

Working group 1

Emission related strategic issues

Questions

- How precise will RMMs be worded for the environment in the exposure scenario?
 - Ideal case: M/I derives measures and makes quantitative assessment and DU gets recommendations that can be implemented without measuring
 - Not clear yet, if efficiencies will be part of the recommendation and technologies specified
- Relation between BAT and exposure scenario
 - BAT not necessarily recommended as risk management
 - No substance view
 - Not necessarily implemented by the majority of customers

BAT may be stricter or less strict

Questions

- Getting different information from suppliers on the same substance
 - Official: ES belongs to the substance / preparation, thus ES to be implemented ‘separately’
 - Practical: take ‘stricter one’ and apply regard rest to be covered
 - Problem: contradicting ES

Benefits

- Information on substances available in central data base
 - Quality of data needs to be established
 - Agency should make dossier evaluation happen
- New knowledge on what chemicals would be used for
 - Not only relevant for HPVs
 - Little information available right now
- Getting a clearer picture of the emission sources of substances and priority substances → strategic planning of enforcement
- Integration of knowledge in permitting procedures

Integrated enforcement

- Environment and occupational health enforcement, as well as transport, consumers and product legislation are separated in most member states
- Competent authority may be in different area (e.g. competitiveness)
- Strategic planning of different aspects, priority setting necessary and close cooperation and information exchange between authorities
 - Experience exchange on the inspection results
 - Inspection depends on focus (who goes to control what?)

Integrated enforcement

- No penalties if exposure scenarios are not implemented
- Nordic project is expected to compile further experience and approaches towards enforcement
- Eventually, observing ES should be the goal
 - Phased approach (new instrument → needs time), therefore start with the highly controlled installations (strictest permits)
 - System approach → inspection looks at how information is managed and implemented in a company's occupational health management system, rather than controlling single workplaces

How to make REACH information useful?

- What do CAs need to do to make REACH information useful for enforcement authorities?
 - Sector specific substance inventories
 - To develop BREFs, more focus on the substances used possible
 - Listing of priority chemicals to report on and to watch in permitting based on properties, can be amended with new hazard information

Fears

- Many more companies to deal with
- Reality check if the information in the data base is actually happening on the market or validated

Conclusions

- Information may have to be translated to national, more specific data bases?
 - Information access for different enforcement authorities crucial
 - National CA to decide who gets to know what
 - Unclear statements from enforcing authorities on which information is actually needed
 - Information on ‘sensitive issues’ to industry most wanted by authorities...

Conclusions

- More knowledge on substances and use profiles not useful in itself but only when linked to other instruments
 - Regulatory (national) priority setting
 - IPPC legislation (permitting and BREFs)
 - Enforcement of environmental, occupational and products either close cooperation or integration of enforcement
- Standard operating procedures to accommodate REACH enforcement in existing inspection structures
- Information from MS implementation to ECHA (part of the Forum work)