



INFORMATION SHEET 015

Control of Substances Hazardous to Health (Amendment) Regulations 2004

Summary of Changes

The amendment regulations change the definition of adequate control. Adequate control did mean compliance with Maximum Exposure Limits (MELs) and Occupational Exposure Standards (OESs). Under COSHH 2004, MELs and OESs are replaced with Workplace Exposure Limits (WELs) and adequate control refers to the application of the principles of good practice in the control of exposure to substances hazardous to health, which in addition to inhalation involves the control of dermal exposure (skin) and ingestion.

Detail

The COSHH (Amendment) Regulations 2004 came into force on 6 April 2005. The amendments include the following:

- The introduction of a single new workplace exposure limit (WEL) in place of the previous two-tier system of occupational exposure standard (OES) and maximum exposure limits (MEL). These are agreed values of the maximum amount of substance an employee can be exposed to.
- For particularly hazardous substances, i.e. those substances defined by the regulations as asthmagens and carcinogens, in addition to having a WEL, exposure must be reduced to as low as reasonably practicable.
- Introduction of new requirements to observe principles of good practice in the control of exposure to substances hazardous to health to make sure that WELs are not exceeded. The new framework moves the focus of adequate control from compliance with an OEL (now WEL) to applying eight principles of good practice for the control of exposure to substances hazardous to health.

The principles of good practice are:

1. Design and operate processes and activities to minimise emission, release and spread of substances hazardous to health.
 2. Take into account all relevant routes of exposure: inhalation, skin absorption and ingestion – when developing control measures.
 3. Control exposure by measures that are proportionate to the health risk.
 4. Choose the most effective and reliable control options that minimise the escape and spread of substances hazardous to health.
 5. Where adequate control of exposure cannot be achieved by other means, provide, in combination with other control measures, suitable personal protective equipment.
 6. Check and review regularly all elements of control measure for their continuing effectiveness.
 7. Inform and train all employees on the hazards and risks from the substances with which they work and the use of control measures developed to minimise the risks.
 8. Ensure that the introduction of control measures does not increase the overall risk to health and safety.
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- Regulation 9 (1) has also been amended to clarify the wording of the duty to maintain exposure control measures to make it clear that the scope of the duty extends to methods of work and supervision in addition to plant and equipment. (i.e. ensuring that methods of work and their supervision are monitored and reviewed along with reviews of the effectiveness of plant and equipment.)

The HSE will publish a list of the new WELs in *EH40: Workplace Exposure Limits 2005*.

An approved code of practice and guidance document (L5) has been updated and published provide information on the regulations. ISBN 0717629813.



The HSE has published a brief guide to the regulations, which can be found by clicking on the link. <http://www.hse.gov.uk/pubns/indg136.pdf>

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