
STATUTORY INSTRUMENTS

1996 No. 3138

HEALTH AND SAFETY

The Control of Substances Hazardous to Health (Amendment) Regulations 1996

Made - - - - *11th December 1996*
Laid before Parliament *17th December 1996*
Coming into force - - *10th January 1997*

The Secretary of State in the exercise of the powers conferred on him by section 15(1), (2), (4)(a), (5)(b), (6)(b) and (9) of, and paragraphs 1(1)(b) and (c), 8, 9, 11, 13(1) and (3), 14, 15(1) and 16 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 modification 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, commencement and interpretation

1.—(1) These Regulations may be cited as the Control of Substances Hazardous to Health (Amendment) Regulations 1996 and shall come into force on 10th January 1997.

(2) In these Regulations, “the principal Regulations” means the Control of Substances Hazardous to Health Regulations 1994⁽²⁾.

Amendment to the principal Regulations

2.—(1) The principal Regulations shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 2(1), after the definition “occupational exposure standard” the following definition shall be inserted—

““preparation” means a mixture or solution of two or more substances;”.

(3) In regulation 13(1)—

(a) the words “ethylene oxide,” shall be deleted; and

(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. 1994/3246 as amended by S.I.s 1994/3247 and 1996/2001.

- (b) for the words “except that this regulation” shall be substituted the words “except that paragraph (2)”.
- (4) In regulation 15(1), for the words “article 4, 5 or 7 of the Health and Safety at Work etc. Act 1974 (Application outside Great Britain) Order 1989” shall be substituted the words “article 4, 6 or 8 of the [Health and Safety at Work etc. Act 1974 \(Application outside Great Britain\) Order 1995 \(S.I. 1995 No. 263\)](#)”.
- (5) For Schedule 1 shall be substituted the Schedule set out in these Regulations.
- (6) In column 1 of Schedule 2, entry 11(b) shall be replaced by the following entry—
- “(b) waste covered by Council Directives [75/442/EEC](#) (OJNo. L194, 25.7.75, p. 39), as amended by Council Directive [91/156/EEC](#) (OJ No. L78, 26.3.91, p. 32), and [91/689/EEC](#) (OJ No. L377, 31.12.91, p. 20).”.
- (7) In Schedule 4—
- (a) the words “Vapour or” shall be deleted from the second entry in column 1; and
- (b) the words “while the process is being carried on” shall be inserted after the words “Every 14 days” in the second entry in column 2.
- (8) In Schedule 5 the words “1-Naphthylamine and its salts.” shall be deleted from the fourth entry in column 1.
- (9) In Schedule 6 the words “Ethylene oxide” shall be deleted from column 1 and the words “Fumigations carried out for research.” and “Fumigations in fumigation chambers.” shall be deleted from the corresponding entry in column 2.

Signed by authority of the Secretary of State.

Department of Environment.
11th December 1996

Paul Beresford
Parliamentary Under Secretary of State,

THE SCHEDULE

Regulation 2(5)

SCHEDULE TO BE SUBSTITUTED AS SCHEDULE 1 TO THE PRINCIPAL REGULATIONS

"SCHEDULE 1

Regulations 2(1), 7(6) 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		Reference periods	
		Long-term maximum exposure limit (8-hour TWA reference period)		Short-term maximum exposure limit (15-minute reference period)	
		ppm	mg m ⁻³	ppm	mg m ⁻³
Acrylamide	CH ₂ =CHCONH ₂	—	0.3	—	—
Acrylonitrile	CH ₂ =CHCN	2	4.4	—	—
Antimony & antimony compounds except stibine (as Sb)	Sb	—	0.5	—	—
Arsenic & compounds except arsine (as As)	As	—	0.1	—	—
Azodicarbonamide	C ₈ H ₄ N ₄ O ₂	—	1.0	—	3.0
Benzene	C ₆ H ₆	5	16	—	—
Beryllium and beryllium compounds (as Be)	Be	—	0.002	—	—
Bis(chloromethyl) ether	ClCH ₂ OCH ₂ Cl	0.001	0.005	—	—
Buta-1, 3-diene	CH ₂ =CHCH=CH ₂	—	22	—	—
Cadmium & cadmium compounds, except cadmium	Cd	—	0.025	—	—

* 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 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.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Substance	Formula	Reference periods		Short-term maximum exposure limit(15-minute reference period)	
		Long-term maximum exposure limit(8-hour TWA reference period)	mg m ⁻³	ppm	mg m ⁻³
oxide fume,cadmium sulphide andcadmium sulphidepigments (as Cd)		—	0.025	—	0.05
Cadmium oxide fume(as Cd)	CdO	—	0.025	—	0.05
Cadmium sulphide andcadmium sulphidepigments (respirabledust as Cd)	CdS	—	0.03	—	—
Carbon disulphide	CS ₂	10	32	—	—
1-Chloro-2,3-epoxypropane (Epichlorohydrin)	OCH ₂ -CH-CH ₂ Cl	0.5	1.9	1.5	5.8
Chromium (VI) compounds (as Cr)	Cr	—	0.05	—	—
Cobalt and cobalt compounds (as Co)	Co	—	0.1	—	—
Cotton dust		—	2.5	—	—
1,2-Dibromoethane (Ethylene dibromide)	BrCH ₂ CH ₂ Br	0.5	3.9	—	—
1,2-Dichloroethane	ClCH ₂ CH ₂ Cl	5	21	—	—

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		Long-term maximum exposure limit(8-hour TWA reference period)	mg m ⁻³	ppm	mg m ⁻³
(Ethylene dichloride)					
Dichloromethane	CH ₂ Cl ₂	100	350	300	1060
2,2'-Dichloro-4,4'-methylene dianiline (MbOCA)	CH ₂ (C ₆ H ₃ Cl ₂ NH ₂) ₂	—	0.005	—	—
Diethyl sulphate	C ₄ H ₁₀ O ₄ S	0.05	0.32	—	—
Dimethyl sulphate	C ₂ H ₆ O ₄ S	0.05	0.26	—	—
2-Ethoxyethanol	C ₂ H ₅ OCH ₂ CH ₂ OH	—	37	—	—
2-Ethoxyethyl acetate	C ₂ H ₅ OCH ₂ CH ₂ OC(=O)CH ₃	—	55	—	—
Ethylene oxide	CH ₂ CH ₂ O	5	9.2	—	—
Ferrous foundry particulate total inhalable dust		—	10	—	—
respirable dust		—	4	—	—
Formaldehyde	HCHO	2	2.5	2	2.5
Grain dust		—	10	—	—
Halogeno-platinum compounds (complex co-ordination compounds in which the platinum atom is directly co-		—	0.002	—	—

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		Long-term maximum exposure limit(8-hour TWA reference period)	mg m ⁻³	ppm	mg m ⁻³
ordinated to halide groups) (as Pt)					
Hardwood dust		—	5	—	—
Hydrazine	N ₂ H ₄	0.02	0.03	0.1	0.13
Hydrogen cyanide	HCN	—	—	10	11
Iodomethane	CH ₃ I	2	12	—	—
Isocyanates, all (as -NCO)		—	0.02	—	0.07
Maleic anhydride	C ₄ H ₂ O ₃	—	1	—	3
Man-made mineral fibre*		—	5	—	—
2-Methoxyethanol	CH ₃ OCH ₂ CH ₂ OH	—	16	—	—
2-Methoxyethyl acetate	CH ₃ COOCH ₂ CH ₂ OCH ₃	—	25	—	—
4,4'-Methylenedianiline	CH ₂ (C ₆ H ₄ NH ₂) ₂	0.01	0.08	—	—
Nickel and its inorganic compounds (except nickel carbonyl):	Ni				
water-soluble nickel compounds (as Ni)		—	0.1	—	—
nickel and water-insoluble		—	0.5	—	—

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		Long-term maximum exposure limit(8-hour TWA reference period)	mg m ⁻³	ppm	mg m ⁻³
nickel compounds (as Ni)					
2-Nitropropane	CH ₃ CH(NO ₂)CH ₃		19	—	—
Phthalic anhydride	C ₈ H ₄ O ₃	—	4	—	12
Polychlorinated biphenyls (PCB)	C ₁₂ H _(10-x) Cl _x	—	0.1	—	—
Propylene oxide	C ₃ H ₆ O	5	12	—	—
Rubber fume**		—	0.6	—	—
Rubber process dust		—	6	—	—
Silica, respirable crystalline	SiO ₂	—	0.3	—	—
Softwood dust		—	5	—	—
Styrene	C ₆ H ₅ CH=CH ₂	100	430	250	1080
o-Toluidine	CH ₃ C ₆ H ₄ NH ₂	0.2	0.89	—	—
Trichloroethylene	CCl ₂ =CHCl	100	550	150	820
Triglycidyl isocyanurate (TGIC)	C ₁₂ H ₁₅ N ₃ O ₆	—	0.1	—	—
Trimellitic anhydride	C ₉ H ₄ O ₅	—	0.04	—	0.12
Vinyl chloride***	CH ₂ =CHCl	7	—	—	—
Vinylidene chloride	CH ₂ =CCl ₂	10	40	—	—

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<i>Substance</i>	<i>Formula</i>	<i>Reference periods</i>		<i>Short-term maximum exposure limit(15-minute reference period)</i>	
		<i>Long-term maximum exposure limit(8-hour TWA reference period)</i>		<i>ppm</i>	<i>mg m⁻³</i>
Wool process dust		—	10	—	—”

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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 1994 (“the principal Regulations”) by —

- (a) substituting for Schedule 1 to the principal Regulations the Schedule set out in these Regulations which —
 - (i) adds eighteen new substances to the list of those substances which are assigned maximum exposure limits, while removing two others previously included,
 - (ii) amends the maximum exposure limits of thirteen other substances to take account of the adoption of a standard reference temperature and pressure, and
 - (iii) amends the maximum exposure limits of two other substances or groups of substances to take account of the adoption of the ISO/CEN Respirable Dust Convention; and
- (b) making other minor amendments, including—
 - (i) the insertion of a new definition of “preparation” in regulation 2(1),
 - (ii) the amendment of regulation 13(1) to remove the reference to ethylene oxide as it can no longer be lawfully used as a fumigant, and
 - (iii) the amendment, deletion and insertion of several entries in Schedules 4, 5 and 6 to —
 - (aa) remove the need to monitor vapour given off from vessels at which an electrolytic chromium process is carried on, and to clarify the need for monitoring only when the process is being carried on,
 - (bb) remove the requirement for health surveillance for workers exposed to naphthylamine and its salts because it is no longer listed as carcinogenic, and
 - (cc) remove the reference to ethylene oxide (see (ii) above).

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2. A copy of the cost benefit assessments prepared in respect of these Regulations can be obtained from the Health and Safety Executive, Economic Advisers Unit, Rose Court, 2 Southwark Bridge, London SE1 9HS. Copies have been placed in the Library of each House of Parliament.