

Project abstract

Implementation support for Risk Management under REACH

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Contracting authority: Federal Environment Agency Germany (UBA)

At present risk characterisation and the implementation of risk reduction measures are divided into two separate decision making procedures, both run by public authorities. Additionally employers, producers and plant operators have to minimise substance related risks due to sectoral legislation. These requirements are mostly disconnected from the REACH approach.

REACH intends to support the safe use of substances in products and processes through a new quality of substance stewardship. The main responsibility for risk assessment and risk control will shift to the economic actors while authorities will concentrate their efforts on the evaluation and restriction of hazardous substances of very high concern. This new approach will switch the roles of economic and official actors. Existing legal standards will be amended by tailor-made solutions, based on the REACH mechanisms. Both parties will have to handle more and better substance information and weigh different options of risk control.

This new responsibility will not only encourage economic actors towards better risk communication and cooperation along the value chain, it will also bring risk characterisation and risk management together into one decision making process in the hands of one actor.

The project intends to answer three general questions of substance stewardship and risk management:

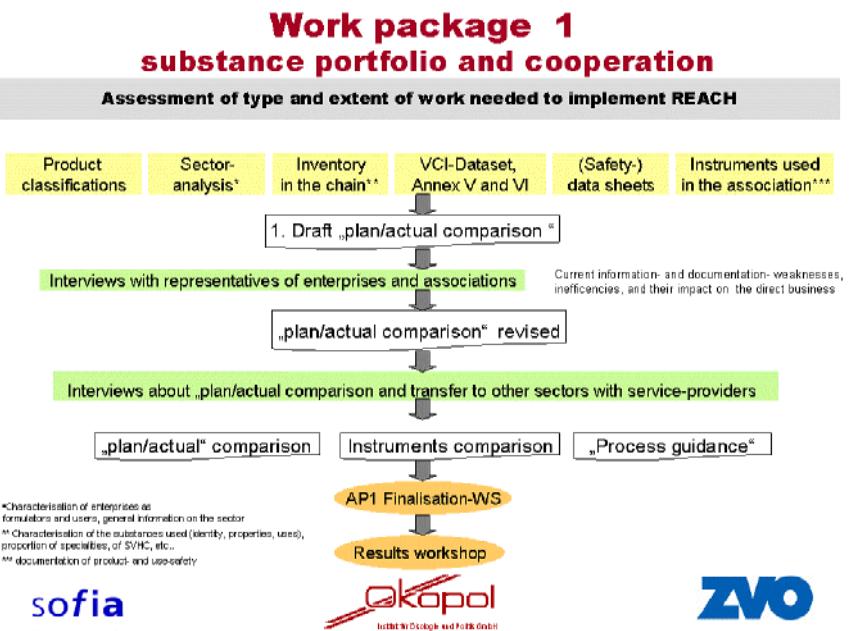
1. Which level of knowledge/ risk competence do small and medium enterprises have and which type of support is needed?
2. How does and should REACH influence the sectoral environmental legislation (water, IPPC, waste) and vice versa?
3. How can existing institutions (i.e. industrial and/or trade associations) improve cooperation along the value chain and the relevant risk communication in order to comply with REACH?

Methodical approach: The project follows a bottom up approach and will exemplify general questions through selected chemicals and processes. Cooperation with the German Association of Galvanising and Electroplating as well as several enterprises was agreed.

Four work packages are planned:

Work package 1: Actual state of information about substance portfolio, communication and cooperation along the value chain

- Where are substance related risks insufficiently characterised or controlled?
- Where are the gaps in knowledge concerning substance identities, properties and conditions of use?
- Where are the gaps in communication and competence which should be closed under REACH?
- Which benefits might be realised through better risk information and risk competence?



Target: Answering these questions will allow identification of options to make efficient use of resources in implementing REACH at enterprise and sector level.

Product: By using a checklist to be developed in the project, enterprises shall be able to identify the action needs for implementing REACH. Project materials and tools developed for this task shall be adapted to the needs of small and medium enterprises where possible.

Work package 2: Regulatory framework of risk management - substance stewardship and enforcement

For economic actors the REACH tasks might provoke conflicts as well as reduce workloads of existing legal duties. Systematic risk information and standards for risk control might support safety and strengthen companies' status against image or liability risks. But it is also possible that REACH might increase insecurity about the do's and don'ts.

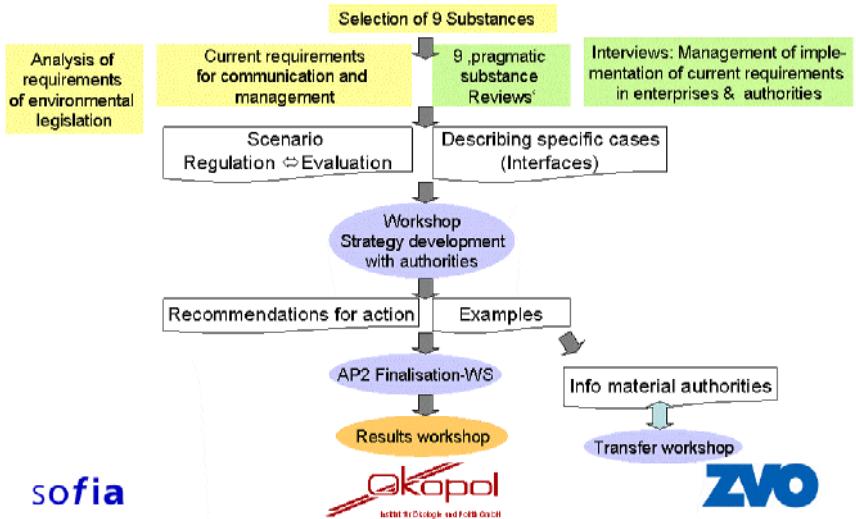
General questions and innovations will be demonstrated by nine exemplary substances. Proposals for legal interfaces and potential win-win proceedings will be submitted as well as proposals for legal and management action. Materials and tools to support the enforcing authorities which will have to implement REACH will be developed.

Interfaces for mutual support of the intended substance stewardship under REACH and sectoral environmental legislation will be suggested.

- Where are gaps and overlaps between REACH and existing sectoral legislation?
- How do existing requirements interfere with the intended substance stewardship and self responsibility under REACH?
- How can interfaces be developed to gain better efficiency for all actors?
- What do administrative employees need to know about REACH?

Work package 2 Analysis of the current regulatory situation

Illustration of the current situation and the options for the actors to act



Target: More competence and safety for decision makers by discussing the potential effects of REACH on sectoral legislation. Focus will be on German environmental legislation.

Product: Support economic and official actors by discussing REACH duties against the existing regulatory framework. Proposals will be made which show possibilities to streamline legal and management duties. Guidance materials for officials about REACH will be developed.

Work package 3: New communication processes under REACH

REACH demands a new quality of systematic risk communication within the value chain and towards authorities and the public. The work package deals with organisational questions of information exchange and shall propose a suitable institutional framework.

Target: identify branch specific need for support and instruments to develop a learning system on risk communication and management. Evaluate how necessary support might be given most efficiently

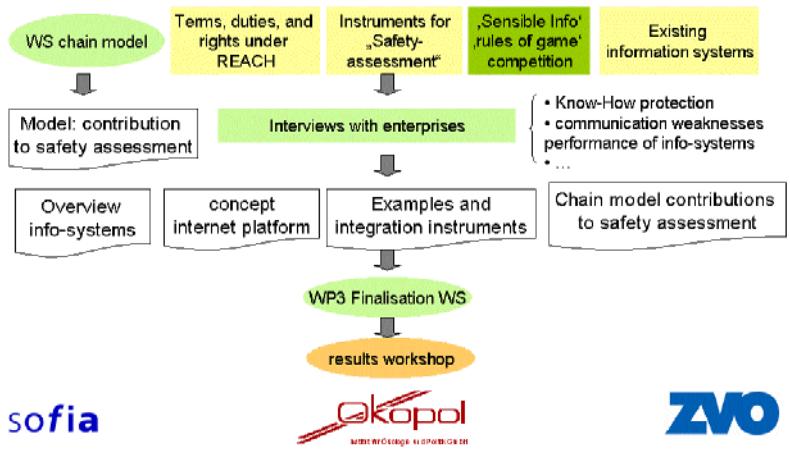
Product: concept for an information, cooperation and communication platform that enables participation and opportunities for information exchange and learning (facts, software tools etc).

- Review of given instruments and information tools and proposal of options how to develop them according to the REACH tasks
- Common understanding between producers and downstream users on crucial REACH-terms like the „intended use“ and the “conditions of use” of substances
- Characterisation of the responsibilities and interfaces between producer, formulator and end user with regard to their role and share in the risk assessment procedure

- Interfaces will be suggested concerning the risk communication process and information offerings towards external actors like authorities and the public. Potential scenarios about the handling of confidential information will be shown.

Work package 3 communication- and cooperation processes

Concept for an information and communication platform



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Transfer Potential

The outcome of the work packages will be presented at a final public workshop. Additional information material and tools concerning regulatory interfaces will be discussed with representatives of surveillance authorities.

Project team:

The project team assembles public representatives and economic actors. The participation of public and economic actors is part of the REACH intended cooperation between public and private actors. Beside the contractors, the German Environment Agency and representatives of the competent authorities take part as well as representatives of the electroplating industry, including practitioners of SMEs.

The project has started in December 2005 and will probably finish in October 2006.