



Dear User,

The Simplifi team are constantly trying to improve our users experience of our software systems whilst also striving to ensure that our site is secure. Therefore Simplifi have upgraded the Hypertext Transfer Protocol ('http') to a new 'secure' connection ('https'). So as well as using usernames and passwords to control access to your Simplifi account, you will now also connect to Simplifi using a secure and certified internet connection.

This means that "all" data sent to and from the Simplifi application will be encrypted reducing the risk of cyber attacks. I am sure that most of you will be familiar with 'trusted' websites because a padlock is displayed next to the browser address. If you click on the padlock it will display the name of the security certifying authority. The Simplifi Team hope this will give you more confidence when using our software.

We hope you enjoy this edition of our Newsletter.

The Simplifi Team

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1 New legislation

1.1 UK

1.1.1 The Explosives Regulations 2014.

The Explosives Regulations 2014 will come into force on 1 October 2014, and the Approved Code of Practice to the Manufacture and Storage of Explosives Regulations 2005 will be withdrawn. Changes of note are:

- The merging registrations into the licensing system
- Allowing local authorities to issue licences up to 5 years, aligning them with equivalent HSE/police-issued licences
- Extending licensing to address storage of ammonium nitrate blasting intermediate (ANBI)
- Exceptions for keeping desensitised explosives without a licence have been updated.
- Tables of separation distances have been restructured to better allow for sites with more than one store. The tables have also been revised to cover quantities of explosives greater than 2000kg
- A revised list of explosives that can be acquired or acquired and kept without an explosives certificate from the police.
- The repeal of the Fireworks Act 1951, as its remaining provisions have been superseded by the Pyrotechnic (Safety) Regulations 2010

1.2 EU

1.2.1 Various regulations placing of plant protection products on the in accordance with Regulation (EC) No 1107/2009 and amending the Annex to Commission Implementing Regulation (EU) No 540/2011.

- EU No 878/2014 - dichlorprop-P, metconazole and triclopyr. Extends approval to 30th April 2018
- EU No 880/2014 - *Cydia pomonella* Granulovirus (CpGV). Sets minimum concentrations for certain contaminating micro-organisms
- EU No 890/2014 – metobromuron. Use of active agreement approved. Re-evaluation of plant protection products to be carried out. Approval, where necessary to be amended or withdrawn by 30th June 2016
- EU No 891/2014 – aminopyralid. Use of active agreement approved. Re-evaluation of plant protection products to be carried out. Approval, where necessary to be amended or withdrawn by 30th June 2016
- EU No 917/2014 - *Streptomyces lydicus* strain WYEC 108. Use of active agreement approved. Re-evaluation of plant protection products to be carried out. Approval, where necessary to be amended or withdrawn by 30th June 2016.
- EU No 918/2014 - Straight Chain Lepidopteran Pheromones is deemed to have been approved. Further confirmatory information is required by December 2015.

1.2.2 Regulation EU No 888/2014. This regulation prohibits the introduction into the European Union of specimens of certain species of wild fauna and flora.

1.2.3 Regulation EU No 895/2014. This regulation amends Annex XIV to Regulation EC No 1907/2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)

- 1.2.4 Regulation EU No 900/2014. This regulation amends EC 440/2008 with respect to test methods used for Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) because of new and updated test methods recently adopted by the OECD which take into account technical progress, and to ensure the reduction of the number of animals to be used for experimental purposes.
- 1.2.5 Regulation EU No 902/2014. This regulation amends EC 415/2004 with respect to the maximum annual fishing effort in certain UK fishing areas.

2 Amendments, Revocations or Commencements

The following Amendments, Revocations or Commencements were promulgated in August.

- SI 2014/2119 - The Goods Vehicles (Licensing of Operators) (Fees) (Amendment) Regulations 2014
- SI 2014/2118 - The Public Service Vehicles (Operators' Licences) (Fees) (Amendment) Regulations 2014
- SI 2014/2117 - The International Carriage of Dangerous Goods by Road (Fees) (Amendment) Regulations 2014
- SI 2014/2116 - The Road Vehicles (Registration and Licensing) (Amendment) Regulations 2014
- SI 2014/2115 - The Goods Vehicles (Plating and Testing) (Amendment) Regulations 2014
- SI 2014/2114 - The Motor Vehicles (Tests) (Amendment) Regulations 2014

3 Consultations currently in progress are:

3.1 Health and Safety Executive (HSE) (<http://www.hse.gov.uk/consult/live.htm>)

- 3.1.1 CD272 The HSE is seeking opinions on the UK's proposed approach to implement the Offshore Safety Directive. The consultation includes proposals on amendments to existing legislation, new requirements, new administrative procedures, and the establishment of an offshore competent authority. Consultation ends on **21 September 2014**.
- 3.1.2 CD 274. The HSE is seeking opinions on a revised version of the Approved Code of Practice (L101) relating to the Confined Spaces Regulations 1997. Consultation ends on **30 September 2014**.
- 3.1.3 CD 275. The HSE is seeking opinions on the revised version of the Approved Code of Practice (L101) relating to the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER). Consultation ends on **14 October 2014**

3.2 Environment Agency (EA) (<https://consult.environment-agency.gov.uk/portal>)

- 3.2.1 The EA is inviting comment on the Wash East Coastal Management Strategy public consultation document. It sets out to identify the most suitable way of managing flood and erosion risk to local communities between Hunstanton and Wolferton Creek. Consultation closes on the **8th of September**.

3.3 The National Measurement Office (NMO) <https://www.gov.uk/government/organisations/national-measurement-office>

- 3.3.1 The NMO is inviting comments on the draft of The Batteries Regulations 2015. The regulations will implement the requirements of the amended Batteries Directive (2013/56/EU). These regulations will remove certain exemptions to the prohibitions on placing on the market of batteries containing mercury or cadmium, and amends the provisions relating the removability of waste batteries from an appliance by an independent qualified professional. Consultation closes on the **5th of November**.

3.4 European Union (http://ec.europa.eu/yourvoice/consultations/index_en.htm)

- 3.4.1 Consultation on the Ratification by the EU of the Minamata Convention on Mercury. Includes aspects such as import restrictions, an export ban, the use of mercury in new processes and restrictions on current usage. Consultation ceases on **14th November**
- 3.4.2 Consultation on policy options to optimise water reuse in the EU. The results of the consultation will be used as input for the preparation of the Impact Assessment covering all key areas of potential application of water reuse: agriculture, urban, industrial, and recreational uses (e.g. golf courses, bathing water), groundwater recharge, etc. Consultation ceases on **7th November**.
- 3.4.3 Consultation on the Quality of Drinking Water in the EU. The results of the consultation will be used as input to decide if and where the EU Drinking Water Directive 98/83/EC might need improvement. Consultation ceases on **23rd September**
- 3.4.4 Consultation on the future EU initiative on No Net Loss of biodiversity and ecosystem services. The purpose of this consultation is to gather comment on what should be included in the 2015 initiative for No Net Loss. Consultation ceases on **17th October**

3.5 The European Chemicals Agency <http://echa.europa.eu/>

- 3.5.1 ECHA/NA/14/35. The ECHA welcomes information on alternatives to trichloroethylene (TCE), as a solvent for the removal and recovery of resin from dyed cloth and for the recovery and purification of resin from process water, and diarsenic trioxide as a processing aid to activate the absorption and desorption of carbon dioxide by potassium carbonate from synthesis gas formed in the production of ammonia. The consultation period closes on **8 October 2014** (23:59 Helsinki time).

4 August updates

4.1 HSE

- 4.1.1 HSE has published a revised guide to risk assessment. <http://www.hse.gov.uk/pubns/indg163.htm>
The new guidance makes clear that only significant findings need to be recorded and emphasises the importance of controlling the risks identified. However, the guidance still suggests that you should identify the hazards, think about who might be harmed, evaluate the risks, record your significant findings and review your risk assessment
- 4.1.2 HSE has published Guidance Document 51 (<http://www.hse.gov.uk/pubns/hse51.htm>) which explains the main features of the HSE's regulatory approach, including the interventions that they use.
- 4.1.3 The HSE has drafted the fifth edition of L29 (Guide to the Genetically Modified Organisms (Contained Use) Regulations 2000) which will apply from 1 October 2014 when the new regulations come into force and this is available for download. <http://www.hse.gov.uk/pubns/books/l29.htm> Members of the public are invited to feedback on this draft version and any comments should be emailed to gmoconsolidation@hse.gsi.gov.uk.
- 4.1.4 HSE has produced the following, free, leaflets
- **Chemical reaction hazards and the risk of thermal runaway**. INDG254(rev1). This leaflet is for small and medium-sized companies in the chemical manufacturing industry, although the principles also apply to larger businesses. It identifies the main hazards of carrying out chemical reactions, provides guidance on safe operation, and identifies sources of information and advice.

- **Compaction equipment; managing use and public safety** Waste08(rev1) This guidance gives advice on the main safety issues at compactors (sometimes referred to as compactor units or packer units) and how the risks can be controlled.
 - **Farm Safety Partnership (Scotland)**. HSE state that over 70% of work-related deaths on Scotland's farms are due to four causes. These are; falls from height – roof work, handling animals - cattle, transport – all terrain vehicles and equipment - maintenance and clearance of blockages.
- 4.1.5 HSE has updated the section of their web site . <http://www.hse.gov.uk/lev/> on Local Exhaust Ventilation (LEV). There are new FAQ's, case studies and resources including a clip detailing what LEV is
- 4.1.6 The Health and Safety Laboratory (HSL) will be holding a Slips & Trips awareness training course on **9th September**. Slips and trips are the leading cause of major injuries in the workplace. In many cases, simple solutions can have a significant effect on the incidence of slips and trips accidents. The course will cover:
- Why tackling slips and trips is important to all businesses
- The role of contamination in slip accidents and the effect that good and bad cleaning techniques can have on slips.
 - The role footwear can play in reducing slip accidents and the pitfalls of selecting appropriate products.
 - The importance of good design, including stairs.
- This course, to be held at HSL's Buxton, facility costs £375 (including course notes, registration certificate, lunch and refreshments). For more information or to book a place contact HSL by telephone on 01298 218806 or on training@hsl.gsi.gov.uk.
- 4.1.7 A meeting of the Standing Committee on Biocidal Products is scheduled for 19 September 2014. The meeting will consider two active substances for Approval under the EU Biocides Regulation. The active substances under consideration are:
- Permethrin - (Product Type 8 and 18)
 - Tralopyril (Product Type 21)
- Details of these active substances are in the document "[Table of 2 actives for approval - Sep 2014](#)" recently uploaded to the biocides active substances web community. Comments are requested by **5th September**

4.2 The Office for Nuclear Regulation (ONR) and the Environment Agency (EA)

- 4.2.1 THE ONR and EA published their Generic Design Assessment (GDA) quarterly report covering the period April - June 2014 on 14th August. This report provides an update on the work that has been undertaken so far during Step 2 of the Generic Design Assessment (GDA) of Hitachi-GE's UK Advanced Boiling Water Reactor (UK ABWR), as well as the regulators preparation for potential other GDA's.
- 4.2.2 The Office for Nuclear Regulation (ONR) and the Environment Agency published a series of technical assessment reports and summary report on the 28th August. These detail the findings of the initial assessment at the end of step 2 of the Generic Design Assessment (GDA) of Hitachi-GE's UK Advanced Boiling Water Reactor (ABWR) design. The regulators have not identified any fundamental safety, security or environmental issues and will now move to step 3 of GDA. More information on GDA is available on <http://www.onr.org.uk/new-reactors/index.htm?>

5 Prosecutions


Prosecutions brought by HSE during August included:

- An Edinburgh based pharmaceutical company pled guilty of failing to ensure the health and safety of an employee when a reversing lorry crushed an employee's head and chest resulting in severe injury. It was found that no suitable and sufficient risk assessment had been carried out for the task, that there was no safe system of work and that the loading bay area not kept clear and free from obstructions.
- A Selkirkshire based company was found guilty and fined £100,000 for failing to ensure the health and safety of an employee when they died after becoming trapped between a partition door and a support frame within their Winston Road premises. The company had failed to provide proper instruction, training or supervision and that there was no suitable and sufficient risk assessment carried out for the task and the system of work was unsafe.
- A Stonehaven animal feed company has been fined £240,000 after a lorry driver was crushed to death when a two tonne, fully-loaded grain bin fell onto him from a forklift truck. The company did not have in place a safe system of work for the task and operators were left to carry it out in any way they saw fit. The company had assumed the forklift training they had received from an external provider would cover safe working.
- A Stourbridge dry cleaning company has been fined after its failure to properly manage and monitor Legionella bacteria put workers and members of the public at risk. The company was unable to provide information or evidence as to how they were managing and monitoring a cooling tower, which was in operation and was an integral part of the company's dry cleaning process. The company had previously employed a water consultant to manage and control the tower on its behalf. However, when this arrangement was removed the company did not put alternative management measures in place to continue the same level of control.
- An Essex company has been fined after four of its chemical storage tanks failed and spilled 150 tonnes of hazardous material. a glass reinforced plastic (GRP) tank catastrophically failed, releasing its contents of 66 tonnes of aluminium chloride. This caused chemical spills from a further three tanks that were damaged by the first spillage, releasing a further 32 tonnes of aluminium chloride and 52 tonnes of hydrochloric acid. The firm was unable to demonstrate that the tanks were being operated within their design lives, or were being suitably inspected and maintained to ensure they were fit for continued use.

6 Coming into force in September

- WSI 2014/1772. The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2014.
- WSI 2014/1761. The Town and Country Planning (Fees for Non-Material Changes) (Wales) Regulations 2014.
- SI 2014/1942. The Control of Explosives Precursors Regulations 2014.

7 Other news

7.1 North West Safety Conference and Exhibition. A one day conference targeting occupational health issues will be held at Barton Grange Hotel and Conference Centre, Nr.Preston, Lancashire PR3 5AA on Wednesday 10 September. Subjects covered will be exposure to harmful dusts and fumes, asbestos, PPE selection and stress and wellbeing. Full programme and booking details and are available to download on the [NWRA website](#)  or by email to [Cathy Nixon](mailto:Cathy.Nixon@nwra.gov.uk) or tel: 0161 485 8102.