

L.N. 51 of 2021**OCCUPATIONAL HEALTH AND SAFETY AUTHORITY ACT
(CAP. 424)****Protection of Workers from the Risks related to Exposure to
Carcinogens or Mutagens at Work (Amendment) Regulations, 2021**

IN EXERCISE of the powers conferred by article 12 of the Occupational Health and Safety Authority Act, the Deputy Prime Minister and Minister for Health, after consultation with the Occupational Health and Safety Authority, has made the following regulations:-

Citation. **1.** The title of these regulations is the Protection of Workers from the Risks related to Exposure to Carcinogens or Mutagens at Work (Amendment) Regulations, 2021, and these regulations shall be read and construed as one with the Protection of Workers from the Risks related to Exposure to Carcinogens or Mutagens at Work Regulations, hereinafter referred to as "the principal regulations".

S.L.424.22.

Amends
regulation 1 of
the principal
regulation.

2. Sub-regulation (6) of regulation 1 of the principal regulation shall be substituted by the following:

"(6) The scope of these regulations is to transpose:

(a) Directive 2014/27/EU of the European Parliament and of the Council of 26 February 2014 amending Council Directives 92/58/EEC, 92/85/EEC, 94/33/EC, 98/24/EC and Directive 2004/37/EC of the European Parliament and of the Council, in order to align them to Regulation (EC) No 1272/2008 on classification, labelling and packaging of substances and mixtures; and

(b) Directive 2017/2398 of the European Parliament and of the Council of 12 December 2017 amending Council Directive 2004/37/EC on the protection of workers from the risks related to exposure to carcinogens or mutagens at work; and

(c) Directive 2019/130 of the European Parliament and of the Council of 16 January 2019 amending Council Directive 2004/37/EC on the protection of workers from the risks related to exposure to carcinogens or mutagens at work; and

(d) Directive 2019/983 of the European Parliament and of the Council of 5 June 2019 amending Council Directive 2004/37/EC on the protection of workers from the risks related to exposure to carcinogens or mutagens at work."

3. Schedule III of the principal regulations shall be substituted by the following:

Substitutes
Schedule III of
the principal
regulations.

**"SCHEDULE III
(Regulation 16)
Limit values and other directly related provisions**

Limit values for occupational exposure

Name of agent	EC No ⁽¹⁾	CAS No ⁽²⁾	Limit values						Notation	Transitional measures
			8 hours ⁽³⁾			Short-term ⁽⁴⁾				
			mg/m ³ ⁽⁵⁾	ppm ⁽⁶⁾	f/ml ⁽⁷⁾	mg/m ³ ⁽⁵⁾	ppm ⁽⁶⁾	f/ml ⁽⁷⁾		
Hardwood dusts	-	-	2 ⁽⁸⁾	-	-	-	-	-	-	Limit value: 3 mg/m ³ until 17 January 2023
Chromium (VI) compounds which are carcinogens within the meaning of paragraph (a) of "carcinogen" in regulation 2 (as chromium)	-	-	0.005	-	-	-	-	-	-	Limit value: 0.010 mg/m ³ until 17 January 2025 Limit value: 0.025 mg/m ³ for welding or plasma cutting processes or similar work processes that generate fume until 17 January 2025
Refractory ceramic fibres which are carcinogens within the meaning of paragraph (a) of "carcinogen" in regulation 2	-	-	-	-	0.3	-	-	-	-	-
Respirable crystalline silica dust	-	-	0.1 ⁽⁹⁾	-	-	-	-	-	-	-
Benzene	200-753-7	71-43-2	3.25	1	-	-	-	-	skin ⁽¹⁰⁾	-
Vinyl chloride monomer	200-831-0	75-01-4	2.6	1	-	-	-	-	-	-
Ethylene oxide	200-849-9	75-21-8	1.8	1	-	-	-	-	skin ⁽¹⁰⁾	-
1,2-Epoxypropane	200-879-2	75-56-9	2.4	1	-	-	-	-	-	-
Trichloroethylene	201-167-4	79-01-6	54.7	10	-	164.1	30	-	skin ⁽¹⁰⁾	-
Acrylamide	201-173-7	79-06-1	0.1	-	-	-	-	-	skin ⁽¹⁰⁾	-
2-Nitropropane	201-209-1	79-46-9	18	5	-	-	-	-	-	-
o-Toluidine	202-429-0	95-53-4	0.5	0.1	-	-	-	-	skin ⁽¹⁰⁾	-
4,4'-Methylenedianiline	202-974-4	101-77-9	0.08	-	-	-	-	-	skin ⁽¹⁰⁾	-
Epichlorohydrine	203-439-8	106-89-8	1.9	-	-	-	-	-	skin ⁽¹⁰⁾	-
Ethylene dibromide	203-444-5	106-93-4	0.8	0.1	-	-	-	-	skin ⁽¹⁰⁾	-
1,3-Butadiene	203-450-8	106-99-0	2.2	1	-	-	-	-	-	-
Ethylene dichloride	203-458-1	107-06-2	8.2	2	-	-	-	-	skin ⁽¹⁰⁾	-
Hydrazine	206-114-9	302-01-2	0.013	0.01	-	-	-	-	skin ⁽¹⁰⁾	-
Bromoethylene	209-800-6	593-60-2	4.4	1	-	-	-	-	-	-
Diesel engine exhaust emissions	-	-	0.05 ^(*)	-	-	-	-	-	-	The limit value shall apply from 21 February 2023. For underground mining and tunnel construction the limit value shall apply from 21 February 2026.

Polycyclic aromatic hydrocarbons mixtures, particularly those containing benzo[a]pyrene, which are carcinogens within the meaning of this Directive	-	-	-	-	-	-	-	-	skin ⁽¹⁰⁾	-
Mineral oils that have been used before in internal combustion engines to lubricate and cool the moving parts within the engine	-	-	-	-	-	-	-	-	skin ⁽¹⁰⁾	-
Cadmium and its inorganic compounds	-	-	0.001 ⁽¹¹⁾	-	-	-	-	-	-	Limit value: 0.004 mg/m ³ ⁽¹²⁾ until 11 July 2027
Beryllium and inorganic beryllium compounds	-	-	0.0002 ⁽¹¹⁾	-	-	-	-	-	dermal and respiratory sensitisation ⁽¹³⁾	Limit value: 0.0006 mg/m ³ until 11 July 2026
Arsenic acid and its salts, as well as inorganic arsenic compounds	-	-	0.01 ⁽¹¹⁾	-	-	-	-	-	-	For the copper smelting sector, the limit value shall apply from 11 July 2023
Formaldehyde	200-001-8	50-00-0	0.37	0.3	-	0.74	0.6	-	dermal sensitisation ⁽¹⁴⁾	Limit value: 0.62 mg/m ³ or 0.5 ppm ⁽⁵⁾ for the health care, funeral and embalming sectors until 11 July 2024
4,4'-Methylene-bis(2-chloroaniline)	202-918-9	101-14-4	0.01	-	-	-	-	-	skin ⁽¹⁰⁾	
<p>(1) EC No, i.e. EINECS, ELINCS or NLP, is the official number of the substance within the European Union, as defined in Section 1.1.1.2 in Annex VI, Part 1, of Regulation (EC) No 1272/2008.</p> <p>(2) CAS No: Chemical Abstract Service Registry Number.</p> <p>(3) Measured or calculated in relation to a reference period of eight hours time-weighted average (TWA)</p> <p>(4) Short-term exposure limit (STEL). A limit value above which exposure should not occur and which is related to a 15-minute period unless otherwise specified.</p> <p>(5) mg/m³ = milligrams per cubic metre of air at 20 °C and 101.3 kPa (760 mm mercury pressure).</p> <p>(6) ppm = parts per million by volume in air (ml/m³).</p> <p>(7) f/ml = fibres per millilitre.</p> <p>(8) Inhalable fraction: if hardwood dusts are mixed with other wood dusts, the limit value shall apply to all wood dusts present in that mixture.</p> <p>(9) Respirable fraction.</p> <p>(10) Substantial contribution to the total body burden via dermal exposure possible.</p> <p>(11) Inhalable fraction.</p> <p>(12) Inhalable fraction. Respirable fraction in those Member States that implement, on the date of the entry into force of this Directive, a biomonitoring system with a biological limit value not exceeding 0.002 mg Cd/g creatinine in urine.</p> <p>(13) The substance can cause sensitisation of the skin and of the respiratory tract.</p> <p>(14) The substance can cause sensitisation of the skin.</p> <p>(*) Measured as elemental carbon.</p>										

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