

HAZARD COMMUNICATION STANDARD AND OTHER HIGHLIGHTS



PRESENTED BY:

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Overview



- **Not Much Going On**
- **EPA released a draft Science Policy on April 10, 2018 to reduce the use of animals in testing chemicals to evaluate whether they cause an allergic reaction, inflammation or sensitization of the skin.**
- **The draft policy is open for public comment until June 9, 2018.**

Overview

- **On June 27, 2017, OSHA published a Notice of Proposed Rulemaking proposing to revoke the ancillary provisions of the construction and shipyard standards, but retaining the new PEL and STEL.**
- **All obligations under the standards were to commence on March 12, 2018, with some exceptions**
- **March 2, 2018 - Memorandum for Regional Administrators to delay enforcement of the general industry standard and delay enforcement of the PEL and STEL in the construction and shipyard standards until May 11, 2018.**

Sven Covered

- **Concentration Ranges & Trade Secret**
- **Labeling**
 - HNOC and the Exclamation Pictogram
 - HCS v. DOT
 - Other Information
 - Colored bottles
- **Hazard Communication Enforcement**



Most Frequently Cited 1910.1200 Paragraphs for All Industries - Fed Only - FY17

Paragraph	Description
(e)(1)	Written hazard communication program
(h)(1)	Employee information and training upon initial assignment and new hazard
(g)(8)	Maintain in the workplace copies of the required safety data sheets
(g)(1)	Chemical manufacturers and importers shall obtain or develop a safety data sheet
(h)(3)(iv)	Training on the details of the hazard communication program developed by the employer, e.g. labeling system, SDS

Most Frequently Cited 1910.1200 Paragraphs for All Industries - Fed Only - FY17

Paragraph	Description
(f)(6)(ii)	Workplace label - product identifier and words, pictures, symbols, or combination thereof
(e)(1)(i)	List of the hazardous chemicals
(f)(6)	Workplace label
(h)(3)(ii)	Training on the physical and health hazards of the workplace chemicals
(f)(6)(10)	Workplace labels or other forms of warning are legible, in English, and prominently displayed on the container

Most Frequently Cited 1910.1200 Paragraphs for Manufacturing - Fed Only - FY17

Paragraph	Description
(f)(6)(ii)	Workplace label - product identifier and words, pictures, symbols, or combination thereof
(f)(6)	Workplace label
(h)(3)(ii)	Training on the physical and health hazards of the workplace chemicals
(e)(1)(i)	List of the hazardous chemicals
(h)(3)(iii)	Measures employees can take to protect themselves from the chemical hazards

Most Frequently Cited 1910.1200 Paragraphs for Construction - Fed Only - FY17

Paragraph	Description
(h)(3)(ii)	Training on the physical and health hazards of the workplace chemicals
(e)(1)(i)	List of the hazardous chemicals
(f)(6)(ii)	Workplace label - product identifier and words, pictures, symbols, or combination thereof
(h)(2)(iii)	Any operations in their work area where hazardous chemicals are present
(h)(3)(iii)	Measures employees can take to protect themselves from the chemical hazards

Totals

	Total Vio(s)	Ser Vio(s)	Will Vio(s)	Rep Vio(s)	Other Vio(s)	Init. Penalty
All Indust	4624	2772	4	145	1682	\$7,663,038
Manuf	1801	1073	0	40	678	\$3,392,005
Const	965	600	0	13	352	\$1,066,405

Does the Standard Apply?

- **If an employer is aware that his/her employees are exposed to chemicals brought onto a multi-employer worksite by other employer(s) or if service personnel are exposed to natural gas during furnace repair, do those chemicals get included in the employer's HCP?**
- **An employer whose employees are exposed to chemicals "known to be present" must include in their hazard communication program information concerning the hazards of those chemicals.**

Does the Standard Apply?

- **Is a brick or dishwashing detergent covered by HCS?**
- **Depends on usage, number exposed, etc.**
- **For citation purposes, the name of the hazardous chemical, e.g. silica and the concentration of the chemical in the mixture (e.g. 50% silica).**



Expanded Health Standards

- **How does HCS affect other expanded health standards?**
- **Depends on the scope of the expanded standard.**
- **Employers must comply with the hazard communication requirements of substance-specific standards.**

Expanded Health Standards

- **Labels:**
 - **Most substance-specific standards have specified requirements for labeling.**
 - **For example “The employer shall ensure that labels are affixed to all containers of EtO whose contents are capable of causing employee exposure at or above the action level or whose contents may reasonably be foreseen to cause employee exposure above the excursion limit”**



Expanded Health Standards

- **Labels:**

- **Some standards include specific language on the labels.**

- **For example, the Formaldehyde standard requires specific language on the label (in addition to the HCS 2012-required language) when the product is capable of releasing formaldehyde at levels of 0.1 ppm to 0.5 ppm**
- Identify that the product contains formaldehyde;
- List the name and address of the responsible party, and;
- State that physical and health hazard information is readily available from the employer and from safety data sheets.

Expanded Health Standards

- **Training:**
 - **Some standards include specific material to be covered in training.**
 - **Some standards training requirements based on exposure levels, others do not.**
 - **Silica standard vs. Lead standard**



Expanded Health Standards

- **1910.1025(l)(1)(i)**
 - Each employer who has a workplace in which there is a potential exposure to airborne lead at any level shall inform employees of the content of Appendices A and B of this regulation.

- **1910.1053(a)(2)**
 - This section does not apply where the employer has objective data demonstrating that employee exposure to respirable crystalline silica will remain below 25 micrograms per cubic meter of air (25 µg/m³) as an 8-hour time-weighted average (TWA) under any foreseeable conditions.

Expanded Health Standards

- **1910.1026**
 - This standard applies to occupational exposures to chromium (VI) in all forms and compounds in general industry, except where the employer has objective data demonstrating that a material containing chromium or a specific process, operation, or activity involving chromium cannot release dusts, fumes, or mists of chromium (VI) in concentrations at or above $0.5 \mu\text{g}/\text{m}^3$ as an 8-hour time-weighted average (TWA) under any expected conditions of use.

Expanded Health Standards

- **1910.1026(l)(1)(iii)**
- **Employers shall include chromium (VI) in the hazard communication program established to comply with the HCS (§ 1910.1200).**
- **Employers shall ensure that each employee has access to labels on containers of chromium (VI) and to safety data sheets, and is trained in accordance with the requirements of HCS and paragraph (l)(2) of this section.**

END

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