

Appendix F

Safety, Health and Welfare at Work (Chemical Agents) Regulations, 2001 (S.I. No. 619 of 2001)

Regulation 4

- (1) Without prejudice to the Principal Regulations, it shall be the duty of every employer to determine whether any hazardous chemical agents are present at the workplace and to assess any risk to the safety and health of employees arising from the presence of those chemical agents, taking into consideration the following -
- (a) their hazardous properties,
 - (b) information provided by the supplier of the hazardous chemical agents including information contained in the relevant safety data sheet and any additional information as may reasonably be required to complete the assessment,
 - (c) the level, type and duration of exposure,
 - (d) the circumstances of work involving such agents and the quantities stored and in use in the workplace,
 - (e) any occupational exposure limit value or biological limit value contained in an approved code of practice,
 - (f) the effect of prevention measures taken,
 - (g) where available, the conclusions from health surveillance already undertaken, and
 - (h) any activity including maintenance and accidental release in respect of which it is foreseeable that there is a potential for significant exposures.
- (2) In the case of activities involving exposure to several hazardous chemical agents, the risk shall be assessed on the basis of the risk presented by all such chemical agents in combination.
- (3) Any risk assessment made under this regulation shall be recorded in writing.
- (4) Where, as a result of such risk assessment, a further detailed risk assessment is deemed to be unnecessary the employers may include a justification for this decision.
- (5) Any risk assessment made under these regulations shall be reviewed regularly and shall be reviewed immediately if –
- (b) there is reason to suspect that the assessment is no longer valid,
 - (c) there has been a significant change in the work to which the assessment relates,
 - (d) where the results of health surveillance show it to be necessary, or
 - (e) where as a result of exposure monitoring an occupational exposure limit value is found to have been exceeded.
- (6) A risk assessment made pursuant to this regulation must identify the measures that have been taken or that are to be taken in relation to the requirements of these regulations.
- (7) In the case of a new activity involving hazardous chemical agents, work shall not commence until after an assessment of the risk of that activity has been made and the preventive measures identified in the risk assessment have been implemented.