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STATUTORY INSTRUMENTS

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**1991 No. 2431**

**HEALTH AND SAFETY**

**The Control of Substances Hazardous to Health (Amendment) Regulations 1991**

<i>Made</i>	- - - -	<i>15th October 1991</i>
<i>Laid before Parliament</i>		<i>1st November 1991</i>
<i>Coming into force</i>	- -	<i>1st January 1992</i>

The Secretary of State in the exercise of the powers conferred on him by section 15(1) and (2) of, and paragraphs 1(1)(b) and 2 of Schedule 3 to, the Health and Safety at Work etc. Act 1974((1)) (“the 1974 Act”) and of all other powers enabling him in that behalf and for the purpose of giving effect without modifications to proposals submitted to him by the Health and Safety Commission under section 11(2)(d) of the 1974 Act after the carrying out by the said Commission of consultations in accordance with section 50(3) of that Act, hereby makes the following Regulations:—

**Citation, amendment and interpretation**

1.—(1) These Regulations may be cited as the Control of Substances Hazardous to Health (Amendment) Regulations 1991 and shall come into force on 1st January 1992.

(2) In these regulations, unless the context otherwise requires, “the principal Regulations” means the Control of Substances Hazardous to Health Regulations 1988((2)).

**Amendment to the principal Regulations**

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

“(4) 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 11 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—

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(1) 1974 c. 37: sections 15 and 50 were amended by Schedule 15 to the Employment Protection Act 1975 (c. 71), paragraphs 6 and 16 respectively.  
(2) S.I. 1988/1657, amended by S.I. 1990/2026.

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- (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.

### **Revocations**

**3.** The Control of Substances Hazardous to Health (Amendment) Regulations 1990((**3**)) are revoked.

Signed by order of the Secretary of State.

15th October 1991

*Eric Forth*  
Parliamentary Under Secretary of State,  
Department of Employment

## SCHEDULE 1

Regulation 2(2)

## 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 to inhalable dust fraction, unless otherwise stated.

Substance	Formula	Reference periods		Short-term maximum exposure limit (10-minute reference period)	
		Long-term maximum exposure limit (8-hour TWA reference period)	Long-term maximum exposure limit (8-hour TWA reference period)	ppm	mg m <sup>-3</sup>
Acrylamide	CH <sub>2</sub> =CHCONH <sub>2</sub>	—	0.3	—	—
Acrylonitrile	CH <sub>2</sub> =CHCN	2	4	—	—
Arsenic and compounds except arsine (as As)	As	—	0.1	—	—
Benzene	C <sub>6</sub> H <sub>6</sub>	75	15	—	—
Buta-1,3-diene	CH <sub>2</sub> =CHCH=CH <sub>2</sub>	—	22	—	—
2-Butoxyethanol	C <sub>4</sub> H <sub>9</sub> OCH <sub>2</sub> CH <sub>2</sub> OH	—	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	CdS	—	0.04	—	—

\* 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<sup>-1</sup>, 8-hour TWA, when measured or calculated by a method approved by the Health and Safety Commission.

† 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.

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Substance	Formula	Reference periods		Short-term maximum exposure limit (10-minute reference period)	
		Long-term maximum exposure limit (8-hour TWA reference period)		ppm	mg m <sup>-3</sup>
(respirable dust as Cd)					
Carbon disulphide	CS <sub>2</sub>	10	30	—	—
Chromium (VI) compounds (as Cr)	Cr	—	0.05	—	—
1,2-Dibromoethane (Ethylene dibromide)	BrCH <sub>2</sub> CH <sub>2</sub> Br	0.5	4	—	—
Dichloromethane	CH <sub>2</sub> Cl <sub>2</sub>	100	350	—	—
2,2',4,4'-Dichloro-4,4'-methylene dianiline (MbOCA)	CH <sub>2</sub> (C <sub>6</sub> H <sub>3</sub> Cl <sub>2</sub> NH <sub>2</sub> ) <sub>2</sub>	—	0.005	—	—
2-Ethoxyethanol	C <sub>2</sub> H <sub>5</sub> OCH <sub>2</sub> CH <sub>2</sub> OH	—	37	—	—
2-Ethoxyethyl acetate	C <sub>2</sub> H <sub>5</sub> OCH <sub>2</sub> CH <sub>2</sub> OC(=O)CH <sub>3</sub>	—	54	—	—
Ethylene oxide	CH <sub>2</sub> CH <sub>2</sub> O	5	10	—	—
Formaldehyde	HCHO	2	2.5	2	2.5
Grain dust		—	10	—	—
Hydrogen cyanide	HCN	—	—	10	10
Isocyanate, all (as-NCO)		—	0.02	—	0.07
*Man-made mineral fibre		—	5	—	—
2-Methoxyethanol	CH <sub>3</sub> OCH <sub>2</sub> CH <sub>2</sub> OH	—	16	—	—
* 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 <sup>-1</sup> , 8-hour TWA, when measured or calculated by a method approved by the Health and Safety Commission.					
† 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.					

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Substance	Formula	Reference periods		Short-term maximum exposure limit (10-minute reference period)	
		Long-term maximum exposure limit (8-hour TWA reference period)	Long-term maximum exposure limit (8-hour TWA reference period)	Short-term maximum exposure limit (10-minute reference period)	Short-term maximum exposure limit (10-minute reference period)
		ppm	mg m <sup>-3</sup>	ppm	mg m <sup>-3</sup>
2-Methoxyethyl acetate	CH <sub>3</sub> COOCH <sub>2</sub> CH <sub>2</sub> OCH <sub>3</sub>	—	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 <sub>2</sub>	—	0.4	—	—
Styrene	C <sub>6</sub> H <sub>5</sub> CH=CH <sub>2</sub>	100	420	250	1,050
1,1,1-Trichloroethane	CH <sub>3</sub> CCl <sub>3</sub>	350	1,900	450	2,450
Trichloroethylene	CCl <sub>2</sub> =CHCl	100	535	150	802
*Vinyl chloride	CH <sub>2</sub> =CHCl	7	—	—	—
Vinylidene chloride	CH <sub>2</sub> =CCl <sub>2</sub>	10	40	—	—

\* 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<sup>-1</sup>, 8-hour TWA, when measured or calculated by a method approved by the Health and Safety Commission.

† 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.

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<i>Substance</i>	<i>Formula</i>	<i>Reference periods</i>		<i>Short-term maximum exposure limit (10-minute reference period)</i>	
		<i>Long-term maximum exposure limit (8-hour TWA reference period)</i>		<i>ppm</i>	<i>mg m<sup>-3</sup></i>
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 ml1, 8-hour TWA, when measured or calculated by a method approved by the Health and Safety Commission.

† 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)(b)

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

<i>Item No.</i>	<i>“1 Description of substance</i>	<i>2 Purpose for which the substance is prohibited</i>
11.	Benzene and any substance containing benzene in a concentration equal to or greater than 0.1 per cent, other than (a) motor fuels covered by Council Directive <a href="#">85/210/EEC</a> (OJ No L96, 3.4.1985, p. 25) (b) waste covered by Council Directives <a href="#">75/442/EEC</a> (OJ No L194, 25.7.1975, p. 39) and <a href="#">78/319/EEC</a> (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.”

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

1. These Regulations amend the Control of Substances Hazardous to Health Regulations 1988 (“the principal Regulations”).

2. 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 importation, supply and use at work of benzene and substances containing benzene, implementing as respects Great Britain point 3 of Article 1 of the Council Directive [89/677/EEC](#) (“the 8th Amendment Directive”) (OJ No. L 398, 30.12.89, p. 19) amending for the 8th time Council Directive [76/769/EEC](#) (OJ No. L 262, 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 importation, supply or use of benzene and substances containing benzene for such purposes.

3. Regulation 2(3) of these Regulations 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.

4. Regulation 2(2) of these Regulations 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 chromium, grain dust, nickel and silica are introduced by the Schedule.

5. Previous Regulations amending the principal Regulations are revoked by regulation 3 of these Regulations.