

TerranearPMC Safety Share

Robert Brounstein

Week of May 21, 2018 – Haz Com Revisited

It is 2018 and at this time, the various elements of the OSHA phase-in schedule for compliance to OSHA's revised hazard communication program (typically referred to as Haz Com 2012) have come and gone. The changes have been made so that employers as well as their employees have a better understanding of the materials they are handling while ensuring their right-to-know regarding the hazards of the chemicals they are exposed to and what precautions they can take to protect themselves. Yet, non-compliance violations consistently rank in the top 3 of OSHA's ten most frequently cited standards resulting in citations issued in nearly all industries.

The OSHA Haz Com standard, 29 CFR 1200 (for General Industry) and 29 CFR 1926.59 (for the Construction Industry) are identical and specify compliance dates. The first date that employers needed to meet was December 1, 2013. This was when employers needed to have their employees trained regarding the new label elements and safety data sheets format. And by June 1, 2015, chemical manufacturers, importers, distributors, and employers needed to comply with all modified provisions pertaining to having Safety Data Sheets written according to the new criteria (16 sections with each section using a consistent format) and using proper labels for their chemical shipments. After December 1, 2015, distributors would not be permitted to ship containers labeled by the chemical manufacturer or importer unless the label has been modified to comply with the Haz Com 2012 requirements. And finally, by June 1, 2016, all employers were required to update any alternative workplace labeling, update (revise) their company hazard communication program and provide any additional employee training in accordance with the new standard.

While Haz Com is designed to ensure that workers understand the hazards they may either be handling or performing actual work tasks, there are a number of materials that, for very specific reasons, are not included within the Haz Com Standard. Such are the substances that are regulated through other regulations; most notable are those that fall under CERCLA, Federal Food, Drug, and Cosmetic Act and the Nuclear Regulatory Commission. Other materials exempt from the Haz Com Standard include "household quantities" of commercial items (i.e. white out, toner for the copy machine, etc), tobacco products, wood, food and alcohol and biologic hazards (i.e. anthrax and zoonotic diseases) are not addressed in Haz Com. The complete list of exempt materials is presented in paragraph (b)(6) of the regulation.

The first requirement that OSHA instituted under the new Haz Com Program was to ensure all employees that will be effected by this regulation will need to be trained. According the paragraph "c" of the regulation this includes workers who may be exposed to hazardous chemicals under normal operating conditions or in foreseeable emergencies. Therefore, employees such as office workers or bank tellers who encounter hazardous chemicals only in non-routine, isolated instances are not required to take Haz Com Training. Employee training shall include at least:

- Methods and observations that may be used to detect the presence or release of a hazardous chemical in the work area (such as monitoring conducted by the employer, continuous monitoring devices, visual appearance or odor of hazardous chemicals when being released, etc.);
- The physical, health, simple asphyxiation, combustible dust, and pyrophoric gas hazards, as well as hazards not otherwise classified, of the chemicals in the work area (this is a new training requirement per Haz Com 2012);
- The measures employees can take to protect themselves from these hazards, including specific procedures the employer has implemented to protect employees from exposure to hazardous



TerranearPMC Safety Share

chemicals, such as appropriate work practices, emergency procedures, and personal protective equipment to be used; and,

- The details of the hazard communication program developed by the employer, including an explanation of the labels received on shipped containers and the workplace labeling system used by their employer; the safety data sheet, including the order of information and how employees can obtain and use the appropriate hazard information.

Another major change to Haz Com pertains to container labels. Labels now have six standardized elements: product identifier, manufacturer information, signal word, pictograms, hazard statements and precautionary statements. In the past, the diamond-shaped NFPA 704 sign was used. This sign showed whether flammables, health hazard and reactive materials were in a container. Now the required information is much more descriptive. This new information is why OSHA mandated retraining.

Of course material safety data sheets (MSDSs) – now referred to as safety data sheets (SDSs), have undergone major changes. That is, SDSs must now contain 16 sections in a specific order. In the past, MSDSs had no formatting requirements and, in many instances, the end user could not tell if a requested product (i.e. chemical) was the same material that they used in the past as each supplier had their own format for the same product. Therefore, in many instances, it was difficult to determine if, indeed, the same product was being used. The 16 sections are listed below:

Section 1 – Identification

Section 2 – Hazard(s) identification

Section 3 – Composition / Information on Ingredients

Section 4 – First-aid Measures

Section 5 – Fire-fighting Measures

Section 6 – Accidental Release Measures

Section 7 – Handling and Storage

Section 8 – Exposure Controls /Personal Protection

Section 9 – Physical and Chemical Properties

Section 10 – Stability and Reactivity

Section 11 – Toxicological Information

Section 12 – Ecological Information*

Section 13 – Disposal Consideration*

Section 14 – Transport Information*

Section 15 – Regulatory Information*

Section 16 – Other information including date of preparation of last revision

Note: Sections 12, 13, 14, and 15 are not within OSHA jurisdiction for compliance

Other noteworthy aspects of Haz Com 2012 include the various classifications for health hazards as well as physical hazards. Prior to the revised ruling chemicals were classified as flammable, toxic or reactive Today Haz Com recognizes 9 health hazards categories and 16 physical hazard categories. In addition, pictograms are an integral part of our Hazard Communication regulation; designed as an international means to help users around the world understand the materials they are about to handle.

I swear, by my life and my love of it, that I will never live for the sake of another man, nor ask another man to live for mine – Ayn Rand

