REACH CHECK LISTS

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1. REACH STRATEGY ACTION CHECK LIST

1. Tell senior managers about the risks associated with REACH. You are welcome to download the slides and use them.
2. Help the senior management team to think through each of the supply chain scenarios:
    1. What would your course of action be to deal with each one within your company?
    2. What level of resource will managing REACH need?
    3. Where are the risks (engineering, purchasing, labs, HSE?) – who should manage them?
    4. Which legal entities does REACH affect, and how will the effort be co-ordinated between them?
    5. Get buy-in from senior management to invest time and resources in managing the risks to the necessary level.
3. The person who has been designated responsible for REACH management will need to hold a workshop internally with representatives of each function affected by REACH.
    1. Invite all areas that could be affected. Purchasing, Design / Technical, Labs / Operations, HS&E, General Manager
    2. Present to them what REACH is.
    3. Identify all your 'strategically important' substances, preparations and articles.
    4. Identify who supplies them.
    5. Ask them how will the company identify 'substances of very high concern' in products and in process chemicals.
    6. Identify actions and actionees.
4. Start building a plan to manage REACH (Examples later)
5. Ask your supplier if they (OR THEIR UPSTREAM SUPPLY CHAIN) intend to pre-register AND THEN REGISTER the substances (or the substances within the preparations) that they supply to you. How to ask your supplier…
    1. Compile a list of your suppliers, and where they are.
    2. Write to all your suppliers telling them about REACH. Standard letters are available from REACHReady and other sources.
    3. Who is the supplier's REACH FOCAL POINT.
    4. Keep a record on who has replied, and the names / email addresses of the focal points.
6. DOCUMENT the responses you get back from suppliers.

The answers could be:

- **A standard letter back. At least they have heard of REACH. You can require them to inform you with as much notice as possible if they intend to withdraw anything, and you will have someone to talk to.**
- **A questioning letter back. You may be the first customer to contact them. They need to get informed about REACH quickly – recommend some appropriate training!**
- **Stony Silence. The odds are they have no clue about what they should be doing and are hoping it will go away. This means you DEFINITELY have a business continuity threat!**

7. Create an Inventory of all the substances you use

    1. In preparations in your facilities – this could be your electronic materials safety data sheet service (3E's Arial, SDS Tracker etc) or it could be a simple spreadsheet you put together which has the tradename, the supplier, the CAS No. and name of each constituent etc. from the MSDS on it.
    2. In articles you fabricate yourself – this could be a database of the compositional breakdowns of each materials specification called up for the article you make, together with the bill of materials.
    3. Start to consider the best way to collect the information for the composition of substances within the articles you buy.

What should the Inventory contain for substances & preparations?

- The tradenames / specs of the chemicals you buy
- Where and who you buy them from (import?)
- How much you buy
- Whether the supplier knows about REACH
- Who their focal point is
- Their contact details
- Whether we are the importer
- If there is an only representative
- What the use is of the substance / preparation
- Is the substance / preparation strategically important?

WHY DO THIS: To prove 'due diligence' to regulators & to help senior managers make decisions!

8. Also for make –to –print suppliers, where YOU are the design authority…

    1. Ask about the substances and preparations they use to make the parts to your drawings. They should be creating an inventory like the one mentioned in ACTION POINT 7.
    2. YOU may have specified the use of specific substances / substances in preparations that are likely to disappear. YOU may have to change your drawings and designs to deal with this.

9. Decide on a course of action for each 'At risk' substance, preparation or article.

Action Options: You can:

- Trust your supplier to take care of you
- Try to find other suppliers in the EU who will take care of you
- Try educating your supplier in REACH – or at least ensuring that they educate themselves
- If the substance is imported, consider importing it yourself, rather than have someone else do it. Then you will need to pre-register it yourself (but you can do this after the pre-registration deadline – just as long as it is before the first shipment direct to you)
- Obtain sufficient stock of the product so that you have time to take appropriate management action longer term. If you intend to do this, you need to do it immediately – certainly you need to receive it before 30 Nov 2008.

2. REACH PREREGISTRATION ACTION CHECK LIST

1. Determine whether your company is a manufacturer

    - Do you take any CAS No. substances, put them together with other CAS No. substances, REACT them together so that they form NEW CAS No. substances? Do you SELL the new CAS No. substance as a product?
    - Do you take scrap metal from outside the EU and melt it into new alloys?
    - Do you take any other waste material from outside the EU and turn it into a new substance or preparation?
    - If the answer is YES to any of these, you are a MANUFACTURER.

2. Determine whether your company is an importer

    - Do you import more than 1 tonne of substances from outside the EU (EU includes Norway and Iceland but not Switzerland)?
    - Do you import substances in preparations from outside the EU (EU includes Norway and Iceland but not Switzerland), where the CAS no. substance in the preparation is imported in quantities of more than 1 tonne, across all imports?
    - If the answer to either of the above is YES, your company is an importer.

If you are an importer, HOW do you figure out whether you import more than 1 tonne?

- Your purchasing people should know where you are buying goods from.
- Purchasing may not be so clear on quantities. They may note a ‘drum of X’ or ‘26 of Y’. Operations / Technical Manager may have a better idea of quantities by looking at the mass of the drum of X or the mass of Y – but you can always ask the supplier.

If you import more than a tonne…

- Will your non-EU supplier do the pre-registration for you?
- The non-EU supplier is obliged to tell you if they are going to establish an ‘Only representative’ to do the pre-registration for you. Have they contacted someone in your company to tell you that they are going to do this?
- If not, contact the non-EU supplier and ASK!
- If you have not heard from your supplier by the end of the summer, the PRE-Register yourself. Don’t leave it to the last minute!

3. Determine if you should be PREREGISTERING or conducting an INQUIRY.

   Substances that were in existence before 1981 should have an EINECS number in the EU numbering system (a bit like CAS). These are the substances that benefit from phase-in.

   Substances that were invented post 1981 should have an ELINCS number. These substances should be registered by your supplier already. If the supplier is outside the EU, this may not be the case. If your substance is listed on the ELINCS database you will need to ask your supplier if they have already registered the substance.

   The ELINCS and EINECS databases can be seen at http://ecb.jrc.it/esis/index.php?PGM=ein

   If the substance has neither an ELINCS or EINECS number, it will not benefit from phase-in, pre-registration is not necessary: USE is already illegal. You need to stop using it, and make an inquiry to ECHA. See http://echa.europa.eu/reachit/inquiry_en.asp

4. Decide if you intend to get consultant help to deal with the preregistration or inquiry for you.

BENEFITS	ISSUES
If you make preparations or articles, registration is hardly related to your core business. The consultants should be able to represent you, and you can get on with making product. They could take all the paperwork off your hands.	No-one really knows how much registration is going to cost. The cost of the consultant could spiral, and you could have little control over it. It will require tight oversight. Can you get the consultant's contract agreed in time?

5. If you decide to pre-register without the assistance of a consultant…

   - Familiarise yourself with the Pre-Registration Guidance REACH IT guidance from ECHA. **http://echa.europa.eu/reachit_en.asp**

   - Before submitting data to ECHA you must sign-up and create an account for your company in REACH-IT via the REACH-IT portal. This is the starting point for any data submission to ECHA.
   - You can find out how to do this at http://echa.europa.eu/reachit/createaccount-it_en.asp

6. Doing the preregistration.

   The method you use will depend on how may substances do you need to preregister.

   - You can pre-register a single substance online via the REACH-IT portal. This is fine for a small number of substances. **Pre-registrations can only be submitted via the REACH-IT portal**. You can only pre-register one substance at a time with online pre-registration.
   - http://echa.europa.eu/reachit/portal_en.asp
   - ECHA has created presentations explaining how to do it…
     http://echa.europa.eu/doc/reachit/pres_reach-it_key_conc_en_20080530.pdf
     http://echa.europa.eu/doc/reachit/pres_reach-it_pre_reg_en_20080530.pdf
   - A pre-registration of several substances in one file (bulk pre-registration) will be available at a later stage. Its launch will be announced on the ECHA website and communicated to those who have registered for ECHA news alerts.
   - If you have many (more than 50 or so) substances to preregister, it will probably be better to wait for the bulk pre-registration facility.

IUCLID5 is the software you need to do a full registration for REACH. The original idea was that companies would also be able to pre-register using their IUCLID5 software. This option should be available within the next month.

If you intend to go on and register the substances you are pre-registering, you will need to download IUCLID5 and use it.
IUCLID 5 is a very complicated piece of software, that is used for other legislation, not just REACH. You will probably need to go on a course explaining how to use it, if you have never seen it before.

More information on IUCLID5 is available at:
http://ecbwbiu5.jrc.it/

3. REACH REGISTRATION CHECK LIST FOR MANUFACTURERS AND IMPORTERS

1. If you have determined that you are a manufacturer or importer and you are going to pre-register, you need to seriously examine your ability to participate in the Substance Information Exchange Forum (SIEF).
    1. Do you have the right subject matter experts to participate in the debates on animal testing, toxicology, carcinogenicity?
    2. Do you know what tests are relevant to all your and your downstream user's uses are?

2. Decide if you should join the CONSORTIA

    SIEFs are likely to contain thousands of companies each with the legal obligation to participate and share costs. Within each SIEF, it is likely that a smaller group of companies will form a consortia under a legal agreement between themselves. This smaller group will probably organise and pay for the animal testing, with the other SIEF members being asked to contribute. The members of the Consortia will decide which animal tests they wish to cover as part of their work, and therefore the Consortia will effectively organise the SIEF, and decide on most of the tests. If you feel you need to have significant influence (but expect to also have significant cost), you may choose to join the consortia rather than be just another SIEF member.

3. Seriously think about employing expert assistance. Toxicology and the management of this kind of project is not your core business, you may feel out of your depth in participating in a SIEF or consortia. There are many consultancies offering services to assist you with this.

Pros and Cons of participating yourself, as opposed to hiring a consultant

Advantages: You get to help set the agenda on what the tests carried out should be. This way, you stand a better chance of getting the tests you need, done in exactly the way you need to reflect your uses. You also are right in the thick of things – you know exactly what is going on with your strategically important substance.

Disadvantages: You will really need an in-house expert to participate in Consortia, and may need one for a SIEF. They will be expensive, especially if you do not already have one – but consultants will also incur cost.

4. REGISTRATION CHECK LIST FOR DOWNSTREAM USERS

1. Identify each of your uses for each substance and preparation you cannot do without (strategically important substances).
2. Download the 'use descriptor system' from the ECHA website: http://ec.europa.eu/echa/home_en.html
3. Identify the use, as defined in the descriptor system you have of each substance or preparation by tradename and supplier.
4. Find any health surveillance data or occupational hygiene data (non-person specific) that you have concerning the substances and preparations. Sanitize this so that individuals cannot be identified.
5. Send your use descriptions to your supplier before the end of 2008. Your supplier is not likely to be the registrant, and they will need to cascade the information up the supply chain, by the time that the SIEFs are formed at the end of January 2009.
6. You can also send the health surveillance data too, but be aware that this may have value, and so you may not wish to part with it for free.
7. For your own purposes, keep a record of who buys the strategically important substance / preparation and where in your facility it is used, and on which products. It could be useful information to have, if you have any continuity of supply issues, or the supplier refuses to register the use of the substance.

If the Manufacturer / Importer does not include your use on the MSDS, you can write your own Downstream Users' Chemical Safety Report in order to ensure continued supply.

See the section on Downstream User Chemical Safety Reports
in the Downstream User guidelines
http://reach.jrc.it/docs/guidance_document/du_en.htm

5. CHECKLIST FOR MANAGING SVHCs THAT ARE CANDIDATES FOR AUTHORISATION

1. From October 2008, check the ECHA website to see which substances have been added to the candidate list. http://echa.europa.eu/reach_en.asp
2. For these substances most likely to be on the candidate list, identify ALL your uses of these substances
    - In your product
    - In your process chemicals
    - In any quantity
    - Whether there by accident or by design.
3. For each use of each substance, collect together any / all occupational hygiene, health surveillance, toxicological data and claims data you have.
4. Are any of these uses or candidate list substances, "substances of strategic importance" to your business?
    1. Is there a safer alternative you can use instead? (regardless of cost!)
    2. Will changing to the alternative be cost-prohibitive to your business (watch your margins!)
    3. How long will it take your business to adapt to life without the substance?
    4. What is YOUR business risk from losing the substance?
5. Is it worth collaborating with other companies in your sector?
6. Does the substance have a threshold value, below which it is considered 'safe'?
    1. With a Threshold: you can prove you are using it safely, and write a substitution plan to develop and use alternatives
    2. Without a Threshold: you need to prove using a 'Socio-Economic Analysis' that it is essential to be able to continue to use the substance.

Writing a Socio-Economic Analysis:

A Socio-Economic Analysis compares the benefit of no longer using the substance on the workforce, within the locality, and across the substance life cycle in comparison to the societal and economic benefits from continued access to it.

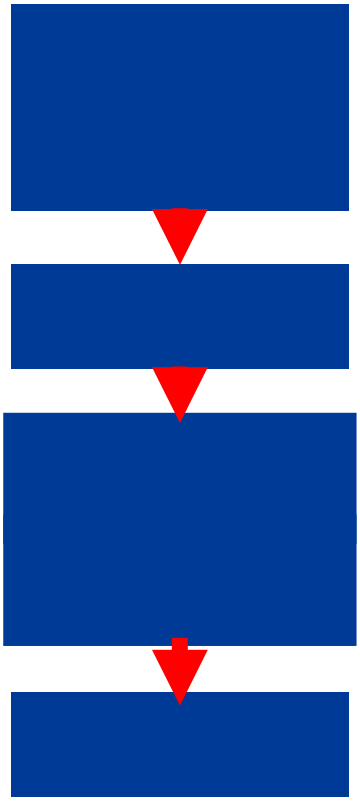
Arguments could include…

- Adverse effect on other significant environmental impacts by changing
- Adverse effect on employment and economic prosperity in the EU at specific locations, regionally and nationally.
- The risk will just be shifted to outside the EU.

ECHA guidance on how to write SEAs available from

http://reach.jrc.it/03_rdds_web_content/sea_authorisation_en/sea_authorisation_en.pdf

7. What is the percentage of the SVHC a) In the component sold as a spare and b)in the article?



1. What is the composition of the preparation? This should be on the MSDS
2. What is the relative amount of the preparation in the component?
   - The component manufacturer has to work it out.
   - The article manufacturer needs to know this answer.
3. What is the relative weight of the component in the article? The article manufacturer needs to know the weight of every component
4. .Is the substance in other preparations or components too?The component and article manufacturers need to know these facts for all preparations and component parts.
5. The manufacturer of the article and probably the manufacturer of the components are going to need some IT to help them work this out, especially considering that products are modified and the % w/w changes!
6. Both also need common data exchange formats to enable the information about SVHCs to be exchanged efficiently.
7. Collecting the data required for reach for the articles you make is probably going to need new or modified IT. Set up a REACH IT business project to enable you to get the IT you need to store and manage REACH related data.
   - Develop an IT strategy for dealing with Declaration
   - Get an agreed policy for the declaration of substances in the articles you buy across stakeholders in your legal entities.
   - Implement contractual clauses to enable you to get the information you need from suppliers, as inputs to your IT
   - Create and issue a business requirements document for the IT to support declaration
   - Agree the concept design
   - Agree the detailed design
   - Go live on the IT

6. CHECKLIST FOR REACH PROGRAM MANAGEMENT AND GENERAL ACTIONS

Programme management

1. Appoint someone (full time if you can!) to manage REACH as a project inside your company
   - Who…Purchasing? HSE? Materials? Design?
   - Where is the BIGGEST risk to your business – let the most affected department lead on it.
   - Plan out how you will hit the pre-registration deadlines (30 November 2008) and then the later deadlines.
   - Write Communication Plans for the supply chain and your own people.
   - What are your legal entities…each one has a separate legal obligation!
   - Will your internal processes and procedures need changing?

General actions

1. Up to date COSHH inventories

   - CHECK that all substances / preparations you buy are supplied with a MSDS, and check that it goes to your HSE people.
   - Are there people outside purchasing that have delegated authority to purchase substances and preparations?
   - How do you ensure these people get the MSDS to the HSE function?
   - Tighten up these processes!

2. Go through all your MSDS's for your facilities, and see which of the substances on the declarable substances list you are using. There are probably around 5 per site
3. Repeat the exercise for MSDSs with material specifications and with the non-metallic substances used to make your products.
4. If you find a substance on the declarable substances list in an MSDS, in a material spec or in a component you can:
   - See if there is something safer out there
   - See if the supplier is likely to reformulate the preparation
   - See if it is a strategically important substance, which is a significant risk to your business.
5. Create a business continuity plan for each of the substances in each of the tradenames / specs / articles that is strategically important to you.