



CEEMET POSITION ON THE PROPOSAL FOR A DIRECTIVE AMENDING DIRECTIVE 2004/40/EC ON ELECTROMAGNETIC FIELDS

Over the past years, CEEMET has been preparing for a review of the EMF Directive, in order to make it proportionate and simple. Whereas some progress has been achieved, we are still concerned that the proposed Directive may unintentionally prohibit processes that do not cause adverse physical effects.

The Directive has to be workable

A completely new set of values introduced by the proposal of 14th June 2011 required that we first establish the potential impact of the new exposure limit values for health effects on some key processes, specifically: high power single phase resistance welding, mid-frequency resistance welding and pulsed arc welding.

The above mentioned processes are processes at which adverse physical effects are not observed. They are essential to the metal, engineering and technology-based industries that directly employ 13 million workers and manufacture products that we all use every day. In many cases, there is no alternative technology available. CEEMET and its member organisations from across the EU are

very concerned that the directive may unintentionally prohibit common processes that do not result in physical effects.

CEEMET has therefore commissioned a highly-respected, independent expert to carry out measurements and have also gathered data collected by employers in the manufacturing sector.

In September 2011, the report produced by this expert confirmed that some welding processes are likely to exceed the action values and/or the exposure limit values for health and safety requirements and could therefore be banned.

However it appears that another EMF expert might have come to different results for the following reasons :

- The proposal does not include enough information regarding how to use the values;
- There is confusion regarding the use of references to CNS (central nerve system in the head) and PNS (peripheral nerve system in the whole body, including limbs and hands), which results in contradictions on the health and safety requirements.

In concrete terms, this could result in the prohibition of the manual operation of a series of commonly used welding equipment, without any benefits in terms of protecting the health and safety of workers;

- Current information regarding measurements, level of exposure and standardisation is based on the previous versions of ICNIRP recommendations. There is currently very little information that is based on the updated ICNIRP recommendations;

- Finally, there are errors in annex II (between 20 and 100 KHz). The action values for magnetic fields between 20 and 100 KHz do not correspond to ICNIRP recommendations, they are not justified, and thus have to be corrected.

This needs to be addressed in order to avoid facing a situation again, that would lead to the unintentional ban of a technology.

Furthermore, as long as the proportionality of the Directive is not ensured, it is crucial that the due flexibility provided by article 3.6 is maintained.

It allows limits to be exceeded if a risk assessment demonstrates that the adverse effects will be prevented. Removal of this Article could make it impossible to carry out common processes, such as arc welding, that briefly produce high exposures and do not result in adverse effects.

Simplification of the risk assessment

The renouncement to the absolute requirement to measure exposures is a major improvement in the proposal because measurement is not always required and more importantly is not always possible e.g: exposure limit values cannot be directly measured and have to be calculated.

In the great majority of cases, a simplified risk assessment will be possible. Companies will need tools to implement the Directive including appropriate information adapted to the type of activity.

The availability of information and guidance regarding EMF emissions / exposure will be crucial for companies to be in a position to properly assess a possible EMF risk.

In that respect, the lists of activities in annex IIC and IIIC, whilst well-intentioned are incomplete and based on orientation, action and limit values from an earlier version of the draft directive. Their accuracy has to be checked in the light of the new set of values and the fact that they are indicative needs to be explicitly specified.

Further, maintaining the lists in the Directive does not lessen the necessity of providing tools/guidance to companies at national level for implementing the Directive.

Annex IID repeats and in places contradicts the requirements in the main text. Signage requirements are inconsistent across the text and appear in situations where they are not needed; this would lead to confusion and unnecessary costs for companies. Therefore, we strongly recommend the removal of this part of the annex.

In several countries, Member States or industry have already put in place adequate guidelines or regulation, thus ensuring the protection of the health and safety of workers.

It is essential that the systems that are currently working well are not undermined by the new Directive.

In general, CEEMET supports a revision of the EMF Directive. However the above mentioned technical issues still need to be addressed to ensure that the proposal will be workable and effective in all sectors. To make sure this result is achieved, we urge the European institutions to closely work with experts from all sectors affected.

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