

Advisory Committee on Toxic Substances Minutes **ACTS/MIN/1/2008**

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Advisory Committee on Toxic Substances	
Minutes of the 93 rd meeting of the Advisory Committee on Toxic Substances held on 9 July 2008 in the Globe Room, Rose Court, 2 Southwark Bridge, London SE1 9HS	
<p>Present Steve Fairhurst – Acting Chair Ian Carney Roger Alesbury Robin Chapman Alastair Hay Bud Hudspith Susan Murray Elspeth Metcalfe Janet Asherson</p> <p>Apologies Les Philpot Robin Foster Greg Haywood Rob Miguel Ian Brown Len Levy David Tolley Carl Stuart</p>	<p>Officials Present Craig Bell – Secretary Rob Turner Nicola Gregg Lydia Harrison Richard Pederson Paul Howarth Helen Smith Tony Gissane Lynda Green – Note taker</p>
<p>Presenters Item 2: Tony Gissane - Item 3: Nicola Gregg – Item 4: Lydia Harrison - Item 5 & 6: Nicola Gregg Item 7: Richard Pedersen – Item 13: Brian Fullam</p>	

Item	
1	Introduction and apologies
1.1	People
1.1.1	<p>The Chairman welcomed members to the 93rd meeting of the Advisory Committee on Toxic Substances (ACTS).</p> <p>The acting Chair explained that he was standing in for Les Philpot for this one meeting. He introduced the new Secretariat Team, Craig Bell (Secretary) and Lynda Green (Minute taker) and apologised for the late despatch of papers and any breakdowns in communication with ACTS members, explaining that the new Secretariat had only recently</p>

	<p>inherited the role and from hereon will endeavour to re-establish continuity.</p> <p>Apologies were received from David Tolley, Len Levy, Rob Miguel, Ian Brown, Carl Stuart, Les Philpot, Robin Foster and Greg Heywood</p> <p>Members expressed their gratitude for the work of the previous Secretary, Andie Michael, on the smooth running of ACTS and requested that a letter of thanks be sent to her.</p> <p>ACTION: Chair to prepare and send a letter of thanks on behalf of ACTS.</p>
1.1.2	<p>In view of there having been a recent meeting with Giles Denham (HSE Policy Group), attended by several members of ACTS, to discuss the future role of advisory committees, the Chair proposed a short discussion on the future of ACTS, starting with a perspective on the recent meeting from Janet Asherson, who had been one of the attendees.</p> <p>She set the context that ACTS members had been concerned that Giles Denham's paper to the HSE Board in the Spring, outlining proposals for Advisory Committees, could be seen as a threat to ACTS. In particular, they had concerns about what the proposals might mean for ACTS' current tripartite structure (which they considered to be a valuable working partnership). They were also concerned about how the existing ACTS terms of reference would fit into the new HSE governance structure.</p> <p>Members were clear in their opinion that there was still a role for the Committee but understood that the terms of reference, ways of working, etc might need to be reviewed to reflect the new HSE governance and the forthcoming strategy and business plan.</p> <p>At the meeting with Giles Denham, he had agreed to address any issues arising from his paper and had requested comments/amendments be sent to him for consideration.</p> <p>The Chair advised members that following discussions within HSE it was now likely that ACTS, (along with the other advisory committees) would be invited to write to the HSE Board with proposals on how it could contribute to the future HSE strategy and business plan. He understood that it is likely that this invitation to ACTS will be made in the next month or so, once the HSE strategy had been agreed.</p> <p>Members agreed that it was for them to prepare a response to the Board and a small working group would be set up to do this - but felt that input from an HSE advisor would be beneficial to the process – e.g. on international dimensions and REACH. Issues that could be included in the ACTS response to the Board could include:</p> <ul style="list-style-type: none"> ▪ the commitment of ACTS and the efforts it invests to meet HSE requirements; ▪ how its role has the potential to make a difference especially in relation to EU developments; ▪ how its role reduces the risk of workers being ill due to chemicals; <p>The chair also suggested that as part of the communication to the HSE Board ACTS might want to provide a summary of the key points from this ACTS meeting, to update the Board on the current work of the committee. Members agreed that this should be done.</p> <p>ACTION: ACTS members to set up a Working Group to compile a response to the anticipated invitation to set out its envisaged future role, including revised terms of reference.</p> <p>ACTION Secretariat to produce summary of the key points from this July ACTS meeting</p>

	and forward it to the HSE Board.
2	Local Exhaust Ventilation (LEV) project and the control of dust fumes and vapours
2.1	<p>Tony Gissane (HSE Policy Group) presented this item. He referred members to the presentation Mark Piney (HSE occupational hygienist) had given to ACTS on 15/11/2007 setting out the problems with incorrect LEV being installed and not adequately maintained. Tony advised members that in May 2008, three LEV guidance documents had been published as part of the project to improve workplace engineering controls. These were:</p> <ul style="list-style-type: none"> - <i>‘Controlling airborne contaminants at work: A guide to local exhaust ventilation (LEV)’</i>, describing the principles and good practice of deciding on, designing, commissioning and testing LEV; and accompanying leaflets for employers and employees: - <i>“Clearing the air: A simple guide to buying and using local exhaust ventilation (LEV)”</i> (INDG408); and - <i>“Time to clear the air! A workers’ pocket guide to local exhaust ventilation (LEV)”</i> (INDG409). <p>A website on LEV (www.hse.gov.uk/lev/index.htm) was also launched in May.</p> <p>In May 2008, HSE met about 20 predominantly supply-side stakeholders to discuss how they could help publicise and embed the new guidance. Those attending included key trade associations, major suppliers and manufacturers of LEV equipment, and a trade union representative. Actions agreed included using stakeholder web-sites to publicise links to the new HSE LEV web-site and guidance. A series of stakeholder-led road shows were also proposed, as was the distribution of the free leaflets via their contacts. The LEV project team will work closely with stakeholders to take forward these initiatives and further develop the LEV web-site.</p> <p>World COPD Day (19 November 2008)</p> <p>Lord McKenzie is keen to be involved in events that have a strong worker involvement theme and to meet with health and safety representatives and employers from different industrial sectors.</p> <p>He will be attending a trainer briefing day for 30 health and safety trainers, health and safety officers and safety representatives in Rose Court on World COPD Day (19 November 2008). Tony extended the invite to ACTS members and fellow representatives and advised that they contact Lynda Green to register their details.</p> <p>ACTION: Members to contact Lynda Green with expressions of interest in attending this particular event on 19 Nov, or any of other events listed in the flyer if they, or their colleagues meet the eligibility criteria.</p>
2.2	<p>ACTS position: ACTS took a position that it is very supportive of the guidance and considers it to be an excellent publication that emphasises the design controls, provides a tool to be used to protect individuals’ health and dispels numerous myths associated with LEV. ACTS recommends that it should be promoted across industry and publicised globally.</p>

	<p>Bud Hudspith [TUC representative] asked if HSE is planning to evaluate the guidance to establish if it actually makes a difference and proves to be an effective tool, highlighting the fact that good LEV will not only reduce exposure but will also result in a healthy workforce.</p> <p>In reply, Helen Smith (HSE Policy Group) informed ACTS that a lot of work had already been invested in this area and HSE is currently developing a suite of leading indicators to measure progress.</p> <p>Members commented that changes in the volume of LEV equipment purchased could be used as an indicator and suggested that the British Occupational Hygiene Society (BOHS) might be able to provide relevant information.</p> <p>ACTION: HSE to evaluate the effectiveness of the LEV initiative as it becomes embedded and report back to ACTS at a suitable point in the future.</p>
<p>Item 3</p>	<p>Options Paper on Controlling Exposure to Dusts</p>
<p>3.1</p>	<p>Nicola Gregg (HSE, WATCH Secretary) presented this item. She reminded members that they were familiar with the contents of the paper, particularly the information on coalmine dust (Annex 1) seen previously by ACTS in May 2007. The paper indicated that it was difficult to determine a level of exposure to coalmine dust at which no effects on lung function would be detectable, as some effect had been apparent at all the exposure levels (as respirable dust) for which data were presented.</p> <p>At its November 2007 meeting WATCH continued its work looking at other dusts of low solubility and limited cytotoxicity. The findings were recorded in Annex 2 of the paper. Data is limited but it appears that across a series of these dusts for which relevant data are available, similar exposure levels produce effects on lung function of a similar magnitude.</p> <p>The paper listed on page 6 several suggestions that had emerged from the WATCH discussion for further scientific work that could be done on this issue. However, WATCH considered that it was appropriate at this point to seek a steer from ACTS to determine the future course of action and what, if any further work should be done by WATCH.</p>
<p>3.2</p>	<p>Ian Carney [CBI representative] said that the analysis in the paper focussed on airborne dust concentrations, but it is the dose received by an individual that determines any health consequences. For exposure to any given airborne concentration, the dose received by an individual could vary depending on factors such as the duration of exposure and the level of activity being undertaken (i.e. strenuous activity could result in more dust being inhaled). He questioned whether or not adequate consideration had been given to assessing the dose received, within the analysis presented.</p> <p>The Chair clarified that the data presented referred to daily full-shift occupational exposure to particular airborne concentrations of respirable dust for a 40-year working life; on that basis, the airborne concentrations given could be converted into average dose estimates using standard allometric factors. He emphasised that extensive exploration of the literature by HSE and consultation with WATCH and experts in this field from the Institute of Occupational Medicine (IOM), the authors of the research report behind this analysis, had confirmed that the HSE/WATCH analysis represented the limit of all the available data</p>

on this issue.

Ian Carney then sought clarification on the 4 bullet points listed on Annex 2 (page 6) and indicated that there were limitations in the information supplied which prevented him from making his choice as to which option(s) to advocate; for example, would any of them reduce exposure to dust? The Chair clarified that the bullet points simply indicated ideas from WATCH about aspects that might warrant further scientific consideration. ACTS was not being asked to think of these as options from which to choose; rather they were illustrations of things that might be done at the WATCH level, depending on how ACTS thought the overall issue of improving the control of exposure to dusts should be progressed.

Alastair Hay [TUC representative] concluded that the data suggests that there may not be an identifiable threshold of exposure at which the consequences for lung function become acceptable and that all exposures to insoluble dusts may have some degree of health consequence. The paper also appeared to indicate that all such dusts have similar effects.

Roger Alesbury [CBI representative] said that exposure to dusts should be well controlled. In this context, it is helpful to have numerical reference points, but this should not distract from the primary drive to implement the appropriate general control strategies. Numerical values are useful as benchmarks against which to measure the effectiveness of controls.

Robin Chapman [CBI representative] suggested that ACTS should concentrate on the implementation of the principles of good control and not be overly focused on particular numerical airborne concentrations, one reason being that transient releases into the workplace can be extremely localised. He proposed that the message to be promoted is that 'no dust is good dust', making people aware that dust may be invisible under normal lighting and therefore individuals may not see and be aware of to what they are being exposed.

Bud Hudspith [TUC representative] questioned if the EH40 guidance relating to dust was still fit for purpose; if not, it may need to be reviewed. He argued that people need to be alerted to the potential effects of dust exposure and to take the matter more seriously. He suggested a simple message on the lines of "If you have dust then tackle it".

Rob Turner (HSE Chemical Risk Management Unit) agreed and confirmed that simple messages like this are exactly what HSE is trying to promote over the next year.

ACTS position: ACTS concluded that, as a priority issue, the need to secure better control of exposure to dusts in general should be formally transmitted to the HSE Board. ACTS considered that sufficient evidence had been gathered to enable it to advocate a campaign aimed at adopting a 'commonsense approach' to controlling dust exposure. This was a good example of the work of ACTS, one that could be included in any response to the HSE Board on the proposed future role for the committee.

ACTS considered that HSE should determine what form the campaign should take; ACTS could contribute themes it considers should be covered. ACTS is keen to see HSE's proposals relating to campaign implementation and would be happy to assist in delivery. ACTS recommended that such a campaign should be included in HSE's priorities for the

	<p>next 2 years.</p> <p>ACTION: ACTS to advise the HSE Board that a campaign on securing better control of dust exposure in general should now be considered as a priority.</p> <p>ACTION: HSE to present proposals to the next ACTS meeting on what a campaign might look like, what messages should be delivered, and how ACTS could assist.</p>
Item 13	Position concerning the hazards arising from nanotechnology and appropriate controls.
13.1	<p>Members had requested that this item was brought above the line.</p> <p>Brian Fullam (HSE), who heads the HSE team on nanotechnology, introduced this item. He apologised that the position paper had not met members' needs.</p> <p>He provided a brief background on HSE's involvement in the nanotechnology field and its contribution to the development of an appropriate regulatory response. He made particular reference to carbon nanotubes, their properties and potential uses. He advised members that HSE was aware of research that indicated that, at least under some experimental circumstances carbon nanotubes could have similar hazardous properties to biopersistent mineral fibres; this included recent work carried out by Professor Ken Donaldson. However this did not necessarily demonstrate the actual level of risk from carbon nanotubes that might arise in practice.</p> <p>Most manufacture and use of nanotubes in Great Britain is still in research establishments and HSE is drafting advisory guidance aimed at them. HSE advice is to follow a precautionary approach when assessing risk and applying control measures. Under this principle these substances should be treated as posing a potential threat to health, unless it could be proven otherwise.</p> <p>The British Standards Institute (BSI) has produced a document relating to the control of nanomaterials which is to be considered by WATCH at its October 2008 meeting; if accepted by WATCH, HSE proposed to adopt the BSI document as suitable guidance.</p>
13.2	<p>Bud Hudspith [TUC representative] was concerned that the paper sent to ACTS seemed overly reassuring and lacked detail relating to any exploration of the potential effects on workforces involved in producing these materials. There were indications that nano-materials could effect the body in various ways and could travel from the lungs to other parts of the body. He was looking for some indication of future plans from HSE that will secure appropriate control now - before large scale manufacture and use of nanotechnology becomes common.</p> <p>ACTS position: ACTS was more reassured by what it had heard from Brian Fullam. It maintains an interest in monitoring further developments, as reflected in the agreed actions below.</p> <p>ACTION: Brian Fullam to present draft guidance produced by BSI relating to 'the control on nano-materials' to WATCH meeting scheduled for 23/10/2008; and to be ready to present to ACTS on 11/11/2008 a paper reflecting the up-to-date summary of HSE's position on control in the nanotechnology field.</p>

Item 4	Paper on Classification of Respirable Crystalline Silica (RCS) Dust.
4.1	<p>Lydia Harrison (HSE Disease Reduction Division) presented this item which resulted from a request at the last ACTS meeting (5/11/2007) for a paper setting out HSE's position on EU developments on RCS. ACTS was invited to suggest processes that might generate particularly significant exposures to RCS.</p> <p>Lydia also stated that HSE had not been acting to block the inclusion of RCS in the Carcinogens and Mutagens (C&M) Directive, a suggestion that was made at the November 2007 ACTS meeting.</p>
4.2	<p>Bud Hudspith [TUC representative] explained that his concern was that whilst HSE may not have been acting to block the inclusion of RCS in the C&M Directive, it did not appear to be actively supporting it. He referred to the EU Social Dialogue Agreement (SDA) on silica as a good thing in itself, but noted that it does not cover all industry sectors, particularly construction, which is an area of high risk. The TUC is concerned that there is considerable underreporting of silica-related lung disease. He wondered if, for instance, more action needed on lowering exposure standards.</p> <p>In relation to the last point, Robin Chapman [CBI representative] highlighted a concern that setting occupational exposure limits at too low a level might result in impractical standards and it would also become difficult to separate expectations for RCS exposure in an occupational context from background exposures to RCS occurring in everyday life.</p> <p>Janet Asherson [CBI representative] explained that ideas for a modified C&M Directive are still at the social dialogue stage. An impact assessment is being drawn up so there is unlikely to be rapid progress in the immediate future. She added that Business Europe supported the SDA on silica but shared the concern that it does not cover all appropriate industry sectors (e.g. construction)</p> <p>Paul Howarth (HSE Policy Group) advised ACTS that within developments thus far on a potential modified C&M Directive there had been no discussion of any specific substances. No formal proposals had been made about what substances should be included in any future amendment of this Directive.</p> <p>Rob Turner (HSE Chemical Risk Management Unit) explained that HSE's strategy on controlling the risks to health posed by RCS involves identifying high risk activities with significant at-risk populations and then to develop guidance/messages for such target groups.</p> <p>Bud Hudspith [TUC representative] suggested that the proposed future campaign on better control of dust exposure in general (see 3.2 above) could be applied to silica, for example in the construction sector.</p> <p>ACTS position: ACTS concluded that it should examine the proposed entries into the envisaged modified Carcinogens and Mutagen Directive at an appropriate point in the future when firm proposals are available on the proposed entries.</p>
Item 5	Standing Item: Update on WATCH

5.1	<p>Nicola Gregg (HSE, WATCH Secretary) provided an update on the work of the WATCH committee, including a brief overview of the issues raised relating to various topics recently discussed i.e. mono-isocyanates; asbestos; poultry dust; lead; and COPD in welding. The papers summarising the June 2008 WATCH meeting and the WATCH Annual Report 2007/2008 provided a detailed account of discussions and outcomes for the last four WATCH meetings</p>
5.2	<p>Roger Alesbury [CBI representative] was pleased to see that WATCH is addressing low-level exposure to asbestos, and metalworking fluids, as these are two important topics.</p> <p>Bud Hudspith [TUC representative] noted that WATCH does a good job on notifying ACTS of new and emerging issues.</p> <p>Robin Chapman [CBI representative] cautioned that consideration of new and emerging issues can only be done where information is available and that one should always be aware of the “not knowing what we don’t know” factor. In relation to potential future work, he highlighted activities that fall under the banner of “recycling” as an area where more work may be needed. He had concerns about the expansion of recycling industries. Recycling activities have the potential to expose workers to substances that are normally contained within items and equipment. In this regard, potential exposure scenarios are similar to maintenance work, i.e. the release of substances that are otherwise held in containment.</p> <p>Bud Hudspith [TUC representative] suggested that maintenance activity had been a major HSE concern for many years in relation to safety considerations, but had never really been considered in relation to health concerns. He proposed that ACTS should address chemical exposure in maintenance and recycling operations.</p> <p>Robin Chapman [CBI representative] said that industry is aware of the potential problems with exposure to substances during maintenance work, but that the appropriate control measures may vary widely, as every job is different.</p> <p>Roger Alesbury [CBI representative member] added that it was important to understand exactly what is involved in any particular recycling or maintenance activity, to ensure the deployment of the appropriate awareness tools and level of expertise to recognise the threat involved.</p> <p>ACTS position: ACTS considered that recycling/maintenance was another area of work that could be included in the submission to the HSE Board on the future role and activity of ACTS.</p>
Item 6	Update on WATCH consideration of lead
6.1	<p>Nicola Gregg (HSE, WATCH Secretary) presented this item (exploration of the adequacy of the current exposure standards for lead) which had been raised at the last ACTS meeting. WATCH had discussed this briefly at its June 2008 meeting and concluded that it needed further information from HSE in order to further explore the issue. HSE will provide information on the existing regulatory position, for consideration by WATCH at its October 2008 meeting. WATCH will then form an opinion on the appropriateness of it undertaking further work on this issue, reporting back to ACTS.</p> <p>Action: WATCH Secretariat to report back to ACTS following the October 2008 WATCH meeting.</p>

Item 7	Formaldehyde – IOELVs and Classification and Labelling
7.1	<p>Richard Pedersen (HSE Policy Group) gave a brief update on formaldehyde, in terms of UK and EU occupational exposure limit considerations and also EU classification for carcinogenicity. In relation to the UK occupational exposure limit, he said that in 2002 formaldehyde was one of 12 substances identified by HSE as having Maximum Exposure Limit (MEL) values that were probably too high and which feasibly could be lowered whilst retaining reasonable practicability. However in 2003 HSE decided that because of the work on EU occupational exposure limits (applicable to the UK) now being done under the Chemical Agents Directive, it would not undertake further work on setting UK occupational exposure limits unless there was a particularly strong case for so doing.</p> <p>Two EU Indicative Occupational Exposure Limit Value (IOELV) Directives, covering 96 substances, have appeared and formaldehyde is one of 20 substances contained in a third draft IOELV Directive that is under preparation and negotiation.</p> <p>HSE accepts that its current WEL for formaldehyde (set at 2 ppm (2.5 mg.m⁻³), for both 8-hour TWA and STEL) is too high and is considerably higher than those applicable in some other EU countries.</p> <p>The recommendation for formaldehyde contained within the draft third IOELV Directive is for IOELVs of 0.2 ppm (8-hour TWA) and 0.4 ppm (STEL). When the proposals for a third IOELV Directive were considered by the tripartite Luxembourg Advisory Committee on Safety and Health at Work the UK Government representative voted in favour of the main text of the draft Directive, and in favour of the IOELV proposals for 19 substances in the Annex, but voted against the proposals for formaldehyde.</p> <p>Richard Pedersen said that the rationale for the UK voting position was that HSE felt that more detailed justification for the proposed IOELV should be given before we could consider whether or not it is robust. In the documentation produced by the EU Scientific Committee on Occupational Exposure Limits (SCOEL) in support of the IOELV recommendations, eye irritation is considered to be the effect that might arise at the lowest concentrations of formaldehyde. It is judged that exposure levels that would be sufficient to prevent eye irritation would also protect against respiratory tract inflammation and cell proliferation, effects that could lead to cancer. A recent study of exposure to formaldehyde concluded that an 8-hour TWA limit of 0.3 ppm and a STEL of 0.6 ppm were appropriate to protect against eye irritation. The SCOEL recommendation is below these levels, but in the supporting documentation there is a lack of justification for this.</p> <p>The EC intends to prepare its final text of the draft 3rd IOELV Directive for a vote of Member States in autumn this year. It is anticipated that an agreed Directive will be adopted, probably in early 2009 with an 18 month implementation period. As soon as possible after adoption, HSE will present a draft consultation document to ACTS on putting into EH40 new and revised WELs arising from the content of the 3rd IOELV Directive.</p> <p>In relation to carcinogenicity classification, Richard reminded ACTS of the IARC position</p>

	<p>that formaldehyde is a Group 1 carcinogen within the IARC system. An expert working group of IARC had determined that there was sufficient evidence that formaldehyde caused nasopharyngeal cancer in humans to deem formaldehyde to be a proven human carcinogen.</p> <p>Following the IARC position, in 2004, France had indicated that it would come forward with a proposal that formaldehyde classified as a Category 1 carcinogen within the EU classification & labelling regulatory system. In preparation for anticipated EU negotiations on this matter, HSE had asked WATCH to consider the position at the WATCH meeting of February 2005. WATCH had concluded that the available evidence most closely matched category 2 status. Subsequently, there has as yet been no formal consideration/resolution of the position on formaldehyde classification at the EU level.</p>
7.1	<p>Bud Hudspith [TUC representative] was concerned about HSE's position on the 3rd IOELV Directive, as it gave a negative image of the UK Government line in relation to chemicals control. He wondered who in HSE had decided to take this voting position and suggested that ACTS/WATCH should have been consulted. Janet Asherson [CBI representative] added that if HSE intended to represent a "UK" view it should have consulted ACTS/WATCH.</p> <p>Bud Hudspith [TUC representative] said that in the past ACTS had considered the proposed position on draft IOELV Directives. He was concerned that there did not now appear to be a mechanism for ACTS to get involved in formulating a UK position; its views were in danger of being overlooked.</p> <p>ACTS position: ACTS is of the opinion that it is being denied the opportunity to input into UK negotiating positions. ACTS asked for further information on how HSE decided on its negotiating position on IOELV proposals. It also requested a written commentary from HSE on what has happened over the last 2 years on the issue of formaldehyde classification and labelling.</p> <p>Action: HSE to provide information at next ACTS meeting on the process whereby an IOELV is determined and subsequently implemented as a GB WEL.</p> <p>Action: HSE to provide information at next ACTS meeting on EU classification and labelling developments for formaldehyde in recent years.</p>
Item 8	Support for SCOEL
8.1	<p>Alastair Hay [as a UK-nominated SCOEL member] explained the onerous workload facing individual SCOEL members, particularly in relation to drafting criteria documents and highlighted the inadequate resource to carry out this work available to them through the SCOEL secretariat in DG Employment.</p> <p>SCOEL members would appreciate EU governments recognising the need for assistance in securing robust and comprehensive criteria and summary documents on substances, as the committee is reliant on such documents to carry out its role.</p> <p>One possible solution was for national government departments to produce summary documents (which would be more robust as a result) and allow SCOEL members to</p>

	concentrate on providing a 'critique' of such assessments, rather than 'championing' particular substances by producing themselves all the necessary associated documentation.
8.2	<p>Janet Asherson [CBI representative] explained that the leadership of DG Employment would be changing in the next few months and the new Director General may have his own views on resourcing SCOEL. She suggested that ACTS should await these developments before taking this further.</p> <p>Robin Chapman [CBI representative] sympathised with SCOEL members and noted that substances do stay on the SCOEL work programme for an unacceptably long time, probably because of the resource difficulties. He also raised a concern that SCOEL might only be permitted to use published papers in its deliberations, although within industry there was a vast amount of relevant data which unfortunately is never published. It was clarified that SCOEL could use any data as long as it is documented and generally available for perusal.</p> <p>ACTS position: ACTS considered the current SCOEL resource situation to be unacceptable but agreed to wait to see if the forthcoming change to the leadership of DG Employment would have any impact before revisiting the issue.</p>
Item 14	Update – Review of the use of toxic chemicals in the semiconductor industry and appropriate controls
14.1	<p>This item was raised above the line at members' request.</p> <p>Bud Hudspith [TUC representative] was concerned that a lot of chemicals used in this sector have appreciable toxicity. The information paper provided to ACTS was useful but did not fully reflect the position that HSE and the Minister supported a national study being undertaken on cancer rates in the industry – but that industry is unwilling to pay for this.</p> <p>The paper referred to a programme of HSE inspections across semiconductor manufacture sites which he felt was a positive start. He asked that, once completed, the outcome of this intervention be reported back to ACTS.</p> <p>ACTION: HSE to provide ACTS with update on inspection intervention once it is completed.</p>
Item 9	Minutes of the 92nd meeting on 15 November 2007 [Agreement of the minutes]
9.1	The Chair confirmed with ACTS that the minutes of the November 2007 ACTS meeting had been circulated in February 2008; however the ACTS Secretariat has no record of any returns from members. No amendments were proposed and the minutes were agreed by ACTS.
Item 10	Matters Arising and Secretary's Report [To note matters arising from the 92nd meeting]
10.1	<p>Craig Bell confirmed that the majority of actions had been dealt with and the only outstanding one was that of Colin Soutar's replacement. Resource constraints in HSE had meant that nothing had been done as yet about appointing a replacement.</p> <p>The issue of a replacement will be considered once the ACTS submission to the HSE Board has been developed and the future role of ACTS resolved (see 1.1.2 above).</p> <p>Bud Hudspith [TUC representative] noted that Colin's input was extremely useful and it would therefore be very beneficial to have continued representation from an independent member with a similar background.</p>

10.2	<p>LEV – March meeting to consider LEV guidance materials did not take place as a number of members were unavailable on the suggested dates. However ACTS members who are also members of LEV group did provide comments and the LEV material has since been published.</p>
10.3	<p>Work on guidance on COSHH/REACH is ongoing and ACTS members will be consulted once draft guidance is at a suitable stage.</p> <p>Members asked at what stage industry stakeholders would be consulted and also requested that ACTS be given sufficient time to comment on the draft to enable them to influence the overall document.</p> <p>Action: Craig to obtain additional information for ACTS members on position on the envisaged COSHH/REACH guidance.</p>
10.4	<p>Flour dust – Statistics on the number of inspections and improvement notices issued to the flour industry were that there have been approximately 800 inspection visits, resulting in 78 improvement notices.</p>
Item 11	AOB, Summary & close
11.1	<p>Chemical Agents Directive - Craig Bell advised members that DG Employment were carrying out a review of the implementation of the Chemical Agents Directive. A company in Cardiff were undertaking a survey of experts in GB. Information (the survey questionnaire and associated guidance could be provided if members were interested.</p> <p>DEFRA - Craig Bell informed members that the Advisory Committee on Pesticides was seeking suitable candidates to fill four vacancies on the Committee. If anyone was interested they should contact Craig for more information.</p> <p>Members asked about the current position on governance arrangements since the merger of Pesticide Safety Directorate (PSD) with HSE. The Chair advised that there is now a project exploring the best ways to capitalise on the merger, in respect of collaboration and synergies. For the present however PSD would continue to work to its existing work plan. Bud Hudspith [TUC representative member] wondered if ACTS should have a role in the context of worker exposure to pesticides.</p> <p>ACTS asked for a presentation on the Skin Disease element of the Disease Reduction Project to be provided at the next ACTS meeting scheduled for 11/11/2008.</p> <p>ACTS also asked if information on the effectiveness of the MVR (i.e. spray painting of cars) was available and requested an update at the next meeting.</p> <p>The Chairman thanked members for their participation and confirmed that once the minutes had been agreed, the ACTS secretariat would forward the key points to the HSE Board.</p> <p>The meeting closed at 16:00.</p> <p>ACTION: Members to contact Craig Bell if they were interested in the positions on the Advisory Committee on Pesticides.</p> <p>ACTION: HSE to provide update on Skin Disease element of the Disease Reduction Programme at the next ACTS meeting.</p>

	ACTION: HSE to provide information on effectiveness on the asthma/isocyanates campaign at the next ACTS meeting.
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