

1992 No. 61

HEALTH AND SAFETY

**Control of Substances Hazardous to Health
(Amendment) Regulations (Northern Ireland) 1992***Made* 21st February 1992*Coming into operation* 13th April 1992

The Department of Agriculture, the Department of Economic Development, the Department of the Environment and the Department of Health and Social Services acting jointly as the Department concerned (a) in exercise of the powers conferred by Article 17(1) and (2) of, and paragraph 1(1) of Schedule 3 to, the Health and Safety at Work (Northern Ireland) Order 1978(b) and of every other power enabling them in that behalf, after consultation in accordance with Article 46(1) of that Order with the Health and Safety Agency for Northern Ireland and such other bodies as appeared to them to be appropriate, hereby make the following Regulations:—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Control of Substances Hazardous to Health (Amendment) Regulations (Northern Ireland) 1992 and shall come into operation on 13th April 1992.

(2) In these Regulations “the principal Regulations” means the Control of Substances Hazardous to Health Regulations (Northern Ireland) 1990(c).

Amendment to the principal Regulations

2.—(1) At the end of regulation 4 of the principal Regulations there shall be inserted—

“(3) A person shall not supply during the course of or for use at work, benzene or any substance containing benzene unless its intended use is not prohibited by item 9 of Schedule 2.”.

(2) For Schedule 1 to the principal Regulations there shall be substituted the Schedule set out in Schedule 1 to these Regulations.

(3) Schedule 2 to the principal Regulations shall be amended as follows:—

(a) in item 1 in column 1 for “exceeding 0.1 per cent” there shall be substituted “equal to or greater than 0.1 per cent.”;

(b) at the end of the Schedule there shall be inserted the additional item set out in Schedule 2 to these Regulations.

(a) See Article 2(2) of S.I. 1978/1039 (N.I. 9)

(b) S.I. 1978/1039 (N.I. 9)

(c) S.R. 1990 No. 374

Sealed with the Official Seal of the Department of Agriculture on 21st February 1992.

(L.S.)

P. T. Toal

Assistant Secretary

Sealed with the Official Seal of the Department of Economic Development on 21st February 1992.

(L.S.)

R. Minnis

Assistant Secretary

Sealed with the Official Seal of the Department of the Environment on 21st February 1992.

(L.S.)

Trevor Pearson

Assistant Secretary

Sealed with the Official Seal of the Department of Health and Social Services on 21st February 1992.

(L.S.)

J. Scott

Assistant Secretary

SCHEDULE TO BE SUBSTITUTED AS SCHEDULE 1 TO THE PRINCIPAL
REGULATIONS

SCHEDULE 1

Regulations 2(1),
7(4) and 12(2)

LIST OF SUBSTANCES ASSIGNED MAXIMUM EXPOSURE LIMITS

The maximum exposure limits of the dusts included in the list below refer to the total inhalable dust fraction, unless otherwise stated.

Substance	Formula	Reference Periods			
		Long-term maximum exposure limit (8-hour TWA reference period)		Short-term maximum exposure limit (10 minute reference period)	
		ppm	mg m ⁻³	ppm	mg m ⁻³
Acrylamide	CH ₂ =CHCONH ₂	—	0.3	—	—
Acrylonitrile	CH ₂ =CHCN	2	4	—	—
Arsenic and compounds except arsine (as As)	As	—	0.1	—	—
Benzene	C ₆ H ₆	5	15	—	—
Buta-1, 3-diene	CH ₂ =CHCH=CH ₂	10	22	—	—
2-Butoxyethanol	C ₄ H ₉ OCH ₂ CH ₂ OH	25	120	—	—
Cadmium and cadmium compounds except cadmium oxide fume and cadmium sulphide pigments (as Cd)	Cd	—	0.05	—	—
Cadmium oxide fume (as Cd)	CdO	—	0.05	—	0.05
Cadmium sulphide pigments (respirable dust as Cd)	CdS	—	0.04	—	—
Carbon disulphide	CS ₂	10	30	—	—
Chromium (VI) compounds (as CR)	Cr	—	0.05	—	—
1, 2-Dibromoethane (Ethylene dibromide)	BrCH ₂ CH ₂ Br	0.5	4	—	—
Dichloromethane	CH ₂ Cl ₂	100	350	—	—
2, 2'-Dichloro-4, 4'-methylene dianiline (MbOCA)	CH ₂ (C ₆ H ₃ ClNH ₂) ₂	—	0.005	—	—
2-Ethoxyethanol	C ₂ H ₅ OCH ₂ CH ₂ OH	10	37	—	—
2-Ethoxyethyl acetate	C ₂ H ₅ OCH ₂ CH ₂ OOCCH ₃	10	54	—	—

Substance	Formula	Reference Periods			
		Long-term maximum exposure limit (8-hour TWA reference period)		Short-term maximum exposure limit (10 minute reference period)	
		ppm	mg m ⁻³	ppm	mg m ⁻³
Ethylene oxide	$\text{CH}_2\text{CH}_2\text{O}$	5	10	—	—
Formaldehyde	HCHO	2	2.5	2	2.5
Grain dust		—	10	—	—
Hydrogen cyanide	HCN	—	—	10	10
Isocyanates, all (as-NCO)		—	0.02	—	0.07
*Man-made mineral fibre		—	5	—	—
2-Methoxyethanol	$\text{CH}_3\text{OCH}_2\text{CH}_2\text{OH}$	5	16	—	—
2-Methoxyethyl acetate	$\text{CH}_3\text{COOCH}_2\text{CH}_2\text{OCH}_3$	5	24	—	—
Nickel and its inorganic compounds (except nickel carbonyl):	Ni	—	—	—	—
water-soluble nickel compounds (as Ni)		—	0.1	—	—
nickel and water- insoluble nickel compounds (as Ni)		—	0.5	—	—
Rubber process dust		—	8	—	—
†Rubber fume		—	0.6	—	—
Silica, respirable crystalline	SiO_2	—	0.4	—	—
Styrene	$\text{C}_6\text{H}_5\text{CH}=\text{CH}_2$	100	420	250	1,050
1,1,1-Trichloroethane	CH_3CCl_3	350	1,900	450	2,450
Trichloroethylene	$\text{CCl}_2=\text{CHCl}$	100	535	150	802
‡Vinyl chloride	$\text{CH}_2=\text{CHCl}$	7	—	—	—
Vinylidene chloride	$\text{CH}_2=\text{CCl}_2$	10	40	—	—
Wood dust (hard wood)		—	5	—	—

* In addition to the maximum exposure limit specified above man-made mineral fibre is also subject to a maximum exposure limit of 2 fibres ml⁻¹, 8-hour TWA, when measured or calculated by a method approved by the Department.

† Limit relates to cyclohexane soluble material.

‡ In addition to the maximum exposure limit specified above vinyl chloride is also subject to an overriding annual exposure limit of 3 ppm.

SCHEDULE 2

Regulation 2(3)

ITEM TO BE INSERTED AT THE END OF SCHEDULE 2 TO THE PRINCIPAL REGULATIONS

<i>Item No.</i>	1 <i>Description of substance</i>	2 <i>Purpose for which the substance is prohibited</i>
9.	Benzene and any substance containing benzene in a concentration equal to or greater than 0.1 per cent, other than <ul style="list-style-type: none"> <li data-bbox="281 548 594 655">(a) motor fuels covered by Council Directive 85/210/EEC (OJ No. L96, 3.4.1985, p. 25). <li data-bbox="281 664 594 793">(b) waste covered by Council Directives 75/442/EEC (OJ No. L194, 25.7.1975, p. 39) and 78/319/EEC (OJ No. L84, 31.3.78, p. 43). 	Use for all purposes except use in industrial processes, and for the purposes of research, development and analysis.

(This note is not part of the Regulations.)

These Regulations amend the Control of Substances Hazardous to Health Regulations (Northern Ireland) 1990 ("the principal Regulations").

By amending regulation 4 of, and Schedule 2 to, the principal Regulations, regulation 2(1) of and Schedule 2 to these Regulations have effect to prohibit with certain exceptions the supply and use at work of benzene and substances containing benzene, implementing as respects Northern Ireland point 3 of Article 1 of the Council Directive 89/677/EEC ("the 8th Amendment Directive") (OJ No. L398, 30.12.89, p. 19) amending for the 8th time Council Directive 76/769/EEC (OJ No. L262, 27.9.76, p. 201) relating to restrictions on the marketing and use of certain dangerous substances and preparations in so far as that point relates to the supply or use of benzene and substances containing benzene for such purposes.

Regulation 2(3) amends item 1 of Schedule 2 to the principal Regulations to align its wording with that used in point 4 of Article 1 to the 8th Amendment Directive.

Regulation 2(2) substitutes a new Schedule for Schedule 1 to the principal Regulations. That Schedule prescribes maximum exposure limits of certain substances hazardous to health and new exposure limits for acrylamide, benzene, chromium, grain dust, nickel and silica and an additional maximum exposure limit for man-made mineral fibre are introduced by the Schedule.

Amendments are also made to the existing maximum exposure limits for ethylene dibromide, arsenic and its compounds and for rubber fume. One maximum exposure limit, that for 1-methoxypropan-2-ol, has been removed from the Schedule.