LOW TOXICITY DUSTS

Background

WATCH and ACTS put in a good deal of effort in the mid-late 2000s to argue that there should be an initiative to secure more awareness and tighter control of occupational exposure to "low toxicity" dusts (non-fibrous respirable particulates of low water solubility and relatively low cytotoxicity). In December 2010 the HSE Board rejected this suggestion.

Subsequently, the Institute of Occupational Medicine (IOM, Edinburgh) publicised the WATCH view and requested that HSE should think again. The attached HSE Board response to IOM is made available to WATCH to update the committee with the latest position.

Contact:
WATCH Secretariat
HSE Board response to IOM

Dear Dr Cherrie

Occupational exposure to dust – IOM Statement

I am writing in response to the IOM’s recent position statement on occupational exposure limits for dust on behalf of the Health and Safety Executive (HSE).

In its statement the IOM refers to some figures as “the current British occupational exposure limits for respirable and inhalable dust”, I think that it is important to recognise that these concentrations are not Occupational Exposure Limits or Workplace Exposure Limits (WELs) rather, they are the levels at which the Control of Substances Hazardous to Health (COSHH) Regulations come into effect.

The COSHH regulations specify concentration levels when dust, not elsewhere classified under the Chemicals (Hazard Information and Packaging for Supply) Regulations 2009 (CHIP) or which has no Workplace Exposure Limit (WEL), is defined as a substance hazardous to health.

Regulation 2(d) of COSHH states that any dust when present in the workplace at a concentration in air equal to or greater than 10 mg/m$^3$ of inhalable dust or 4 mg/m$^3$ of respirable (as a time-weighted average over an 8-hour period) is considered to be a substance hazardous to health. If the concentration of dust in a workplace exceeds these figures then the requirements of COSHH will apply, including the need to assess the risk to workers and to ensure exposure is prevented or adequately controlled.

The Working Group on Action to Control Chemicals (WATCH) provides scientific and technical input to the Advisory Committee on Toxic Substances (ACTS) who in turn provide advice to the HSE Board.

The HSE Board$^1$ considered the views of ACTS in December 2010, when it discussed a paper outlining HSE’s activities on tackling occupational respiratory disease. The Board acknowledged the importance of the advice provided by ACTS for a generic approach, however they agreed that at this time HSE is putting its resources to best use in its continuing work of seeking to reduce exposures to workers in those industrial sectors and occupations where the risks are highest.

The action of TUC representatives who sit on ACTS in recommending a lower precautionary threshold for dust to their members was noted by the Board.

The Board agreed that at this time HSE would not pursue any change to the dust concentration levels outlined in COSHH or to establishment of a WEL via the EU process, as such an approach would require a considerable amount of resource that HSE would have to divert from other priority work. IOM may of course wish to consider taking its case directly to the EU for consideration.
However, the Board did request that work in this area should be kept under review, particularly, with regards to: health surveillance; further research on those affected, and on leading indicators.

They also asked to be kept informed of developments emerging from new research on any COPD related activity when it becomes available.

HSE is aware that in Germany the Maximal Arbeisplatz-Konzentration Committee (MAK) has proposed a new national scientific limit value on "nuisance dust", which will be ‘officially' announced at the beginning of July 2011. HSE is interested in the evidence base the Germans have used to underpin this proposal and our specialists will monitor the developments in Germany and in any other EU Member States with interest.

In addition, HSE would be interested to know if IOM are aware of any other emerging new work on dust they wish to share with HSE, so that we can update the Board accordingly.

Yours sincerely

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1. Link to HSE Board paper - Delivering for health: HSE action on occupational respiratory diseases and the minutes from the meeting on the 15/12/1010
