

Preparing for REACH

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Many companies are starting to realise the importance of REACH¹ preparedness. There now appears to be sufficient regulatory certainty to give a good indication of the final legislative demands of the new EU Chemical Regulation. Consequently, companies are beginning to conclude that dedicating corporate resources to improving preparedness can be a cost-effective business strategy. Not only does preparedness appear to hold a key to ensuring compliance with REACH; it may reduce the overall regulatory burden on a company.

The major obstacle with implementing REACH will simply result from its enormous scope. REACH will require companies to perform hazard assessments for around 30,000 substances and then manage exposures to humans or ecosystems through the supply chain for any substance identified or confirmed as hazardous. Given that a single chemical substance can be produced by several companies and used in the manufacture of several hundred products, REACH poses a major challenge to any business producing, importing, marketing or using chemicals in the EU. Resources and expertise for managing REACH may be limited, which could increase compliance costs for some companies if they have to hire in extra personnel or over-rely on consultants.

Yet many companies still appear relatively unprepared. Companies still frequently respond to REACH by asking: who, what, how, where, when, and, how much will it cost?

A first step to preparing for REACH involves identifying what substances are within the scope of the regulation and which may be exempt. A company must then identify requirements for each substance in terms of whether it is a manufacturer, importer, supplier or downstream user. As regulatory data requirements and timelines tend to be volume-driven, companies must also be sure to keep track of the relevant production, supply or even use-specific volumes.

To assist companies, the UK Chemical Industries Association has developed a REACHReady service (www.reachready.co.uk). It offers a number of tools such as a REACHScope for companies to identify regulatory requirements, a REACHReckoner to generate compliance cost estimates, and a REACHMatchmaker to network companies with relevant consultants. In addition to issuing advice and guidance on meeting the requirements of REACH, the European Chemical Industry Council (Cefic) is establishing a ReachCentrum to provide a range of professional services. ReachCentrum will focus on registering data on substances and submitting applications for authorisations on behalf of

¹ The new EU system for the Registration, Evaluation and Authorisation of Chemicals (REACH) is anticipated to enter into law in Spring 2007 after which companies anticipate having one year to finalise preparations before implementation begins.

companies or consortia to the newly created European Chemicals Agency (www.reachcentrum.org).

Another approach to preparing for REACH involves developing existing product stewardship programmes, where companies seek to ensure that their products can be safely and responsibly used through the supply chain. Many companies appear to be basing their REACH activities around such programmes, e.g. updating existing hazard and exposure databases, improving risk communication to clients, or providing chemical safety compliance services. The Dutch Ministry of Spatial Planning, Housing and the Environment (VROM) has therefore financially supported Royal Haskoning to produce a chemical management programme that interlinks existing or relevant information and focuses in managing downstream user applications (www.specs-support.com); the system has been specifically designed to facilitate compliance with REACH and other chemical-based regulation.

As more tools and services for managing the implementation of REACH become available, companies will be under increasing pressure to further develop the strategies that they have adopted in response to REACH. Companies will want to ensure that they are not duplicating work by other actors, such as industry associations, and are adopting a resource-efficient approach. In amongst all the preparatory activities, some companies may find a competitive edge.