

Position Statement regarding Soil Stabilisation and potential obligations under REACH

The REACH [Registration, Evaluation and Authorisation of Chemicals] Regulation entered into force in June 2007 and is enforced in the UK by the Health and Safety Executive. It requires all substances manufactured in the EU to be registered at the European Chemicals Agency (ECHA).

Soil Stabilisation, with cement/lime/GGGBS/ fly ash, involves chemical reactions, which might be interpreted as 'manufacturing' new substances.

However Annex V of the REACH Regulation exempts certain processes from registration, including:

"3. Substances which result from a chemical reaction occurring upon end use of other substances, preparations or articles and which are not themselves manufactured, imported or placed on the market."

The European Commission has issued draft Guidance¹, on this exemption, which states

- The end use of a substance ...can result in an intended chemical reaction, i.e. use of an adhesive. However, provided that the reaction products obtained cannot be regarded as having been isolated from a manufacturing process or having been placed on the market, these reaction products are exempted from the registration provisions.

In the opinion of the BRITPAVE Soil Stabilisation Group, Soil-stabilisation is exempt from REACH Registration because:

- Stabilisation with cement/lime/GGGBS/ Fly ash is an 'end-use' of these substances, which can invoke the Annex V (3) exemption.

The end products of the soil stabilisation reaction are contained within the soil matrix and cannot be isolated.

Additionally, the product of soil-stabilisation is normally an 'article' (i.e. 'shape surface and design' are more important than chemical composition) and REACH registration is not required for 'articles'.

For advice on the implications of REACH on the binders used in stabilisation i.e. cement/lime/GGGBS/ Fly ash, please contact your supplier.

The advice above is the BRITPAVE Soil Stabilisation Task Group's interpretation of REACH and is given in good faith but without further liability. The reader is advised to consult the European Chemicals ECHA web sites: <http://echa.europa.eu> for further information.

http://ec.europa.eu/environment/chemicals/reach/pdf/com_rev_anx_V_guidance_en.pdf