

# Enhesa flash

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in French

No. 41 June 2008

Brussels • Washington

addressing some of the  
latest EHS regulatory  
developments

Besides briefing you on recent Enhesa projects and Enhesa services on a regular basis, the **Enhesa Flash** is aimed at alerting you to new EHS Regulatory developments of interest to industry as they occur in over 60 countries and regions around the globe.

If you are not aware of what these new developments require from you and how they impact you, please contact Enhesa for additional support at [info@enhesa.com](mailto:info@enhesa.com).

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## REACH Pre-Registration Initiated from 1 June

By Paul Beatley, Washington

Pre-registration of chemical substances under the European Union's (EU) REACH Regulation (Regulation EC/1907/2006) began on 1 June 2008. From 1 June to 30 November 2008, so-called "phase-in substances" substances listed in the European Inventory of Existing Commercial Chemical Substances (EINECS), or registered under the old regime must be pre-registered with the new European Chemicals Agency (ECA) in order to continue to be manufactured in or imported to the European Union. Failure to pre-register during this period will result in the obligation to have such substances fully registered (a substantially more involved and costly procedure, which also will require substantially more time) before they may be produced or used in the EU. Thus, anyone wishing to continue manufacturing, importing or, eventually, using such substances would be wise to ensure that they are properly pre-registered.

Beyond the relatively simple process of pre-registration however, REACH imposes substantial new obligations concerning the full registration, evaluation, and authorization of, and possible bans or restrictions on, chemicals manufactured in, or imported into, the European Union. REACH is perhaps most acute example of the globalization of the EU's environmental legislation. Although the Regulation can only be legally enforced in the 27 member countries of the EU, in reality its application will extend much further since any trade in chemicals with the EU will have to comply with its requirements.

The Regulation, which entered into force on 1 June 2007, marks a paradigm shift, making industry responsible for placing only safe products on the market. Prior to REACH, it was public authorities who had to show that a chemical was dangerous in order to restrict it.

REACH not only targets manufacturers and importers of chemicals, but also downstream users of chemicals and even manufacturers and importers of products. It not only imposes detailed legal obligations, but it also entails extensive commercial imperatives, as manufacturers and importers of articles (i.e., products) products containing concerned substances (i.e., pretty much everything) might be obliged to ensure that substances in them are registered, brief their suppliers on the specific uses of the supplied chemicals; provide consumers with information to allow the safe use of an article, and other responsibilities.

The Regulation does exempt many materials from its scope, including radioactive substances; substances, on their own, in a preparation or in an article, which are subject to customs supervision; non-isolated intermediates and the carriage of dangerous substances and dangerous substances in dangerous preparations by rail, road, inland waterway, sea or air. Moreover, waste does not meet the definition of a substance, preparation or an article and is thus excluded as well. All other exemptions detailed in Article 2 of the Regulation are only partial and do not entirely absolve concerned parties from regulatory obligations.

(Continued on page 9)

## Enhesa is Growing — Do You Want to Join?

Are you passionate about environmental law? Do you want to assist leading multinational companies in ensuring compliance with current, pending and future regulatory requirements? Do you want to join a growing team of over 35 environmental regulatory experts from more than 25 different countries?

Enhesa is looking for environmental, health and safety regulatory experts who are able to advise companies on how to comply with environmental, health and safety (EHS) regulations and how to develop their corporate environmental, health and safety strategies.

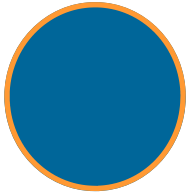
[See our website for further info.](#)



The Enhesa Flash is distributed free of charge by Enhesa.

Visit our website [www.enhesa.com](http://www.enhesa.com) for more information about our regulatory compliance services.

During January and February 2008 several new environmental, health and safety regulations were adopted that could directly impact your business. The following overview provides you with a descriptive title for the regulatory developments per country, the formal adoption date and the ID number of the monitoring report in the Enhesa Knowledgebase.



For more details on any of these developments, you can subscribe to the **Enhesa Update** (7,400 EUR/year for a corporate subscription) or register to receive **detailed monitoring reports**. For further information visit <http://www.enhesa.com/enhesa/EN/service/monitoring.asp> or send us an email at [update@enhesa.com](mailto:update@enhesa.com).

We are constantly expanding the geographic scope of our EHS Regulatory Monitoring.

The current number of countries covered on a daily, in-depth basis now stands at over 80.

## Asia Pacific

### Australia

- NSW: Water Management (General) Regulation 2004 amended for controlled activities on waterfront land - 25-Jan-2008 [8843]
- NSW: Protection of the Environment Operations (Noise Control) Regulation 2008 published - 22-Feb-2008 [15008]
- NSW: Sydney Water Catchment Management Amendment Act 2007 passed - 07-Dec-2007 [16323]
- NSW: Order clarifying environmentally related Ministerial responsibilities made - 27-Feb-2008 [16896]
- QLD: Environmental Protection Amendment Act 2007 enters into force - 11-Feb-2008 [15578]
- QLD: New asbestos management obligations took effect - 01-Jan-2008 [16604]
- QLD: Environmental Protection and Other Legislation Amendment Regulation (No. 1) 2008 published - 01-Feb-2008 [16793]
- QLD: Electrical Safety and Other Legislation Amendment Regulation (No. 1) 2008 published - 25-Jan-2008 [16795]
- QLD: Building and Other Legislation Amendment Regulation (No. 3) 2007 published - 14-Dec-2007 [16808]
- QLD: Electricity Amendment Regulation (No. 4) 2007 published - 07-Dec-2007 [16809]
- QLD: Workplace Health and Safety Legislation Amendment Regulation (No. 1) 2007 published - 07-Dec-2007 [16810]
- QLD: Environmental Protection Legislation Amendment Regulation (No. 1) 2008 published - 08-Feb-2008 [16811]
- QLD: Queensland Building Services Authority and Other Legislation Amendment Act 2007 and Building Services Authority Amendment Regulation (No.2) 2007 - 07-Dec-2007 [16812]
- SA: Environment Protection (National Pollutant Inventory) Policy 2008 prepared to collect information on releases of certain substances - 21-Feb-2008 [17027]
- WA: Gas Standards (Gas Supply and System Safety) Amendment Regulations 2007 published - 04-Jan-2008 [16679]
- WA: Waste Avoidance and Resource Recovery Act 2007 assented - 21-Dec-2007 [13537]

### China

- List of wastes subject to import control amended - 29-Jan-2008 [8403]
- Water Pollution Prevention and Control Law amended - 28-Feb-2008 [15694]
- BEIJING: 48 Regulations repealed includ-

- ing health and safety related regulations - 23-Nov-2007 [16687]
- List of institutions in charge of solid waste identification issued - 22-Jan-2008 [16827]
- Management measures on hazardous waste export implemented - 25-Jan-2008 [16834]
- 57 ozone depleting substances subject to import license in 2008 - 24-Dec-2007 [16836]
- Plant Safety and Health Rules and other 91 regulations repealed - 15-Jan-2008 [16846]
- 5 more products subject to compulsory energy efficiency label - 18-Jan-2008 [16848]

### Hong Kong

- Hazardous Chemicals Control (General) Regulation commencement date decided - 05-Oct-2007 [16400]
- Hazardous Chemicals Control (Fees) Regulation commencement date decided - 05-Oct-2007 [16401]

### Japan

- Lithium-ion batteries subject to PSE Mark - 21-Nov-2007 [14706]

### Korea, South

- Monitoring of wastewater discharge tightened - 30-Nov-2007 [13953]
- Details of chemical labeling and MSDS determined - 10-Jan-2008 [14676]
- International Dismantling Information System available for the compliance with Korea ELV Law - 29-Jan-2008 [14692]
- ISO 22628 usable for the calculation of recyclability and recoverability of vehicles - 29-Jan-2008 [14696]
- Quality standards for electrical and electronic equipment determined - 29-Jan-2008 [14708]
- Comprehensive details on the control of persistent organic pollutants determined - 28-Jan-2008 [14955]
- The Korean government restructured - 29-Feb-2008 [16899]

### Singapore

- Environmental Pollution Control (Hazardous Substances) (Amendment) Regulations 2008 issued - 31-Jan-2008 [2672]
- Amended the list of hazardous substances on Environmental Protection and Manage-

(continued on page 3)

## Asia Pacific

- ment Act - 31-Jan-2008 [7497]
- Amendments of the Building Control Act published - 29-Jan-2008 [15304]
- Two regulations under the Factories Act revoked - 18-Jan-2008 [16612]

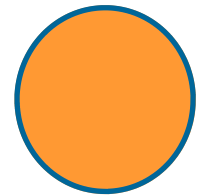
### Taiwan

- Labor safety and health training requirements amended - 08-Jan-2008 [13567]
- Fines reduced for minor offences of Water Pollution Control Act - 12-Dec-2007 [16548]
- Procedure for applying for permission, registration or approval for handling toxic chemical substances provided - 17-Dec-2007 [16617]

- Sign requirements of manufacturing, storage and handling site of public hazardous substances modified - 09-Jan-2008 [16688]
- Notification and recordkeeping required for handling toxic chemical substances - 17-Dec-2007 [16689]
- Standards on radiation limits of television receivers modified - 31-Dec-2007 [17026]

### Vietnam

- Decision on the application of good manufacturing and laboratory practice principles for pharmaceutical products enters into force - 03-Jan-2008 [26568]



## Africa and the Middle East

### Egypt

- No new major legal developments were identified during this period.

### Israel

- No new major legal developments were identified during this period.

### Nigeria

- Oil pollution must be reported to the National Oil Spill Detection and Response Agency - 08-Mar-2008 [17054]

### Qatar

- No new major legal developments were identified during this period.

### Saudi Arabia

- No new major legal developments were identified during this period.

### South Africa

- Amendments under the Compensation for Occupational Injuries and Diseases Act passed - 19-Oct-2007 [16048]
- Certified training required for drivers of dangerous goods vehicles - 08-Feb-2008 [17045]
- Exemption for lifting machine inspectors extended under the Driven Machinery Regulations - 07-Mar-2008 [17046]

### Measure your compliance performance

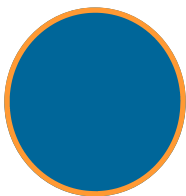
Are all of your facilities in compliance with these EHS regulatory requirements?

Enhesa develops ScoreCards and Audit Protocols that can be used by facility and corporate management to identify weaknesses and ensure compliance.

For help with identifying and understanding legal requirements before they impact your business, please contact us at [protocols@enhesa.com](mailto:protocols@enhesa.com) for further details.

## Find the right tools and support for your compliance needs worldwide

- Enhesa's **Regulatory Register** identifies and provides access to the relevant and applicable legislative requirements.
- The **Country Profiles** provide you a narrative description and analysis of how main EHS issues are regulated.
- The **Monitoring Reports** help you to anticipate and manage regulatory change.
- **Audit Protocols and ScoreCards** measure your performance in terms of compliance assurance.
- **Chemical Tracking Service** to make sure you are kept way ahead of developments in chemical restrictions. This service offers you with a multilingual search function to be able to research individual chemicals.



## Central and Eastern Europe

### Over 60 EHS Country Profiles available

Enhesa's array of EHS Country Profiles is continually growing. To date we have Country Profiles for more than sixty countries. Enhesa has recently developed or updated comprehensive EHS country profiles for the following countries:

- China
- India
- United Arab Emirates

To find out about purchasing any of these, or having a tailor-made EHS country profile drafted for your specific operations, please contact us on +32 2 775 97 97 or email us at [profiles@enhesa.com](mailto:profiles@enhesa.com).

### Czech Republic

- Government Regulation on the protection of health against non-ionising radiation adopted - 12-Dec-2007 [16702]
- Decree establishing the list of active substances adopted - 02-Jan-2008 [16703]
- Decree on technical conditions of fire security of buildings under construction adopted - 29-Jan-2008 [16884]
- Act on integrated pollutant register adopted - 16-Jan-2008 [16886]
- Waste Act amended changing requirements for transporting waste and addressing PCB waste - 16-Jan-2008 [16887]

### Hungary

- Decree on protection zones around air emission sources amended - 16-Jan-2008 [4413]
- Decree on dangerous substances and preparations as well as related activities amended by restriction on PFOs - 05-Feb-2008 [12542]
- Decree on nature protection maintenance plans adopted - 05-Feb-2008 [15555]
- Decree on the promulgation of the 2008-2012 NAP and on the detailed rules of allocation of emission allowances adopted - 30-Jan-2008 [16500]
- Implementing Decree of the Act dealing with the trade of greenhouse gas emission allowances amended - 30-Jan-2008 [16504]
- Decree on the activities of environmental, nature and landscape protection experts adopted - 23-Dec-2007 [16807]
- Decree on the mandatory off-take and purchase price of electricity produced from renewable energy sources, waste recovery and cogeneration adopted - 23-Dec-2007 [16815]
- Decree on authority licensing procedures for the construction of electricity facilities adopted - 23-Dec-2007 [16817]

### Lithuania

- Order amending of list of waste managers adopted - 17-Jan-2008 [16776]
- Order on the approval of rules on establishment of workplaces in construction sites adopted - 15-Jan-2008 [16778]
- Safety requirements for management of medical waste adopted - 14-Feb-2008 [16946]

### Poland

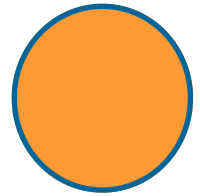
- Ordinance issued on conditions of public aid for investments in achieving landfills compliance with environmental requirements - 05-Nov-2007 [11821]
- Ordinance on conditions of public aid for investments for fuel combustion emissions reduction issued - 05-Nov-2007 [12077]
- New product fee rates for packaging and some products adopted - 18-Dec-2007 [13568]
- Amendment to the Ordinance on Types of Wastes which can be Collected and Transported Without a Permit issued - 25-Jan-2008 [15907]
- Ordinance on public aid for investments renewable energy resources issued - 16-Jan-2008 [16885]
- Ordinance on the registry of installations with pre-consents for waste recovery facilities issued - 01-Feb-2008 [16906]
- Infringements of waste electrical and electronic equipment management requirements to be penalized with Trade Inspection tickets - 16-Jan-2008 [16916]
- Consolidated text of the Environmental Protection Act of 2001 published - 15-Feb-2008 [16920]
- Ordinance on training and testing of energy efficiency auditors issued - 21-Jan-2008 [16929]

### Russia

- Adopted new Methodic Directions on Developing Waste Generation and Disposal Limits - 19-Oct-2007 [16790]
- Adopted new version of the Sanitary Norms on the Classification of Sanitary Protection Zones (SZZs) and Sanitary Classification of Facilities - 25-Sep-2007 [16791]
- Instruction on safe construction and operation of hoisting slings adopted - 29-Feb-2008 [16990]
- Adopted Methodic Recommendations on estimating the consequences of an accidental release of polluting substances into the ambient air - 14-Dec-2007 [16995]
- Adopted Instruction on supervising compliance with the requirements applicable to the equipment used at facilities with explosion or chemical hazard - 20-Feb-2008 [16997]

(continued on page 5)

# Central and Eastern Europe



## Slovakia

- Decree implementing Act on integrated pollution prevention and control amended - 11-Feb-2008 [16714]
- Amendment to Decree No. 67/2002 Coll. adopted restricting mercury in measuring devices - 12-Dec-2007 [16889]

## Turkey

- Amendment to the Regulation on Control of Water Pollution introduces tougher provisions - 13-Feb-2008 [7999]
- Amendment to Notification on Import of Batteries and Accumulators 2008/15 published - 09-Feb-2008 [11839]
- Notification on the Administrative Fines 2008/1 imposed in accordance with the Environmental Law issued - 05-Jan-2008 [13791]
- Amendment to the Regulation on Hazardous Chemicals adopted to expand the ban

on the use of chrysotile and fiber asbestos belonging to serpentine group - 18-Jan-2008 [14203]

- Amendment to Notification of Standardization of Foreign Trade on Import of Products Controlled by the Ministry of Health 2008/4 published - 28-Feb-2008 [14204]
- Notification on the implementation of tariff quota for import of acrylnitril published - 12-Jan-2008 [14974]
- Amendment to Notification on import of some products which must bear CE mark 2008/9 published - 28-Feb-2008 [16180]
- Circular on Import of Controlled Substances 2008/3 published to ease the implementation of the related legislation - 20-Feb-2008 [17008]

## Ukraine

- Statistical Reporting Forms for 2008 approved - 26-Dec-2007 [17062]

## Are you planning audits abroad?

We have received requests for a number of new audit protocols, and are looking for other customers who may also be interested in sharing the development cost for these. If you have an interest in audit tools for any of these, please get in touch with us for more favourable rates on these protocols. They include the following:

- Morocco
- Tunisia
- China Jiangsu
- Slovakia
- Romania
- Greece
- Serbia
- Colombia
- Panama
- Puerto Rico
- Guatemala
- Fiji
- Northern Ireland
- Georgia, Vietnam
- Canada Saskatchewan
- Jordan
- Oman

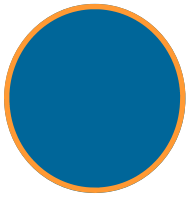
# European Union

- Integrated Pollution Prevention and Control (IPPC) Directive codified - 29-Jan-2008 [996]
- Regulation on energy efficiency labelling for office equipment published - 13-Feb-2008 [13106]
- Regulation on the form of label and labeling requirements of products and equipment containing certain fluorinated greenhouse gases adopted - 17-Dec-2007 [16634]
- Regulation establishing standard leakage checking requirements for stationary fire protection systems containing certain fluorinated GHG adopted - 18-Dec-2007 [16644]
- Regulation on leakage checking requirements for stationary refrigeration, A/C equipment or heat pumps with certain fluorinated GHG adopted - 19-Dec-2007 [16649]
- Regulation on the format for the report to be submitted by producers, importers or exporters of certain fluorinated greenhouse gases adopted - 17-Dec-2007 [16655]
- Criteria for eco-label for footwear, televisions, hard floor coverings, textile products, detergents and tourist accommodation prolonged - 20-Dec-2007 [16717]

## Latest Enhesa Audit Protocols

Since the previous issue of the Enhesa Flash in May 2008, Enhesa has started work on developing or updating the following protocols. These will be available throughout the coming few months and can be purchased from Enhesa as normal.

- |                               |                |                               |
|-------------------------------|----------------|-------------------------------|
| - Algeria                     | - China Xiamen | - UK England                  |
| - Australia Queensland        | - Hungary      | - US Federal (OHS&A and MSHA) |
| - Australia Western Australia | - Indonesia    | - US New Jersey               |
| - Austria                     | - Japan        | - Russia (including Moscow)   |
| - Chile                       | - Kuwait       |                               |
| - China Beijing               | - Singapore    |                               |
| - China Shangdong             | - Taiwan       |                               |



## Western Europe

### EHS Regulatory Registers

Regulatory Registers are an essential tool for EHS compliance and, especially, for assessing against ISO 14001 and OHSAS 18001. By allowing companies to identify and maintain up-to-date a list of EHS legislation that is applicable to their particular operations, the tool provides a solid basis for a compliance program.

This relatively new service is available from Enhesa for facilities in more than 50 countries and regions. The latest updates include Belgium and India, available in both English and local language.

Contact us for further information at [regregs@enhesa.com](mailto:regregs@enhesa.com).

### Austria

- Ordinance on landfills adopted - 30-Jan-2008 [14021]
- Ordinance on protection against exposure from terrestrial natural radiation sources adopted - 07-Jan-2008 [16805]

### Belgium

- Wallonia: Decision on the promotion of electricity production from renewable energy sources or from combined heat and power - 20-Dec-2007 [16706]
- Two Royal Orders on administrative fee procedures for infringements on ionising radiation - 20-Dec-2007 [16711]
- Wallonia: Decision defining integrated permit conditions for installations for distribution of liquid hydrocarbons - 29-Nov-2007 [16712]

### Finland

- Adopted a Decree restricting the marketing and use of PFOS - 10-Jan-2008 [16804]
- Adopted a Decree restricting the use of PFOS - 10-Jan-2008 [17042]

### France

- Order on periodic compliance audits of metal and plastic treatment Classified Installations subject to Declaration adopted - 17-Oct-2007 [16656]
- Order on the annual declaration of certified organizations, and refrigerating fluids distributors and producers adopted - 20-Dec-2007 [16664]
- Amendment to the glass and mineral fiber industry Order - 26-Dec-2007 [16692]
- Order relating to tanks containing more than 50 tons of flammable liquefied gas adopted - 02-Jan-2008 [16708]
- Circular relating to the implementation of the Order on surface treatment installations subject to authorization issued - 30-Nov-2007 [16741]
- Order on the energy performance diagnosis for new buildings adopted - 21-Sep-2007 [16745]
- Circular on the coordination of the action of radiation protection and labour inspectors regarding prevention of ionizing radiation risks issued - 16-Nov-2007 [16770]
- Order on the transport of dangerous goods by road amended - 28-Jan-2008 [16894]
- Order on the transport of dangerous goods by rail amended - 28-Jan-2008 [16919]
- Environmental and safety requirements applying to certain facilities using or stor-

ing diisocyanate diphenylmethane adopted - 29-Oct-2007 [16924]

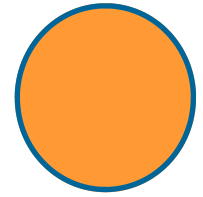
- Order on the transport of dangerous goods by inland waterways amended - 28-Jan-2008 [16925]
- Order relating to glass packaging manufacture adopted - 09-Jan-2008 [16930]
- Order relating to the prevention of risks involved by storages and workshops using organic peroxides - 06-Nov-2007 [16932]
- Environmental and safety requirements applying to certain facilities using or storing certain toxic substances adopted - 30-Oct-2007 [16940]
- Environmental and safety requirements applying to certain facilities using or storing of chlorosulfuric acid or oleum adopted - 31-Oct-2007 [16941]
- Environmental and safety requirements applying to certain facilities using or storing formaldehyde adopted - 02-Nov-2007 [16942]

### Germany

- Technical Rules on handling instructions and training of employees (TRGS 555) amended - 21-Feb-2008 [1475]
- Revised version of Technical Rules on protection measures (TRGS 500) issued - 21-Feb-2008 [1649]
- TRGS 900 on occupational exposure limit values amended - 27-Dec-2007 [3897]
- Technical Rule on laboratories amended (TRGS 526) - 21-Feb-2008 [4150]
- Act on the Ecodesign of Energy Using Products (EuP) adopted - 27-Feb-2008 [14754]
- Administrative Ordinance on the Procurement of Energy-efficient Products and Services adopted - 17-Jan-2008 [16735]
- HH: Ordinance on Climate Protection HH adopted - 11-Dec-2007 [16737]
- Srl: Ordinance on Acknowledged Company Fire Brigades adopted - 24-Jan-2008 [16740]
- First Amendment to the Ordinance on Transport of Dangerous Goods by Sea adopted - 03-Dec-2007 [16765]
- He: Changes in soil management legislation - 04-Jan-2008 [16782]
- Revised version of TRGS 400 on risk assessment for activities involving dangerous substances issued - 21-Feb-2008 [16841]
- Act on Electromagnetic Compatibility of Equipment (EMVG) adopted - 26-Feb-2008 [16963]
- Bay: Ordinance on Implementation of the

(continued on page 7)

# Western Europe



Ordinance on Energy Saving (EnEV) published - 28-Feb-2008 [16964]

- Bay: Ordinance on Handling and Storage of Water Hazardous Substances (VAWS) amended - 28-Feb-2008 [16965]
- MV: New version of Ordinance on Dangerous Substances in Harbors has been published - 13-Feb-2008 [16967]
- SH: Ordinance on responsible authorities & repealing reporting requirements under the Ordinance on Wastewater Emissions Declarations SH published - 28-Feb-2008 [16969]

## Greece

- Regulations on the training of employers and employees for the exercise of duties of safety technicians issued - 24-Jan-2008 [16822]
- National Allocation Plan on CO2 emissions for the period 2008-2012 approved - 25-Feb-2008 [17063]

## Ireland

- Waste Management (Packaging) Regulations 2007 adopted - 07-Dec-2007 [14140]
- Adopted the Stores for Explosives Order 2007 - 11-Dec-2007 [16618]

## Italy

- New expanded list of limit values related to exposure to chemical agents at work adopted - 26-Feb-2008 [6690]
- Adopted Decree delaying existing deadlines (Decreto Milleproroghe) - 29-Feb-2008 [14178]
- Amendments to the Environmental Code finally published in the Official Journal - 29-Jan-2008 [14934]
- Published Decree for the enforcement of REACH - 15-Jan-2008 [15236]
- Community Act for year 2007 approved - 06-Mar-2008 [15726]

## Luxemburg

- Annexes of the law on classification, packaging and labeling of dangerous substances revised - 12-Feb-2008 [16891]
- Grand-Ducal Regulation on marketing and use restrictions of arsenic compounds adopted - 12-Feb-2008 [16892]
- Grand Ducal Regulation on the promotion of electricity from renewable energy sources adopted - 08-Feb-2008 [16893]
- Health and safety requirements for petrol stations supplying natural gas adopted - 31-Dec-2007 [17022]

## Netherlands

- Adopted Implementing Decision EU Regulation on Pollutant Release and Transfer Register - 18-Jan-2008 [15973]
- Rules on air quality assessment amended - 08-Nov-2007 [16682]
- Adopted amendments to the Labour Conditions Rules - 13-Dec-2007 [16686]
- Adopted implementing Rules on stimulating sustainable energy production - 28-Feb-2008 [17032]
- Adopted amendments to Building Decision 2008 in relation to CE-Marks and Quality Declarations for construction products - 14-Jan-2008 [17034]

## Norway

- Restrictions on the use of Deca-BDE have been adopted - 09-Dec-2007 [16813]
- Prohibition to produce, import, export, sell and use mercury and mercury compounds enters into force - 04-Dec-2007 [16833]
- Regulations introducing restrictions on certain polycyclic aromatic hydrocarbons in oils and tyres adopted - 02-Nov-2007 [17012]

## Portugal

- Legal framework for electricity production from wave energy adopted - 08-Jan-2008 [16126]
- National Allocation Plan for CO2 Emission Allowances 2008-2012 approved - 04-Jan-2008 [16284]
- Ordinance on the application of the environmental fee on electric bulbs with low energy efficiency (light bulbs) adopted - 18-Jan-2008 [16607]
- Parameters to apply an environmental tax on electric bulbs with low energy efficiency (light bulbs) adopted - 21-Jan-2008 [16614]
- National strategy to integrate bio-fuels in fossil fuels adopted - 05-Feb-2008 [16733]
- Procedures for the licensing of storage installations for petroleum products and petrol stations revised - 25-Feb-2008 [16851]
- Measures to ensure compliance with EC Regulation EC/2037/2000 on substances that deplete the ozone layer revised - 27-Feb-2008 [16852]

## Spain

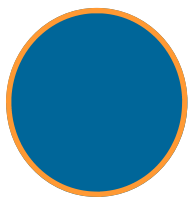
- Royal Decree on batteries, accumulators and their waste management approved -

### Before you buy... due diligence

How can you be sure that you not only avoid unforeseen environmental liabilities with your new acquisition, but that your new business is a sound and sustainable investment in terms of all EHS issues?

Enhesa calls on a wide variety of legal and regulatory expertise to facilitate the full range of on-site and desk studies necessary to identify potential environmental liabilities associated with acquisition, leasing and/or divestiture of properties. Contact us for more information at [info@enhesa.com](mailto:info@enhesa.com).

(continued on page 8)



## Western Europe

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- 01-Feb-2008 [15562]
- Order regulating wastewater emission controls adopted - 16-Jan-2008 [16643]
- National plan on emissions reduction of large combustion plants - 17-Jan-2008 [16645]
- Environmental Impact Assessment of projects further regulated - 11-Jan-2008 [16646]
- Royal Decree on construction and/or demolition waste adopted - 13-Feb-2008 [16869]
- Marketing and use restrictions of per-fluorooctane sulfonates (PFOS) regulated - 31-Jan-2008 [16931]
- Order regulating the disposal of end-of-life vehicles adopted - 08-Mar-2008 [17056]

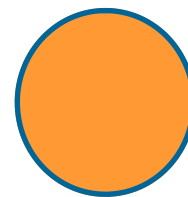
### Switzerland

- Amendment to the Ordinance on the Reduction of Risk from Chemical Substances adopted - 13-Feb-2008 [16926]

### United Kingdom

- WALES: The Environmental Noise (Identification of Noise Sources) (Wales) Regulations 2007 - 13-Dec-2007 [16751]
- ENGLAND, SCOTLAND, WALES: The Environmental Protection (Controls on Ozone-Depleting Substances) (Amendment) Regulations 2008 adopted - 16-Jan-2008 [16752]
- ENGLAND, SCOTLAND and WALES: Adopted the Ozone Depleting Substances (Qualifications) (Amendment) Regulations 2008 - 16-Jan-2008 [16758]
- ENGLAND/WALES: Adopted the Water Resources (Abstraction and Impounding) (Amendment) Regulations 2008 - 26-Jan-2008 [16761]
- ENGLAND, SCOTLAND, WALES: Adopted the Fluorinated Greenhouse Gases Regulations 2008 - 10-Jan-2008 [16764]
- Adopted the Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment Regulations 2008 - 10-Jan-2008 [16767]
- Adopted the Transfrontier Shipment of Waste (Amendment) Regulations 2008 - 07-Jan-2008 [16768]
- NI: Adopted Health and Safety (Fees) Regulations (Northern Ireland) 2008 - 21-Jan-2008 [16831]
- NI: Adopted the Social Security (Industrial Injuries) (Prescribed Diseases) (Amendment) Regulations (Northern Ireland) 2008 - 05-Feb-2008 [16832]
- WALES: The Radioactive Contaminated Land (Modification of Enactments) (Wales) (Amendment) Regulations 2008 adopted - 25-Feb-2008 [16976]
- ENGLAND: The Radioactive Contaminated Land (Modification of Enactments) (England) (Amendment) Regulations 2008 adopted - 25-Feb-2008 [16977]
- ENGLAND: The Smoke Control Areas (Authorised Fuels) (England) Regulations 2008 adopted - 27-Feb-2008 [16979]
- ENGLAND: The Smoke Control Areas (Exempted Fireplaces) (England) Order 2008 - 27-Feb-2008 [16982]
- ENGLAND, SCOTLAND, NI, WALES: The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2008 - 25-Feb-2008 [16983]
- ENGLAND, WALES, SCOTLAND, NI: The Corporate Manslaughter and Corporate Homicide Act 2007 (Amendment of Schedule 1) Order 2008 - 14-Feb-2008 [16985]
- ENGLAND: The Environmental Noise (England) (Amendment) Regulations 2008 adopted - 13-Feb-2008 [16989]
- ENGLAND, WALES, SCOTLAND: The Producer Responsibility Obligations (Packaging Waste) (Amendment) Regulations 2008 adopted - 19-Feb-2008 [16998]
- ENGLAND: The Site Waste Management Plans Regulations 2008 adopted - 08-Feb-2008 [17001]
- ENGLAND, WALES, SCOTLAND, NI: The Petroleum Licensing (Production) (Seaward Areas) Regulations 2008 adopted - 05-Feb-2008 [17004]
- WALES: The Plastic Materials and Articles in Contact with Food (Lid Gaskets) (Wales) Regulations 2008 adopted - 14-Jan-2008 [17005]
- ENGLAND, WALES, SCOTLAND, NI: The Passenger and Goods Vehicles (Recording Equipment) (Downloading and Retention of Data) Regulations 2008 adopted - 29-Jan-2008 [17006]
- ENGLAND, WALES, SCOTLAND: The Electricity and Gas (Carbon Emissions Reduction) Order 2008 adopted - 30-Jan-2008 [17007]
- SCOTLAND: The Pollution Prevention and Control (Designation of Batteries Directive) (Scotland) Order 2008 adopted - 28-Feb-2008 [17037]

## REACH Pre-Registration Initiated from 1 June



(Continued from page 1)

REACH is not merely an environmental issue; it will impact the way businesses are operated (as well as whether they can operate). REACH compliance cannot, therefore, be assured solely by a company's environmental or EHS department. Compliance must involve other key actors, such as legal, finance, R&D, quality assurance, purchasing and materials sourcing, marketing and sales, and even manufacturing. Unfortunately, few companies are actually prepared for REACH.

Pre-registration is merely the first step in the REACH process. After 30 November 2008, companies will need to focus attention on the actual registration process, which will entail many additional hurdles and obligations if they are to be allowed to continue placing their substances (and many products containing them) on the market:

**Registration** - The Commission estimates there will be some 30,000 substances requiring registration. The registration periods will run from 2010 to 2018. In order to register, companies will need to use the software package IUCLID 5 (<http://ecbwbui5.jrc.it/>), which will help them to create, manage, store, view and export data on chemical substances to fulfill REACH legislation requirements.

**Information in the supply chain** - REACH contains the obligation to communicate information down as well as up the supply chain. If new risks or hazardous properties are identified by users, this information must be passed to the next actor or distributor up the supply chain.

**Downstream users** - Downstream users of chemicals did not used to have a significant role under the previous chemical regulatory regime. However REACH assigns them new roles and responsibilities. Downstream users, in many cases, will find it prudent to communicate to suppliers the uses they make of the supplied chemicals. Failure to do so opens up the obligation for the downstream user to prepare a chemical safety report for such uses.

**Authorization** - Authorization is a new instrument in European chemical regulation.

Under REACH, a manufacturer, importer or downstream user will not be allowed to use a substance or place a substance on the market, or use it himself, unless authorized if the substances is included in Annex XIV, (mainly substances classified as carcinogens, mutagens or substances toxic for reproduction of category 1 or 2, persistent, bioaccumulative and toxic substances, very persistent and very bioaccumulative substances as well as endocrine disruptors). Authorization will be awarded to one company for a specific substance and a specific use.

**Marketing and use restrictions** - The main difference between the previous marketing and use restrictions and authorization is the scope. Substances listed in Annex XVII will be allowed to be used in the prescribed manner by any company whereas substances listed in Annex XIV will be allowed to be used only pursuant to and in compliance with any conditions set in an authorization granted to that particular company.

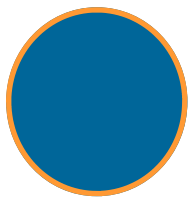
The vast majority of companies currently grappling with REACH expect that it will affect, to some degree, the availability or price of raw materials and products on the market. The registration and testing costs can run as high as, and even exceed, EUR 100,000 per substance. These costs can easily outstrip the market value of some substances, and may even result in their withdrawal from the market.

Clearly, REACH will require extensive financial and human resources and may impact the very heart of your business. Timely action will be necessary to ensure your business remains viable, and the very first step should be to work with your suppliers and others in the supply chain to ensure that all substances upon which your products depend are duly pre-registered.

*By Paul Beatley,  
Enhesa Director in Washington DC*

### Further Reading?

- ◆ The article written by Enhesa Consultant Dae-Young Park: "REACHing Asia: Recent Trends in Chemical Regulations of China, Japan and Korea" was picked up as Asia-Europe Environment News by Asia-Europe Environment Forum. See: <http://ssrn.com/abstract=1121404>
- ◆ Paul Beatley was interviewed by Joy LePree in Chemical Engineering News of 15 June 2008 in "Reaching for a Solution— Available software tools help chemical processors handle REACH, GHS and other product stewardship initiatives » see <http://www.che.com/news/3939.html>



## North America

### Canada

- Amendment adopted to Ministerial Condition No.
- Ministerial Condition No. 15001 adopted on formaldehyde - 05-Jan-2008 [16637]
- Significant new activity notices no. EAU-395 and EAU-396 published on siloxanes and silicones - 12-Jan-2008 [16638]
- Significant New Activity Notice No. 14236a published on benzenesulfonic acid - 12-Jan-2008 [16639]
- Significant new activity notice no. 14892 published on oxirane - 26-Jan-2008 [16641]
- Significant New Activity Notice No. 14978 in respect of the substance oxirane published - 09-Feb-2008 [16654]
- Amendment Number 6 to the Transportation of Dangerous Goods Regulations adopted - 20-Feb-2008 [16870]
- Notices published with respect to Batch 5 Challenge substances and on identification of Batch 6 Challenge substances - 16-Feb-2008 [16871]
- Notice with respect to reporting of greenhouse gases for 2008 published - 16-Feb-2008 [16873]
- Notice published with respect to substances in the National Pollutant Release Inventory for 2008 - 16-Feb-2008 [16874]

### United States

- Adopted regulations to limit emissions from stationary internal combustion engines - 18-Jan-2008 [11990]
- Adopted changes to Continuous Emissions Monitoring Rule for NO<sub>x</sub> Budget Trading Program, Clean Air Interstate Rule, and Clean Air Mercury Rule - 24-Jan-2008 [12547]
- Adopted amendments to the Hazardous Materials Regulations - 28-Jan-2008 [13007]
- Adopted revisions to wood packaging material regulations - 07-Feb-2008 [14818]
- Adopted rule regarding national emission standards for hazardous air pollutants for paint stripping and miscellaneous surface coating operations - 09-Jan-2008 [15648]
- Final rule issued to adopt revisions to the list of hazardous substances and reportable quantities - 07-Jan-2008 [16659]
- EPA publishes rule to require TSCA reporting for lead compounds - 29-Jan-2008 [16759]
- MSHA administrative penalties increased - 07-Feb-2008 [16858]
- Mine Safety and Health Administration

adopted revisions to asbestos exposure limits - 29-Feb-2008 [16904]

- Revised Energy Star specifications for televisions issued - 04-Feb-2008 [16908]
- CALIFORNIA: Adopted amendments to phase out the use of perchloroethylene in dry cleaning - 11-Jan-2008 [13580]
- CALIFORNIA: Amended regulation regarding safety signals on industrial trucks adopted - 11-Jan-2008 [15466]
- CALIFORNIA: Amended waterworks regulations issued - 08-Feb-2008 [16880]
- ILLINOIS: Adopted revision to water quality standard for dissolved oxygen - 08-Feb-2008 [15423]
- ILLINOIS: Adopted regulations regarding secondary containment for USTs - 01-Feb-2008 [15716]
- ILLINOIS: Adopted revision to the federal exemption from the definition of VOCs - 01-Feb-2008 [16154]
- INDIANA: Federal hazardous waste rules adopted - 23-Jan-2008 [13726]
- INDIANA: Adopted rule regarding attainment designations for criteria air pollutants - 14-Nov-2007 [15433]
- MASSACHUSETTS: Adopted amendments to stormwater runoff regulations - 02-Jan-2008 [14620]
- MASSACHUSETTS: Adopted revisions to administrative penalty regulations - 29-Feb-2008 [15736]
- NEW JERSEY: Enacted legislation regarding notice of contaminated sites - 13-Jan-2008 [13826]
- NEW JERSEY: Enacted Electronic Waste Recycling Act - 13-Jan-2008 [13829]
- NEW YORK: Adopted revisions to state's water quality standards pursuant to triennial review - 06-Feb-2008 [13588]
- TEXAS: Final property tax exemptions for pollution control equipment adopted - 16-Jan-2008 [16821]
- VIRGINIA: Bill maintains the current Air, Water and Waste Boards, but creates a uniform permitting process. - 04-Mar-2008 [14144]
- WASHINGTON: Rule amendments adopted regarding the protection of in-stream flows in the Wenatchee River basin - 15-Feb-2008 [14303]
- WASHINGTON: Adopted revisions to accident reporting requirements - 20-Feb-2008 [16490]

### Mexico

- Modifications to the Regulation on Health Inputs issued - 02-Jan-2008 [16624]

## Central and South America (continued)

### Argentina

- System on the promotion of bioethanol production approved - 02-Jan-2008 [16742]
- BUENOS AIRES PROVINCE: Water code approved - 27-Nov-2007 [16785]
- Extension of waste manifests to multiple generators of hazardous waste - 11-Jan-2008 [16955]
- BUENOS AIRES PROVINCE: Transitory authorization of manifest of special waste for the transport of medical waste - 08-Jan-2008 [16999]
- BUENOS AIRES PROVINCE: Simplified procedure for obtaining a certificate for the exploitation of water resources - 10-Jan-2008 [17000]

### Brazil

- Mandatory conformity assessment of packaging for road transport of dangerous goods reviewed - 09-Jan-2008 [16599]
- Rio de Janeiro: Solar panels mandatory in State owned buildings located in the State of Rio de Janeiro - 02-Jan-2008 [16693]
- Eligibility criteria to receive equipment to collect cooling fluids established - 23-Jan-2008 [16695]

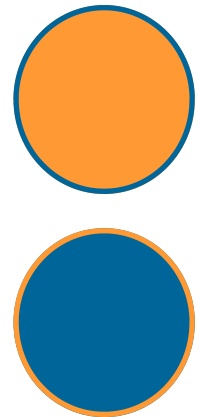
- Sao Paulo: Procedures for the collection, transport and final disposal of waste from ships in the Santos harbor adopted - 21-Dec-2007 [16701]
- Rio de Janeiro: Rio de Janeiro Metropolitan area solid waste management plan approved - 09-Jan-2008 [16854]
- Criteria to measure and monitor abstracted water and discharged wastewater adopted - 12-Nov-2007 [16883]
- Mandatory conformity assessment of packaging for land transport of dangerous goods reviewed - 29-Feb-2008 [16975]

### Colombia

- Ban on the production and use of chlorofluorocarbons issued - 31-Jan-2008 [16928]

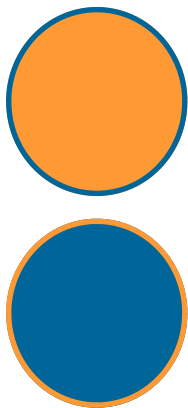
### Costa Rica

- Regulation on the procedures of the environmental administrative tribunal - 20-Jun-2008 [16981]



- This Enhesa Flash highlights some of the regulatory EHS developments that occurred in January and February 2008. For more details, you could consult the **Enhesa Update** which provides you with a one paragraph abstract for each development impacting industry in general and the possibility to obtain further relevant details. The Enhesa Update is available for 7,400 EUR per year.
- If you want to ensure that you get all the information you need, the **Enhesa regulatory monitoring service** could be the perfect solution for you. This service provides you with a summary of all relevant and applicable regulatory EHS developments
- For each development, a tailored business impact analysis is made for your company's operations. In most cases, a link to the full text of the Regulation is provided, either on the Internet or in the Enhesa Knowledgebase of more than 20,000 texts.
- The report is accompanied by a compliance calendar, a list of legislation with hyperlinks to the full text and an overview of interesting websites. These reports are delivered through a dedicated website tailored to your needs and connected to your Intranet.
- Contact us at [info@enhesa.com](mailto:info@enhesa.com) to visit our demo site.

Do you want to be fully informed on changing EHS Regulations and how they impact your business?



## Upcoming Events and Presentations

### 3-5 September 2008 - National Auditing Roundtable Meeting, Crystal City, Arlington VA

organized by the Auditing Roundtable.

Further info: <http://auditing-roundtable.org>



### 8-10 September 2008 - Electronics Goes Green Berlin, Germany

organized by the Fraunhofer Institute for Reliability and Microintegration IZM, in collaboration with CARE Electronics Europe. Further info: <http://egg2008.izm.fraunhofer.de/>.

### 22-24 October 2008 - 16th Annual EHS Management Forum, Memphis TN

organized by the National Association of Environmental Managers. Further info: <http://www.naem.org/forum.html>



### 2-5 Dec 2008 - Pollutec, Lyon, France

Further info at <http://www.pollutec.com>

### Enhesa — Global EHS Compliance Assurance Support to Industry

Enhesa is an environmental, health and safety policy and strategy consultancy. Enhesa is based in Brussels, with regional managers in Washington and Florence, and a network of consultants covering almost any corner of the globe. Our mission is to inform and advise our clients on how to deal with rapidly evolving regulatory and policy developments in the fields of environmental protection and occupational health and safety (EH&S).

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