

## Health & Safety Briefing – August 2005

### Introduction

Welcome to the second Health and Safety Briefing from PHC Occupational Health. This month the new vibration at work and hazardous waste regulations are summarised.

### New Legislation

**The Control of Vibration at Work Regulations 2005 came into force on 6th July.**

The regulations apply to any equipment supplied for use at work where mechanical vibration occurs and includes any piece of equipment, machinery or vehicle. There are transitional and other arrangements for equipment that is already in use or in the forestry and agriculture industries, supplied before 6<sup>th</sup> July 2007.

The regulations establish exposure limits on the amount of vibration an individual may be exposed to during their working day, an 8 hour reference period being used. These limit values come into effect on 6<sup>th</sup> July 2010 or in the case of whole body vibration in the agriculture and forestry businesses on 6<sup>th</sup> July 2014. They are calculated using different formulae according to the type of exposure, whether hand-arm or whole body vibration that the individual may be subjected to.

In order to determine exposure, equipment similar to that used for noise measurement will be required which measures for example, amplitude, duration and frequency of the vibration.

The HSE has published the following guidance leaflets:

- INDG175 (rev2) – Control the risk from hand-arm vibration
- INDG242 – Control back pain risks from whole body vibration
- INDG296 (rev 1) – Hand-arm vibration and
- INDG404 – Drive bad backs away.

All of these leaflets are in “.pdf” format and can be obtained from the HSE’s website.

## **The Hazardous Waste Regulations 2005 and List of Wastes (England) Regulations 2005 came into force on 16<sup>th</sup> July.**

These regulations replace the previous Special Waste Regulations 1996 and continue the alignment of UK and European Waste legislation.

There is now no requirement to pre-notify the Environment Agency (EA) about individual consignments of hazardous waste. However, they now require:

- no more mixing of different types of hazardous waste at producing sites;
- All sites producing more than 200kg of hazardous waste a year (for removal, treatment or disposal) to be registered with the EA. Many sites producing less than 200kg will also be required to register with the EA unless they meet certain exemption criteria, for example are a nursing home, produce less than 200kg and the waste is collected by a registered or exempt carrier; and
- producers to maintain company registers of their hazardous waste. The Hazardous Waste Regulations have been issued at the same time as changes to the classification of these wastes. The legislation requires that many more wastes, such as fluorescent tubes and some batteries are classified as 'hazardous' for the first time, using the European Waste Catalogue as a guide. The hazardous classifications of these and other waste products are confirmed from 16 July, when the List of Wastes (England) Regulations 2005 also comes into force.

Whilst this in general is an environmental legislative instrument, some of the changes may affect health and safety arrangements on-site. It may be necessary to review and prepare new layouts and site movements, the need to protect staff and others from stored materials and substances, and the need to prevent or control litter or spillages could be important factors. A review of COSHH assessments may also be necessary.

Guidance has been published by DEFRA for those who produce hazardous waste in England. This can be found at: [www.defra.gov.uk](http://www.defra.gov.uk) (click on the 'Recycling and waste' link).

### **Recent Court Cases**

#### **Topic:- Training.**

**Case 1:** After training in the operation a man-aloft fork lift truck, the employee was learning how to abseil from the operator's cab when he fell over six metres sustaining fatal injuries. This technique is required in the event of a failure of the trucks systems rendering it unable or unsafe to bring an operator back to ground.

Factors:

A proper risk assessment had not been carried out

The trainer was not qualified to train individuals in abseiling.

The equipment had not been properly checked and tested, and failed during the exercise.

No safety line was used during the training session.

A risk assessment should have identified the need for a competent trainer/s (fork lift use and abseiling) and the use of a safety line during the training session. Regular checks and tests on the trucks abseiling equipment should have identified the system was not functioning correctly.

**NEW CLINIC**

*PHC now has a new clinic at Heathrow, London*

*If you would like one of your employees seen at our new Heathrow venue, please*

*Contact your PHC Contract Support Administrator who will make the necessary arrangements.*

If you would like any further information or assistance with any health and safety related questions please do not hesitate to contact us at Preventative Healthcare [talk2us@phcohealth.co.uk](mailto:talk2us@phcohealth.co.uk).

