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RSI Internal Written Hazard Communication Program

Document Status

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Document Acceptance:

By: _____

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Introduction

A. Statement of Need

Company Real Simple Ideas, LLC designates this document as a written Hazard Communication Program (HCP). The employer must comply with the Federal OSHA standard 29 CFR 1910.1200 (general industry). Additionally, a HCP will assist the company in achieving our overall goal of a safer work place.

B. Anticipated Benefits

Several benefits are anticipated with the implementation of the Hazard Communication Program.

Prevention of chemical related illnesses and injuries.
Overall improvement of the company safety program.
Improvement of employer-employee relations by establishing regular lines of communications.
Avoidance of OSHA citations, violations, and related problems.

C. Program Administrator: Sr. Engineer

D. Location(s) and contact person(s) for the written program

Location(s): RSI-KP (Orlando Kingspointe Office, 7075 Kingspointe Parkway, Suite 6, Orlando FL 32819)
Contact person(s): Ted Hyde, Sr. Engineer
Telephone number of contact person: 407-996-1075 x340

E. Compliance Checklist

A checklist for ensuring compliance with OSHA standards can be found in Appendix D.

F. Warning

Chemicals will not be used until the following requirements are met:

All affected employees are properly trained to use the chemicals;
A material safety data sheet (MSDS) is obtained for each chemical;
Each chemical is added to the inventory list (RSI-281-1320-05 “Site Chemicals Syllabus”);
Proper personal protective equipment has been selected and issued to affected employees.

Chemicals which do not meet the four requirements, will be stored at RSI-KP “QUARANTINE” and marked "Do Not Use" until Hazard Communication and Personal Protective Equipment Requirements are met by Hazard Communication Program Administrator. Responsible Administrative Party: Sr. Engineer

I. Purpose

The purpose of the Hazard Communication Program is to ensure that the hazards of chemicals located in the facility are evaluated and that information concerning physical and health hazards is transmitted to potentially exposed employees. It is not only the intent of the employer to fully comply with the OSHA Standard 1910.1200 and 1926.59, but also to improve the overall safety of our company. A successful Hazard Communication Program will reduce potential incidents of chemical source illnesses and injuries.

II. Authority

The Hazard Communication Program is required by the Occupational Safety and Health Administration, pursuant to Title 29 CFR Subpart Z part 1910.1200 and/or 29 CFR 1926.59.

III. Summary

The passage of OSHA's Hazard Communication Standard gives the employer the responsibility to establish a written, comprehensive program which includes provisions for container labeling, material safety data sheets, and employee information and training. The written program must contain a list of the hazardous chemical(s) in each work area, the means used to inform employees of hazards of non-routine tasks, the hazards associated with chemicals contained in unlabeled pipes in their work area, and methods used to inform contractors in the facilities of chemical hazards to which they may be exposed.

The written Hazard Communication Program outlines the plan to establish the objectives of the standard. Each objective will be defined and discussed in this document. Additionally, this written program shall be reviewed during employee training.

The written plan will be reviewed every 3 months for accuracy and completeness.

The written plan and its elements will be updated in the following situations:

New chemicals are introduced into the workplace.
When new processes involving chemicals are introduced.
When program job duties are changed.
When locations mentioned in the program are changed.
When any other elements are changed.

A record of the last change which includes the date and change will be recorded, and kept with this program by the hazard communication program administrator. This document and companion documents are maintained as part of the active RSI-281 Global SOP Library, of which the version-having-authority shall be designated as “release” (electronic). The “Release” version supersedes any and all prior copies, including electronic or printouts.

Objectives

A. Objective 1 - List of chemicals

The Sr. Engineer is required to maintain and update the list of chemicals purchased or used by this facility. The Sr. Engineer is required to maintain and update the hazard communication program list of chemicals. The list can be found in RSI-281-1320-05 “Site Chemicals Syllabus”. Other locations of the list are listed in RSI-281-1320-05 “Site Chemicals Syllabus”.

Procedure for chemical list update:

The chemical list employee (Sr. Engineer, Site Managers, Operations Managers or Purchasing Supervisors) will have a chemical list on file. New chemical products will be immediately reported to the Sr. Engineer by the purchase or use list employee.

As new chemicals are purchased, the chemical list employee will record chemical(s) on the list. Changes in the list will be noted on the hazard communication program list form (RSI-281-1320-05 “Site Chemicals Syllabus”).

B. Objective 2 - Material Safety Data Sheets (MSDS)

Employee in charge of MSDS acquisition: Sr. Engineer

Material Safety Data Sheets (or SDS) are the keystone to a successful hazard communication program. MSDS are designed to provide the information needed to handle chemicals safely. They provide the necessary information for training, hazard evaluation, proper handling, emergency procedures, and employee personal protective equipment.

The following procedures will be implemented to ensure that the employer maintains a MSDS for all chemicals identified on the hazard communication chemical list and the chemical purchase list.

Chemical manufacturers, importers, or distributors supplying the employer with products are required by law to send MSDS with the first shipment. As MSDSs are checked off against the chemical inventory, missing MSDSs should be requested first by telephone from the manufacturer, importer or distributor of the chemical. A written record of the phone call, including the name of the contact person should be placed in a special file.

If the telephone request is not successful, a formal letter should be written to request the MSDS. A copy should be placed in the special file. A sample form letter can be found in Appendix E.

The MSDS employee will document all attempts to obtain all MSDSs.

The Sr. Engineer or Purchasing Supervisors will require a MSDS for each new chemical purchased, as well as updated MSDSs for existing chemicals. This requirement will be indicated on all purchase orders.

If it is not possible to obtain a MSDS for a chemical, the following action will need to be taken by the MSDS acquisition employee: contact Sr. Engineer about using a new or alternate chemical which has an available MSDS.

MSDSs for chemicals which are part of an employee exposure record, but no longer used shall be filed by the MSDS acquisition employee. An exposure record concerns information when an employee is exposed to a chemical. A more complete definition can be found in 29 CFR 1910. 20 (c)(8) and (10).

If the MSDS was involved with an employee exposure record, the MSDS must be handled in one of the following methods:

Kept in an "old MSDS" file with a reference to the exposure record; or

Kept with the exposure record with a reference, or copy in the "old MSDS" file.

Old MSDSs linked to an exposure record must be maintained for at least 30 years.

MSDSs for chemicals no longer used, and not linked to an employee exposure record will be maintained in one of two ways:

Place the old MSDS in a special "old MSDS" file; or

Make a record of the MSDS and maintain it for 30 years (as per 1910.20 (d)(1)(ii)(B) and referenced by 1926.33) with the following information:

Identity (chemical name if known)

Where used (site and building)

When used

A glossary of MSDS terms will be available in the RSI-281-1320-06 “Personnel Introductions to MSDS/SDS Documentation”, and will be a training discussion item.

Updated MSDSs and new MSDSs will be immediately placed in binders in applicable site locations. Electronic versions of SDS/MSDS will be made available via the online portal and library system. When available, original electronic versions shall be the dominant format and paper copies secondary. In the event that MSDS/SDS documents are available only in a paper format, the original paper format shall be scanned and the resultant electronic document shall become the dominant and official format.

The employer will rely on each chemical manufacturer's testing and hazard evaluation of chemical products used throughout the facility. The MSDS acquisition and MSDS purchase request employees will ensure that MSDSs are supplied, and that information contained on all MSDSs is complete.

C. Objective 3 - Labeling

Hazard Labeling Administrator: Sr. Engineer primary, QA/Training Lead secondary.

The hazard labeling administrator will ensure proper labeling of primary and secondary containers.

Labeling

The employer will rely heavily on chemical suppliers to provide labeling on the products used in the facilities that meets the requirements of 29 CFR 1910.1200 (f), or 1926.59(f). There are three basic requirements of this section:

Identity of the chemical

Appropriate hazard warning - including target organs

Name and address of the chemical manufacturer

Shipped and purchased containers

With the arrival of each chemical the Purchasing Supervisors will check all containers to ensure that all labels meet the requirements outlined in this program. The employer will not accept improperly labeled containers. If there is a problem with a container, the MSDS acquisition and MSDS purchase employees should be immediately notified. They will check the program chemical list and the chemical purchase list to ensure that the proper MSDSs and labels have been received and updated for the product.

Secondary container labeling

Secondary containers of chemicals should be marked in the following situations:

More than one employee uses the container; or
The container is used longer than one shift, or left in a work area. If one employee uses the chemical without exposing others, and either returns the contents to the original container, or disposes of the rest of it, labeling of the secondary container is not necessary.

The secondary label should contain the following information, which can be obtained from the original container, or the MSDS:
Identity of the chemical as specified on the MSDS
Hazard warning - physical hazard or illness
Target organ of the body

The hazard-labeling administrator will provide secondary container labels, and make sure that they are properly marked. The hazard-labeling administrator will also develop special methods of identification where needed.

D. Objective 4 - Employee training

Employee hazard communication training administrator: Sr. Engineer primary, QA/Training Lead, secondary.

The Hazard Communication Standard requires the employer to provide exposed employees with information and training on the following subjects:

Information:
Requirements of the standard; and
Operations in the work area where hazardous chemicals are present; and
Location and availability of the written hazard communication program, including the required list(s) of hazardous chemicals, and material safety data sheets required by the standard.
Training:
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.); and
The physical and health hazards of the chemicals in the work area; and
The measure employees can take to protect themselves from these hazards, including specific procedures the employer has implemented to protect employees from exposure to hazardous 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 labeling system and the material safety data sheet, and how employees can obtain and use the appropriate hazard information.

The Sr. Engineer or Designated Safety Trainer will provide training to employees in the following situations:
Prior to working with a chemical.
When job duties change with exposure to new chemicals.
When new chemicals are introduced into the workplace.
When job duties change which require special training for a special process with a chemical.

The methods of training are specified in Appendix B of this program. The training records will contain the following information:

Date of training
Name and job title of trainer
Names of the trainees
Training topics
Results of training completion and comprehension
Any other information to document the validity of the training. Example: credentials of an outside trainer.

The training records form can be found in Appendix C of this written program. The training records can be found in RSI-KP (Orlando Office) by contacting the Sr. Engineer.

A special publication, "Hazard Communication: A Key to Compliance" can be found in Appendix D of this program. This program explains in detail the intent of the Hazard Communication standard.

E. Objective 5 - Hazard Assessment for Non-Routine Tasks

Hazard Communication non-routine task administrator: Sr. Engineer

Non-routine tasks are those tasks, which do not occur on a frequent basis, or those tasks, which are not identified as a normal production task. However, many of the tasks required of the maintenance employees will be evaluated on a case-by-case basis to determine if they are to be considered a non-routine task.

The Sr. Engineer should be consulted about non-routine tasks.

The hazard communication trainer under direction of the Sr. Engineer will train employees about the chemical hazards of non-routine tasks.

F. Objective 6 - Work performed by outside contractors

The Sr. Engineer or Operations Manager will provide contractors with a list of chemicals used in the work area(s). The contractors will also be provided with copies, or the location of the facility MSDSs.
The Sr. Engineer or Operations Manager will find out what chemicals are being brought into the facility by outside contractors. Copies of the MSDSs, or location of the contractors' MSDSs will be obtained.
Outside contractors will be denied entry or forced work stoppage enacted at the sole cost and liability of the contractors if the above safety considerations are not met.

G. Objective 7 - Non-labeled pipes

The Sr. Engineer will provide special employee education and training for employees who may be involved with work on pipes and piping systems, which carry chemicals. It is noted that RSI does not participate in the movement of liquid-fluid transfer piping for carrying chemicals; although observed as a complete safety measure, employer will additionally educate employees on use of commodity (non-special) water and pressurized air piping.

H. Multi-employer Worksites (construction)

RSI,LLC does not participate in construction-based activities where objective 5H is relevant. In the circumstance where business activities in the future should engage this requirement, the Hazard Communication Program Administrator will use the information obtained from the other employers to provide additional training, update the site written hazard program for employees, and ensure that other elements of the program are updated for the exposed employees.

Hazard Communication Training Program (Presentation Required Format)

Hazard Communication Training Administrator: Sr. Engineer

The employer falls into an industrial or construction category where OSHA regulations require four basic needs for hazard communication:

A written hazard communication program.
Material safety data sheets on each chemical.
Label all chemical containers.
Train employees about hazards of the chemicals they use.

Some employees work with or near hazardous chemicals, and the company wants those employees to be aware of this and the protective equipment use which may include face shields, glasses, splash goggles, respirators, gloves, rubber boots, full-body suits, aprons, or maybe only one or two of the above. Then in case of accident, the company wants the employees to know what to do to protect themselves from these hazardous chemicals.

Special training and hazard assessment for the use of personal protective equipment will be conducted as specified in 29 CFR 1910.132 through .138.

Many of you do not work with hazardous chemicals. Nevertheless, your company wants to advise you about chemicals used by the company. Also, this information may be helpful in the use of chemicals in your homes, and in your yards and gardens. There are many hazardous chemicals used in the home.

Part of our program relates to what we call MSD sheets. MSDS stands for Material Safety Data Sheets. If you aren't a chemist, there will be much on this data sheet that you won't understand. We're not chemists and some of this data is new to us. There are parts we do understand, and those parts deal with how we use the chemicals and the personal protective equipment in case of an accident. Therefore, discussing how to read an MSD sheet is a vital part of this program.

You may breathe chemicals into your lungs. Chemicals can also enter through the skin, nose, mouth, eyes, and elsewhere.

Chemicals may affect your lungs, heart, skin, kidneys, brain, nervous system, liver, eyes, and other parts of your body.

If you work with chemicals, learn or post emergency procedures, emergency telephone numbers, and how to read labels. If you transfer to another work location with new chemicals, learn how to safely use those chemicals.

If new chemicals are brought into your work place, learn the hazards of these and how to safely handle them, what protective equipment to use and what to do in case of an emergency. If you encounter a new chemical that you are not familiar with, contact your supervisor about proper training before using the chemical.

Each of you have presented with a MSD sheet. We will discuss the information on this sheet. (Complete discussion on all data on the MSD sheets)

Will discuss the location in the facility where hazardous chemicals are used and the proper and safe work procedures for these chemicals. The proper use of personal protection equipment will be discussed. Also, in case of an accident, you will be advised about safety precautions to be taken to protect yourself from serious injury.

Will also advise you on the location in the facility where the MSD sheets are kept, along with the company written program for hazardous chemicals. You are entitled to look at this data at any time should you wish to know about the chemicals in your work place. Let me suggest that you contact your supervisor in these cases to

see these records.

Will also advise you about how the company is labeling these materials, and how to detect hazards by visibility and odors.

Generally speaking:

Know if you are working with hazardous materials.
Know how to recognize them by sight, by labels, by odors, etc.
Know how to use the chemicals safely.
Know what to do in case of a chemically related accident.

Appendix A: List of Chemicals (or Chemical Inventory)

This list is maintained separately at library id: RSI-281-1320-05 “Site Chemicals Syllabus”

Appendix B: Specific Methods of Training

Date of Training	Name and Job Title of Trainer	Names of Trainees	Training Topics	Training Method	Other Information
01/01/01	Example		MSD sheets	video titled "MSD Sheets"	

Online document to be presented to and maintained by Sr. Engineer / HR

Appendix C: Training Record

Trainer(s):	Date	Employee	Name	Job Title

Online document to be presented to and maintained by Sr. Engineer / HR

Appendix D: Guidelines for Employer Compliance

The following information is to be understood by trainers and training designates for the purpose of presenting the specific safety information inside of a scope that is useful and understandable by the employees.

The Hazard Communication Standard (HCS) is based on a simple concept--that employees have both a need and a right to know the hazards and identities of the chemicals they are exposed to when working. They also need to know what protective measures are available to prevent adverse effects from occurring. The HCS is designed to provide employees with the information they need.

Knowledge acquired under the HCS will help employers provide safer workplaces for their employees. When employers have information about the chemicals being used, they can take steps to reduce exposures, substitute less hazardous materials, and establish proper work practices. These efforts will help prevent the occurrence of work-related illnesses and injuries caused by chemicals.

The HCS addresses the issues of evaluating and communicating hazards to workers. Evaluation of chemical hazards involves a number of technical concepts, and is a process that requires the professional judgment of experienced experts. That's why the HCS is designed so that employers who simply use chemicals, rather than produce or import them, are not required to evaluate the hazards of those chemicals. Hazard determination is the responsibility of the producers and importers of the materials. Producers and importers of chemicals are then required to provide the hazard information to employers that purchase their products.

Employers that don't produce or import chemicals need only focus on those parts of the rule that deal with establishing a workplace program and communicating information to their workers. This appendix is a general guide for such employers to help them determine what's required under the rule. It does not supplant or substitute for the regulatory provisions, but rather provides a simplified outline of the steps an average employer would follow to meet those requirements.

Becoming familiar with the rule.

OSHA has provided a simple summary of the HCS in a pamphlet entitled "Chemical Hazard Communication," OSHA Publication Number 3084. Some employers prefer to begin to become familiar with the rule's requirements by reading this pamphlet. A copy may be obtained from your local OSHA Area Office, or by contacting the OSHA Publications Office at (202) 693-1888.

The standard is long, and some parts of it are technical, but the basic concepts are simple. In fact, the requirements reflect what many employers have been doing for years. You may find that you are already largely in compliance with many of the provisions, and will simply have to modify your existing programs somewhat. If you are operating in an OSHA-approved State Plan State, you must comply with the State's requirements, which may be different than those of the Federal rule. Many of the State Plan States had hazard communication or "right-to-know" laws prior to promulgation of the Federal rule. Employers in State Plan States should contact their State OSHA offices for more information regarding applicable requirements.

The HCS requires information to be prepared and transmitted regarding all hazardous chemicals. The HCS covers both physical hazards (such as flammability), and health hazards (such as irritation, lung damage, and cancer). Most chemicals used in the workplace have some hazard potential, and thus will be covered by the rule.

One difference between this rule and many others adopted by OSHA is that this one is performance-oriented.

That means that you have the flexibility to adapt the rule to the needs of your workplace, rather than having to follow specific, rigid requirements. It also means that you have to exercise more judgment to implement an appropriate and effective program.

The standard's design is simple. Chemical manufacturers and importers must evaluate the hazards of the chemicals they produce or import. Using that information, they must then prepare labels for containers, and more detailed technical bulletins called material safety data sheets (MSDS).

Chemical manufacturers, importers, and distributors of hazardous chemicals are all required to provide the appropriate labels and material safety data sheets to the employers to which they ship the chemicals. The information is to be provided automatically. Every container of hazardous chemicals you receive must be labeled, tagged, or marked with the required information. Your suppliers must also send you a properly completed material safety data sheet (MSDS) at the time of the first shipment of the chemical, and with the next shipment after the MSDS is updated with new and significant information about the hazards.

You can rely on the information received from your suppliers. You have no independent duty to analyze the chemical or evaluate the hazards of it.

Employers that "use" hazardous chemicals must have a program to ensure the information is provided to exposed employees. "Use" means to package, handle, react, or transfer. This is an intentionally broad scope, and includes any situation where a chemical is present in such a way that employees may be exposed under normal conditions of use or in a foreseeable emergency.

The requirements of the rule that deal specifically with the hazard communication program are found in the standard in paragraphs (e), written hazard communication program; (f), labels and other forms of warning; (g), material safety data sheets; and (h), employee information and training. The requirements of these paragraphs should be the focus of your attention. Concentrate on becoming familiar with them, using paragraphs (b), scope and application, and (c), definitions, as references when needed to help explain the provisions.

There are two types of work operations where the coverage of the rule is limited. These are laboratories and operations where chemicals are only handled in sealed containers (e.g., a warehouse). The limited provisions for these workplaces can be found in paragraph (b), scope and application. Basically, employers having these types of work operations need only keep labels on containers as they are received; maintain material safety data sheets that are received, and give employees access to them; and provide information and training for employees. Employers do not have to have written hazard communication programs and lists of chemicals for these types of operations.

The limited coverage of laboratories and sealed container operations addresses the obligation of an employer to the workers in the operations involved, and does not affect the employer's duties as a distributor of chemicals. For example, a distributor may have warehouse operations where employees would be protected under the limited sealed container provisions. In this situation, requirements for obtaining and maintaining MSDSs are limited to providing access to those received with containers while the substance is in the workplace, and requesting MSDSs when employees request access for those not received with the containers. However, as a distributor of hazardous chemicals, that employer will still have responsibilities for providing MSDSs to downstream customers at the time of the first shipment and when the MSDS is updated. Therefore, although they may not be required for the employees in the work operation, the distributor may, nevertheless, have to have MSDSs to satisfy other requirements of the rule.

Identifying responsible staff.

Hazard communication is going to be a continuing program in your facility. Compliance with the HCS is not a "one shot deal." In order to have a successful program, it will be necessary to assign responsibility for both the initial and ongoing activities that have to be undertaken to comply with the rule. In some cases, these activities may already be part of current job assignments. For example, site supervisors are frequently responsible for on-the-job training sessions. Early identification of the responsible employees, and involvement of them in the development of your plan of action, will result in a more effective program design. Evaluation of the effectiveness of your program will also be enhanced by involvement of affected employees. For any safety and health program, success depends on commitment at every level of the organization. This is particularly true for hazard communication, where success requires a change in behavior. This will only occur if employers understand the program, and are committed to its success, and if employees are motivated by the people presenting the information to them.

Identifying hazardous chemicals in the workplace.

The standard requires a list of hazardous chemicals in the workplace as part of the written hazard communication program. The list will eventually serve as an inventory of everything for which an MSDS must be maintained. At this point, however, preparing the list will help you complete the rest of the program since it will give you some idea of the scope of the program required for compliance in your facility. The best way to prepare a comprehensive list is to survey the workplace. Purchasing records may also help, and certainly employers should establish procedures to ensure that in the future purchasing procedures result in MSDSs being received before a material is used in the workplace. The broadest possible perspective should be taken when doing the survey. Sometimes people think of "chemicals" as being only liquids in containers. The HCS covers chemicals in all physical forms--liquids, solids, gases, vapors, fumes, and mists--whether they are "contained" or not. The hazardous nature of the chemical and the potential for exposure are the factors, which determine whether a chemical is covered. If it's not hazardous, it's not covered. If there is no potential for exposure (e.g., the chemical is inextricably bound and cannot be released), the rule does not cover the chemical. Look around. Identify chemicals in containers, including pipes, but also think about chemicals generated in the work operations. For example, welding fumes, dusts, and exhaust fumes are all sources of chemical exposures. Read labels provided by suppliers for hazard information. Make a list of all chemicals in the workplace that are potentially hazardous. For your own information and planning, you may also want to note on the list the location(s) of the products within the workplace, and an indication of the hazards as found on the label. This will help you as you prepare the rest of your program. Paragraph (b), scope and application, includes exemptions for various chemicals or workplace situations. After compiling the complete list of chemicals, you should review paragraph (b) to determine if any of the items can be eliminated from the list because they are exempted materials. For example, food, drugs, and cosmetics brought into the workplace for employee consumption are exempt. So rubbing alcohol in the first aid kit would not be covered. Once you have compiled as complete a list as possible of the potentially hazardous chemicals in the workplace, the next step is to determine if you have received material safety data sheets for all of them. Check your files against the inventory you have just compiled. If any are missing, contact your supplier and request one. It is a good idea to document these requests, either by copy of a letter or a note regarding telephone conversations. If you have MSDSs for chemicals that are not on your list, figure out why. Maybe you don't use the chemical anymore. Or maybe you missed it in your survey. Some suppliers do provide MSDSs for products that are not hazardous. These do not have to be maintained by you. You should not allow employees to use any chemicals for which you have not received an MSDS. The MSDS provides information you need to ensure proper protective measures are implemented prior to exposure.

Preparing and implementing a hazard communication program.

All workplaces where employees are exposed to hazardous chemicals must have a written plan, which describes how the standard will be implemented in that facility. Preparation of a plan is not just a paper exercise--all of the elements must be implemented in the workplace in order to be in compliance with the rule. See paragraph (e) of the standard for the specific requirements regarding written hazard communication programs. The only work operations which do not have to comply with the written plan requirements are laboratories and work operations where employees only handle chemicals in sealed containers. See paragraph (b), scope and application, for the specific requirements for these two types of workplaces. The plan does not have to be lengthy or complicated. It is intended to be a blueprint for implementation of your program--an assurance that all aspects of the requirements have been addressed. Many trade associations and other professional groups have provided sample programs and other assistance materials to affected employers. These have been very helpful to many employers since they tend to be tailored to the particular industry involved. You may wish to investigate whether your industry trade groups have developed such materials. Although such general guidance may be helpful, you must remember that the written program has to reflect what you are doing in your workplace. Therefore, if you use a generic program it must be adapted to address the facility it covers. For example, the written plan must list the chemicals present at the site, indicate who is to be responsible for the various aspects of the program in your facility, and indicate where written materials will be made available to employees. If OSHA inspects your workplace for compliance with the HCS, the OSHA compliance officer will ask to see your written plan at the outset of the inspection. In general, the following items will be considered in evaluating your program. The written program must describe how the requirements for labels and other forms of warning, material safety data sheets, and employee information and training, are going to be met in your facility. The following discussion provides the type of information compliance officers will be looking for to decide whether these elements of the hazard communication program have been properly addressed:

Labels and other forms of warning.

In-plant containers of hazardous chemicals must be labeled, tagged, or marked with the identity of the material and appropriate hazard warnings. Chemical manufacturers, importers, and distributors are required to ensure that every container of hazardous chemicals they ship is appropriately labeled with such information and with the name and address of the producer or other responsible party. Employers purchasing chemicals can rely on the labels provided by their suppliers. If the employer subsequently transfers the material from a labeled container to another container, the employer will have to label that container unless it is subject to the portable container exemption. See paragraph (f) for specific labeling requirements. The primary information to be obtained from an OSHA-required label is an identity for the material, and appropriate hazard warnings. The identity is any term, which appears on the label, the MSDS, and the list of chemicals, and thus links these three sources of information. The identity used by the supplier may be a common or trade name ("Black Magic Formula"), or a chemical name (1,1,1,-trichloroethane). The hazard warning is a brief statement of the hazardous effects of the chemical ("flammable," "causes lung damage"). Labels frequently contain other information, such as precautionary measures ("do not use near open flame"), but this information is provided voluntarily and is not required by the rule. Labels must be legible, and prominently displayed. There are no specific requirements for size or color, or any specified text. With these requirements in mind, the compliance officer will be looking for the following types of information to ensure that labeling will be properly implemented in your facility:

Designation of person(s) responsible for ensuring labeling of in-plant containers;
Designation of person(s) responsible for ensuring labeling of any shipped containers;
Description of labeling system(s) used;
Description of written alternatives to labeling of in-plant containers (if used); and,
Procedures to review and update label information when necessary.

Employers that are purchasing and using hazardous chemicals--rather than producing or distributing them--

will primarily be concerned with ensuring that every purchased container is labeled. If materials are transferred into other containers, the employer must ensure that these are labeled as well, unless they fall under the portable container exemption [paragraph (f)(7)]. In terms of labeling systems, you can simply choose to use the labels provided by your suppliers on the containers. These will generally be verbal text labels, and do not usually include numerical rating systems or symbols that require special training. The most important thing to remember is that this is a continuing duty--all in-plant containers of hazardous chemicals must always be labeled. Therefore, it is important to designate someone to be responsible for ensuring that the labels are maintained as required on the containers in your facility, and that newly purchased materials are checked for labels prior to use.

Material safety data sheets.

Chemical manufacturers and importers are required to obtain or develop a material safety data sheet for each hazardous chemical they produce or import. Distributors are responsible for ensuring that their customers are provided a copy of these MSDSs. Employers must have an MSDS for each hazardous chemical, which they use. Employers may rely on the information received from their suppliers. The specific requirements for material safety data sheets are in paragraph (g) of the standard. There is no specified format for the MSDS under the rule, although there are specific information requirements. OSHA has developed a non-mandatory format, OSHA Form 174, which may be used by chemical manufacturers and importers to comply with the rule. The MSDS must be in English. You are entitled to receive from your supplier a data sheet that includes all of the information required under the rule. If you do not receive one automatically, you should request one. If you receive one that is obviously inadequate, with, for example, blank spaces that are not completed, you should request an appropriately completed one. If your request for a data sheet or for a corrected data sheet does not produce the information needed, you should contact your local OSHA Area Office for assistance in obtaining the MSDS. The role of MSDSs under the rule is to provide detailed information on each hazardous chemical, including its potential hazardous effects, its physical and chemical characteristics, and recommendations for appropriate protective measures. This information should be useful to you as the employer responsible for designing protective programs, as well as to the workers. If you are not familiar with material safety data sheets and with chemical terminology, you may need to learn to use them yourself. A glossary of MSDS terms may be helpful in this regard. Generally speaking, most employers using hazardous chemicals will primarily be concerned with MSDS information regarding hazardous effects and recommended protective measures. Focus on the sections of the MSDS that are applicable to your situation. MSDSs must be readily accessible to employees when they are in their work areas during their work shifts. This may be accomplished in many different ways. You must decide what is appropriate for your particular workplace. Some employers keep the MSDSs in a binder in a central location (e.g., in the pick-up truck on a construction site). Others, particularly in workplaces with large numbers of chemicals, computerize the information and provide access through terminals. As long as employees can get the information when they need it, any approach may be used. The employees must have access to the MSDSs themselves--simply having a system where the information can be read to them over the phone is only permitted under the mobile worksite provision, paragraph (g)(9), when employees must travel between workplaces during the shift. In this situation, they have access to the MSDSs prior to leaving the primary worksite, and when they return, so the telephone system is simply an emergency arrangement. In order to ensure that you have a current MSDS for each chemical in the plant as required, and that employee access is provided, the compliance officers will be looking for the following types of information in your written program:

Designation of person(s) responsible for obtaining and maintaining the MSDSs;

How such sheets are to be maintained in the workplace (e.g., in notebooks in the work area(s) or in a computer with terminal access), and how employees can obtain access to them when they are in their work area during the work shift;

Procedures to follow when the MSDS is not received at the time of the first shipment;

For producers, procedures to update the MSDS when new and significant health information is found; and,

Description of alternatives to actual data sheets in the workplace, if used.

For employers using hazardous chemicals, the most important aspect of the written program in terms of MSDSs is to ensure that someone is responsible for obtaining and maintaining the MSDSs for every hazardous chemical in the workplace. The list of hazardous chemicals required to be maintained as part of the written program will serve as an inventory. As new chemicals are purchased, the list should be updated. Many companies have found it convenient to include on their purchase orders the name and address of the person designated in their company to receive MSDSs.

Employee information and training.

Each employee who may be "exposed" to hazardous chemicals when working must be provided information and trained prior to initial assignment to work with a hazardous chemical, and whenever the hazard changes. "Exposure" or "exposed" under the rule means "an employee is subjected to a hazardous chemical in the course of employment through any route of entry (inhalation, ingestion, skin contact or absorption, etc.) and includes potential (e.g., accidental or possible) exposure." See paragraph (h) of the standard for specific requirements. Information and training may be done either by individual chemical, or by categories of hazards (such as flammability or carcinogenicity). If there are only a few chemicals in the workplace, then you may want to discuss each one individually. Where there are large numbers of chemicals, or the chemicals change frequently, you will probably want to train generally based on the hazard categories (e.g., flammable liquids, corrosive materials, carcinogens). Employees will have access to the substance-specific information on the labels and MSDSs. Information and training is a critical part of the hazard communication program. Information regarding hazards and protective measures are provided to workers through written labels and material safety data sheets. However, through effective information and training, workers will learn to read and understand such information, determine how it can be obtained and used in their own workplaces, and understand the risks of exposure to the chemicals in their workplaces as well as the ways to protect themselves. A properly conducted training program will ensure comprehension and understanding. It is not sufficient to either just read material to the workers, or simply hand them material to read. You want to create a climate where workers feel free to ask questions. This will help you to ensure that the information is understood. You must always remember that the underlying purpose of the HCS is to reduce the incidence of chemical source illnesses and injuries. This will be accomplished by modifying behavior through the provision of hazard information and information about protective measures. If your program works, you and your workers will better understand the chemical hazards within the workplace. The procedures you establish regarding, for example, purchasing, storage, and handling of these chemicals will improve, and thereby reduce the risks posed to employees exposed to the chemical hazards involved. Furthermore, your workers' comprehension will also be increased, and proper work practices will be followed in your workplace. If you are going to do the training yourself, you will have to understand the material and be prepared to motivate the workers to learn. This is not always an easy task, but the benefits are worth the effort. More information regarding appropriate training can be found in OSHA Publication No. 2254 which contains voluntary training guidelines prepared by OSHA's Office of Training and Education. A copy of this document is available from OSHA's Publications Office at (202) 693-1888. In reviewing your written program with regard to information and training, the following items need to be considered:

Designation of person(s) responsible for conducting training;

Format of the program to be used (audiovisuals, classroom instruction, etc.);

Elements of the training program (should be consistent with the elements in paragraph (h) of the HCS); and,

Procedure to train new employees at the time of their initial assignment to work with a hazardous chemical, and to train employees when a new hazard is introduced into the workplace.

The written program should provide enough details about the employer's plans in this area to assess whether or not a good faith effort is being made to train employees. OSHA does not expect that every worker will be able to recite all of the information about each chemical in the workplace. In general, the most important aspects of training under the HCS are to ensure that employees are aware that they are exposed to hazardous chemicals, that they know how to read and use labels and material safety data sheets, and that, as a consequence of learning this information, they are following the appropriate protective measures established by the employer. OSHA compliance officers will be talking to employees to determine if they have received training, if they know they are exposed to hazardous chemicals, and if they know where to obtain substance-specific information on labels and MSDSs. The rule does not require employers to maintain records of employee training, but many employers choose to do so. This may help you monitor your own program to ensure that all employees are appropriately trained. If you already have a training program, you may simply have to supplement it with whatever additional information is required under the HCS. For example, construction employers that are already in compliance with the construction training standard (29 CFR 1926.21) will have little extra training to do. An employer can provide employees information and training through whatever means found appropriate and protective. Although there would always have to be some training on-site (such as informing employees of the location and availability of the written program and MSDSs), employee training may be satisfied in part by general training about the requirements of the HCS and about chemical hazards on the job which is provided by, for example, trade associations, unions, colleges, and professional schools. In addition, previous training, education and experience of a worker may relieve the employer of some of the burdens of informing and training that worker. Regardless of the method relied upon, however, the employer is always ultimately responsible for ensuring that employees are adequately trained. If the compliance officer finds that the training is deficient, the employer will be cited for the deficiency regardless of who actually provided the training on behalf of the employer.

Other requirements.

In addition to these specific items, compliance officers will also be asking the following questions in assessing the adequacy of the program:

Does a list of the hazardous chemicals exist in each work area or at a central location?

Are methods the employer will use to inform employees of the hazards of non-routine tasks outlined?

Are employees informed of the hazards associated with chemicals contained in unlabeled pipes in their work areas?

On multi-employer worksites, has the employer provided other employers with information about labeling systems and precautionary measures where the other employers have employees exposed to the initial employer's chemicals?

Is the written program made available to employees and their designated representatives?

Checklist for compliance.

The following checklist will help to ensure you are in compliance with the rule:

Obtain a copy of the rule.

Read and understood the requirements.

Assigned responsibility for tasks.

Prepared an inventory of chemicals.

Ensured containers are labeled.

Obtained MSDS for each chemical.

Prepared written program.
Made MSDSs available to workers.
Conducted training of workers.
Established procedures to maintain current program.
Established procedures to evaluate effectiveness.

Appendix E: Form Letter for Obtaining a MSD Sheet

<DATE>
<NAME> and <ADDRESS> of MSD supplier (manufacturer, importer or distributor)

Mr. or Ms.:

My company recently purchased your product <PRODUCT IDENTIFIER> and a Material Safety Data Sheet (MSD sheet) did not arrive with the first delivery.

Please send me an appropriate MSD sheet which will meet the requirements set forth in the OSHA standards 29 CFR 1910.1200 and 29 CFR 1926.59.

Thank you for your cooperation.

Sincerely,

<EMPLOYEE NAME>
<JOB TITLE>
<DEPARTMENT>
<COMPANY>
<ADDRESS>
<TELEPHONE NUMBER>