European Commission

Inspection experience in the Smelting Industry

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ECHA manuals for competent authorities

Forum – Forum for exchange of information on Enforcement (Member State Authorities)
http://echa.europa.eu/doc/about/organisation/forum/forum_work_programme_2011-2013.pdf

REACH-EN-FORCE 1 (2009-2011)
REACH enforcement project on registration, pre-registration and safety data sheets
http://echa.europa.eu/doc/about/organisation/forum/mcri_minimum_criteria_reach_inspections_2011.pdf

REACH-EN-FORCE 2 (2011-??)
Project manual on enforcement of the obligations of downstream users – formulators of mixtures in 2010/2011

Minimum criteria for REACH and CLP inspections (March 2011, 12 pages)
http://echa.europa.eu/doc/about/organisation/forum/mcri_minimum_criteria_reach_inspections_2011.pdf

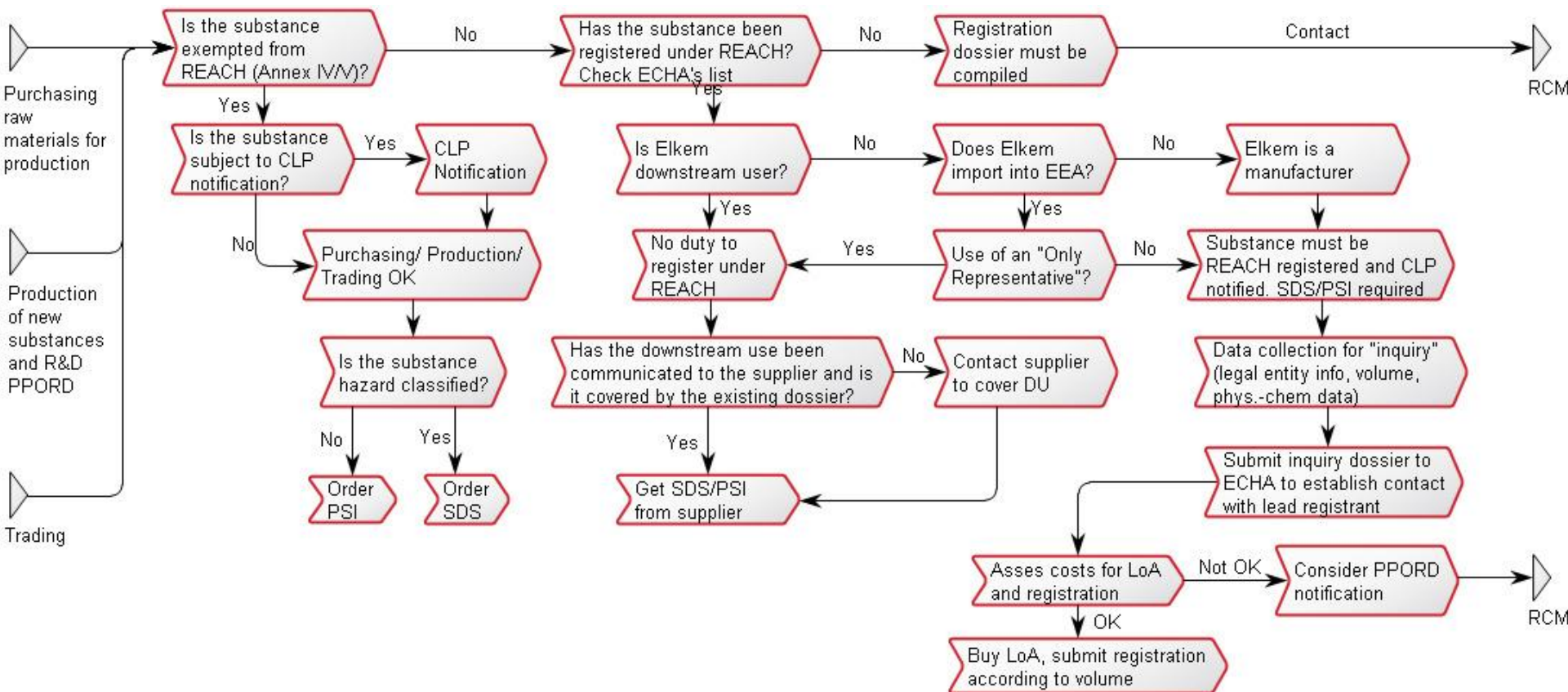*RIPE – REACH Information Portal for Inspectors*

REACH enforcement visits in the smelting industry

1. Elkem, Norway (Silicon, Ferrosilicon, Carbon)
   only basic REACH inspection in connection with emission control
2. Vale, France (Manganese)
   in depth REACH inspection

Check list of the Norwegian CA (Klif, Klima- og forurensingsdirektoratet)

- *Role of LE (manufacturer, producer, DU, OR)*

- *Duties of LE (reg., (late)pre-reg., SDS, deadlines)*

- *SVHC candidate list*
  http://echa.europa.eu/chem_data/authorisation_process/candidate_list_table_en.asp

- *Authorisation list*
  http://echa.europa.eu/chem_data/authorisation_process/annex_xiv_rec_en.asp

- *Restriction list (Annex XVII)*
  http://echa.europa.eu/reach/restriction/existing_restriction_en.asp

- *REACH-IT account*

- *REACH as part of corporate strategy*

Elkem's corporate REACH standard

REACH inspection in Vale Manganese France

General background

- **Took place in Vale Manganese France, Dunkirk in July 2011**

- **2 inspectors from local Environmental Authorities (DREAL), 4h**

- **In a wider context of REACH implementation control by French Authorities from 2011 onwards**

- **Paper-work orientation**

- **Intends to provide feedback to ECHA.**

- **Inspection divided into :**
  - ➜ REACH pre-registration and registration processes
  - ➜ Management of chemicals (internal & down the supply chain)

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Checklist of the french local environmental authorities (DREAL)

- *Administrative information (address, identity numbers…)*

- *Preregistration evidences*

- *Registration evidences & gaps preregistrations / registrations*

- *Organization in place: SIEFs and consortia including agreements on substances sameness.*

- *Registration dossiers & specifications of the substances*

- *Inventory of chemicals (used, manufactured, imported)*

- *Availability & content of Safety Data Sheet (including exposure scenarios, CLP, consistency with invoicing data)*

- *Communication of SDS down the supply chain & translations*

Advice for registrants

- Clearly assign REACH implementation managers (RIM) and define roles and mandates: *corporate standard.*

- Communicate REACH implications in your organisation:
  action list for new products and raw mat.,
  training of logistics, purchasing, R&D dept.

- Be prepared for inspections:
  Create a REACH inspection folder for each site with all necessary documents. No data – no market!

- Revise and update all SDS (or PSI for non-hazardous products) according to (EU) No. 453/2010.

- Make sure that a REACH manager is present during the inspection.

Open questions to the authorities

- *Inspection of REACH compliant companies is one thing. But how should defrauders be tracked down? What is the role of OLAF?*

- *Customs play a key role (wrt imports), but are not mentioned in REACH. Should be an issue in the future revision. Avoid imbalance between producers and importers.*

- *REACH inspection methods must be implemented at the border to avoid delays.*

- *How good is the communication between customs and enforcement authorities?*

- *What about harmonisation of REACH enforcement between member states?*

- *How will enforcement authorities deal with contradictory C&L of chemicals? I.e. C&L inventory vs. LR dossier!?*