 with:

All PPE should be checked regularly to ensure that it continues to function and provide protection. The types of checks should be suited to that item of PPE and be able to detect significant deterioration. The more likely the performance of a particular item of PPE is to deteriorate, the more often it needs checking. Whoever does this work should be sufficiently knowledgeable and trained to identify deterioration and significant faults. Equipment, which has deteriorated significantly or is faulty, should be effectively repaired or disposed of safely.

Note: In the above

“LEV” means local exhaust ventilation equipment

“PPE” personal protective equipment

OTHER EDITORIAL CHANGES TO THE ACOP

Appendix 1 (Control of carcinogenic substances)

Replace the word “carcinogen” with “carcinogen or mutagen” in each place where it occurs.

The above reflects a change made to the COSHH Regulations by the Control of Substances Hazardous to Health (Amendment) Regulations 2003 (which came into force on 29 April 2003). No revised edition of the ACOP was released at that time so the opportunity is being taken now to assimilate it into the ACOP.

Annex 2 to Appendix 1 (Special considerations that apply to the control of exposure to vinyl chloride)

Replace paragraph 3 with:

Vinyl chloride is a colourless, highly flammable gas at room temperature and atmospheric pressure and presents a serious fire and explosion hazard. It is normally stored and handled under pressure as a colourless liquid. It has a slightly sweet odour which is detectable at concentrations above 2000 ppm. Common synonyms are VCM, monochloroethylene and monochloroethene. Waste containing vinyl chloride is likely to be special waste within the meaning of the Special Waste Regulations 1996 and should be disposed of in accordance with the requirements of those Regulations. Advice on compliance should be sought from the Environment Agency (see for example “A Guide to the Special Waste Regulations 1996 (as amended)” which can be found on the EA website (www.environment-agency.gov.uk)).

In paragraph 15(b) insert the following words after the sentence ending “ ... appointed by the employer.”:

“(A permit-to-work is essentially a document which sets out the work to be done and the precautions to be taken. It predetermines a safe procedure and is a clear record that all foreseeable hazards have been considered in advance and that all appropriate precautions are defined and taken in correct sequence. It does not, in itself, make the job safe but is dependent for its

effectiveness on those concerned conscientiously carrying out the requirements of the permit.”

Also in paragraph 15(b) delete the words “(Guidance on permit-to-work is contained in HSE Guidance Note EH63 Vinyl chloride: Toxic hazards and precautions.)”

The above are consequential to the expected withdrawal of the HSE guidance publication: EH63 (Vinyl chloride: toxic hazards and precautions).