

**EASTERN KENTUCKY UNIVERSITY
HAZARD COMMUNICATION PROGRAM
SUMMARY COMPLIANCE MANUAL**

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I. OVERVIEW OF THE HAZARD COMMUNICATION STANDARD

A. Background and Scope

In November 1983, the Occupational Safety and Health Administration issued the Hazard Communication Standard for chemical manufacturing sector and required these employers to inform their workers about the hazardous chemicals present in the workplace. Initially, only certain industries and manufacturers were required to comply with this regulation. (The affected industries were required to be in compliance by May 4, 1986.)

However, in August 1987, the Hazard Communication Standard was expanded to include all employers. The provisions of this regulation are intended to ensure that the hazards of chemicals in the workplace are properly identified and that employees are informed of these hazards. Thus, it is often referred to as the “Employee Right-to-Know” law. All employers that handle or use hazardous chemicals must be in compliance by May 23, 1988 deadline.

Since Eastern Kentucky University uses hazardous chemicals in many areas (including, but not limited to, the art department, Facilities Services, printing services, laboratories, photographic labs, and patient care areas), all departments that are covered by this law must be in compliance by the May 23, 1988 deadline.

It will be the responsibility of the individual departments that handle or use hazard chemicals to implement the Hazard Communication Program (as it is described in this manual) for their respective work areas where these chemicals are used. This manual gives general instructions to the affected university community on how to implement the Hazard Communication Program.

B. Summary of Requirements

There are four primary requirements those employers using hazardous chemicals must meet. (Note: in order to determine if the chemicals that are used in your department or work area are considered hazardous refer to section III on Hazard Determination.) The requirements are outlined as follows:

1. Proper Labeling – All containers of hazardous chemicals entering the workplace from suppliers must be properly labeled with the identity of the hazardous chemical, appropriate hazard warnings, and the name and address of the manufacturer or distributor. (Material ordered from suppliers after November 1985 is assumed to be in compliance with these requirements.) Any time a hazardous chemical is transferred from its original container to a secondary container, it must be labeled with the identity of the hazardous chemical and the appropriate hazard warning as it is specified on the original container.
2. Availability of Material Safety Data Sheets (MSDS) – Copies of MSDSs for each hazardous chemical in the workplace shall be readily accessible during each work shift to employees when they are in their work area(s)

A MSDS is a written document that contains information on the chemical and physical dangers, safety procedures, and emergency response techniques for a particular chemical.

3. Written Hazardous Communication Program – A written program must be developed, implemented and maintained in the work area. This program is required to describe the availability and maintenance of MSDSs in the workplace, procedures for labels and other forms of warning on each chemical container, and how the employee training requirements will be met.

This manual provides much of the documentation required for the written program. However, additional information must be gathered by each department and included in this manual. The completed document will constitute the department's Written Hazard Communication Program.

4. Employee Information and Training – Employees must be provided with information and training on the hazardous chemicals in their work area. The training must include an overview of the OSHA Hazard Communication Standard, information about the physical and health hazards of the chemicals in the employee's work area, the measures employees can take to protect themselves such as work practices and personal protective equipment, and the location and details of the written program.

NOTE: More detailed information on each of these four requirements is contained in subsequent sections. In addition, a copy of the actual OSHA Hazard Communication Standard is provided in Appendix A.

5. Non-routine tasks – It is the responsibility of the area Supervisor to inform employees of hazards to non-routine tasks (for example, cleaning of tanks/vessels) as well as any chemicals that may be transported in unlabeled pipes. Whenever possible, pipes containing liquids or gases will be labeled accordingly with the direction of flow.
6. Contractor safety – It will be the responsibility of any contractor performing work at or on behalf of ECU to have their own Hazard Communication program. The contracting party at ECU will communicate any chemical (i.e. asbestos, toluene, etc) to the contractor in which they may be exposed prior to work being performed. MSDS will be maintained per section V of this manual.

II. IMPLEMENTING THE HAZARD COMMUNICATION PROGRAM

A. Assignment of Responsibilities

In order to implement a hazard communication program at Eastern Kentucky University, it will be necessary for departments and employees to clearly understand their responsibilities in this implementation process. The assignment of responsibilities is summarized as follows:

1. Department/Office Responsibilities

- Identify hazardous chemicals and prepare inventory.
- Solicit and maintain Material Safety Data Sheets (MSDS).
- Train employee's initially and when new hazards are introduced.
- Insure all hazardous chemicals are labeled.
- Provide employees access to MSDS and Written Hazard Communication Program.
- Complete Written Hazard Communication Program by documenting the hazardous chemical inventory, availability of MSDSs in the work area, and training of employees.

2. Employee Responsibilities

- Attend training programs as scheduled by a supervisor.
- Read labels and MSDS.
- Know where to find information about hazardous chemicals.
- Follow warnings and instructions on labels.
- Use the correct protective devices when handling hazardous materials.
- Learn emergency procedures.
- Practice sensible and safe work habits.

3. Safety and Health Office Responsibilities

- Prepare Summary and Compliance Manual outline for Hazard Communication Standard.
- Collect and maintain training films and other resource material as possible.
- Provide consultation regarding training content.
- Provide updates on pertinent regulations.
- Provide consultation on general safety, exposure level assessments, and other matters of safety in handling hazardous chemicals.

- Annually, during the Fall Semester, collect departmental chemical inventories and prepare a composite inventory for local, state, and federal authorities.

B. Steps to Compliance

1. An inventory of all hazardous chemicals must be completed and maintained by each department, office, or work area. (See section on hazard determination for information on what chemicals must be included in the inventory.)
2. Departments/supervisors must obtain MSDSs for all hazardous chemicals in their work area. (See section on MSDS for more information.)
3. Departments/supervisors must survey the use of secondary containers for hazardous chemicals and if necessary, implement system for labeling as required. (See section on labeling for more information.)
4. The information that departments/supervisors are required to compile (as specified above) should be incorporated into this Summary Compliance Manual and maintained in the work area. This will constitute the Written Hazard Communication Program for that particular department or work area.
5. It will be the responsibility of departments/supervisors to arrange for and carry out employee training requirements. A program outlining how these requirements can be met is contained in the section on employee training. Departments/supervisors must document employee training using the form contained in this manual.

III. HAZARD DETERMINATION

A. Definition of Hazardous Chemical

The Occupational Safety and Health Administration (OSHA) defined a hazardous chemical as “any chemical which is a physical hazard or a health hazard.” This definition is intentionally very broad.

It includes chemicals which are combustible liquids, compressed gases, explosives, flammables (aerosols, gases, liquids, and solids), organic peroxides, oxidizers, pyrophorics, unstable reactive, and water reactive because they are considered physical hazards.

In addition, it includes chemicals which are carcinogens, toxic or highly toxic agents, reproductive toxins, irritants, corrosives, sensitizers, hepatotoxins, nephrotoxins, agents which act on the blood, and agents which damage the lungs, skin, eyes, or mucous membranes because they are considered health hazards.

B. Responsibility for Evaluation

The primary responsibility for evaluating hazards is placed on the manufacturer importers. They are required to evaluate the chemicals they produce or import by determining if the chemicals are physical or health hazards (as described in the previous section). If a chemical meets any of the criteria as a physical or health hazard the manufacturer must label the container with the hazard information.

Departments/supervisors should examine labels on containers to determine if the label gives any hazard warning information. If it does, that means that the manufacturer has evaluated the chemical or product and determined that it meets OSHA’s definition of a hazardous chemical.

Any chemical or product that has been determined by the manufacturer to be a hazardous chemical (i.e. label gives hazard warning information) must be included in the Eastern Kentucky University Hazard Communication Program unless it is exempt. Some types of hazardous chemicals or products are exempt from the Hazard Communication Standard. (See next section to determine if a chemical/product qualifies for the exemption.)

C. Exemptions from Hazard Communication Program

The Occupational Safety and Health Administration have exempted the following items from the Hazard Communication Standard:

- Tobacco or tobacco products
- Hazardous waste
- Wood or wood products
- Food, drugs, cosmetics for personal consumption by employees while in the workplace
- Consumer products that are used in the same way as normal consumer use (i.e. duration and frequency of use no greater than normal consumer)
- Any drug as defined by FDA when it is in solid, final form (i.e. tablets or pills)
- Biological hazards
- Food or alcoholic beverages
- Cosmetics
- Ionizing and non-ionizing radiation
- “Articles” – a manufactured item other than a fluid or particle which is formed to a specific shape or design which has end use functions dependent upon its shape or design and which under normal conditions of use does not release more than very small quantities (e.g. minute or trace amounts) of a hazardous chemical and does not pose a physical hazard or health risk to employees.

Any product or chemical that falls into one of the categories listed above should not be included in the hazard communication program. However, you should be aware that consumer products are exempt only if they are purchased in quantities or packages that are available to the average consumer and they are used in the same manner that a normal consumer would use them. Any consumer product that is used frequently, in large quantities of high concentrations (i.e. industrial strength) is not exempt and must be included in the hazard communication program.

The following examples illustrate how the consumer product exemption works:

- A. Whiteout toner/correction fluid, which contains solvents, is exempt because it is used in consumer quantities.
- B. Floor strippers (that are commercially available to consumers) bought in 55 gallon drums are not normally available to consumers are not exempt.

- C. Solvent-based paint that is bought in gallon cans (or another size that is available to consumers) is not exempt if the employee using it is a painter and has no other position where painting is a frequent activity of the job.

D. Inventory of Hazardous Chemicals

A list of the hazardous chemicals that are present in the workplace must be prepared and maintained for the Written Hazard Communication Plan. (For Eastern Kentucky University, this manual serves as the written plan.) Departments should review the information contained in this section on hazard determination prior to beginning the inventory.

Generally, if hazard warning information is given on the label of the container, that chemical or product should be included on the inventory list. It is advisable to also record the classification of the chemical (i.e. toxic or poison, corrosive, flammable, combustible, reactive, irritant) on the inventory since the type of training that will be required for employees is dependent on the hazards of the chemicals in their work area. This information should be on the label.

NOTE: Departments that have hazardous chemicals in many different work areas may choose to have the Written Hazard Communication Program (which will consist of this manual plus inventory and employee training records) cover their entire department. If this is the case, all inventory lists should be labeled with room numbers or name of area and placed in the back of this manual.

The inventory must be updated annually and be available to the ECU Safety and Health Office during the Fall Semester. The inventory form to use will be sent to department at the beginning of the Fall Semester with instructions.

IV. LABELS AND OTHER FORMS OF WARNING

A. Contents of Labels

The Hazard Communication Standard requires that hazardous chemicals or products be labeled with:

1. The identity of the hazardous chemicals
2. The name and address of the manufacturer or distributor
3. Hazard warnings and information

Chemical manufacturers and distributors are required to ensure that each container of a hazardous chemical or product is labeled with the information described above. It is then the responsibility of the user to ensure that labels on incoming containers are not destroyed or removed.

Some of the types of information that are generally found on labels of hazardous chemicals or products are:

- The identity of the product and its hazardous components
- A signal word, e.g. **CAUTION, DANGER, WARNING**
- A statement of actual hazard present; physical or health (i.e. corrosive, flammable, toxic, etc.)
- Route of entry (personal exposure)
- Personal protective equipment recommended
- First aid measures in case of exposure
- Spill clean-up procedures and fire fighting methods
- Instructions for handling and storage

B. Secondary Containers

Any time a hazardous chemical or product is transferred from its original container to another container, the secondary or in-house container must be labeled with the identity of the hazardous chemical and the appropriate hazard warnings. In-house labels may be individually prepared (transcribe information contained on the original containers).

No label is required if a hazardous chemical is transferred into a portable container and used immediately by the same employee that dispensed it from the original container (contents must be used within a twenty-four hour period).

V. MATERIAL SAFETY DATA SHEETS

A. Basic Tool of Communication

Material Safety Data Sheets (MSDS) are written by the chemical manufacturer. They contain information on the chemical and physical dangers, safety procedures, and emergency response techniques.

Since the information contained on these sheets is very comprehensive (virtually everything that is known about a hazardous chemical or product is on the MSDS), the MSDS is considered to be an important tool in communications the hazards of a particular chemical to an employee. Copies of MSDSs are required to be readily accessible during each work shift to employees when they are in their work areas.

B. Contents of Material Safety Data Sheets

There is no particular format for MSDS that is required by the Hazard Communication Standard. However, OSHA does require that specific information be included in each MSDS, which is broken down into eight basic categories. Those categories are as follows:

1. Identify of manufacturer
2. Hazardous ingredients
3. Physical and chemical characteristics
4. Fire and explosive data
5. Reactivity data
6. Health Hazards
7. Precautions for safe handling and use
8. Control measures (i.e. protective equipment)

C. Obtaining Material Safety Data Sheets

Even though manufacturers and distributors are required to provide MSDSs for each hazardous chemical they produce, many of the suppliers for Eastern Kentucky University have different mechanisms for sending MSDS. Some suppliers have sent MSDSs to the Purchasing Department with no name or charge number, which means that the sheet cannot be forwarded to the appropriate department. In this case, the Purchasing Department will send the MSDS to the Safety and Health Office. This office will attempt to ascertain the buying department and forward on the MSDS. Departments can also check with the Safety and Health Office for MSDSs.

Other suppliers have established a policy of only sending a single copy of the MSDS even if the chemical is purchased on a regular basis by many different departments. It is possible that some companies will simply not send an MSDS unless requested to do so.

As a general policy, departments should attempt to obtain MSDSs by sending a letter directly to the supplier. A sample letter is provided on the next page. The department should maintain copies of MSDS request letters.

D. Establishing Location for MSDS

MSDS must be readily accessible during every work shift to employees when they are in their work areas. In addition, employees must be made aware of where the MSDS are being maintained. Therefore, departments need to establish where MSDS will be kept and then communicate that location to employees. This information must be documented and placed in this manual.

OSHA has not defined what they mean by readily accessible. However, they have indicated that a work area can be considered to be one room, a group of rooms or an entire document.

MSDS REQUEST

(Sample Letter)

DATE

NAME
TITLE
COMPANY NAME
ADDRESS
CITY, STATE, ZIP CODE

Dear _____:

Requirements of OSHA Hazard Communications Standard stipulate that chemical manufacturers/suppliers provide their customers with Material Safety Data Sheets for each product containing hazardous substances. Therefore, please send Material Safety Data Sheets for each of the following products:

Name of Products

Sincerely,

VI. EMPLOYEE INFORMATION AND TRAINING

A. Required Content

The intent of the Hazard Communication Standard is to provide employees with information about the potential health hazards of exposure to chemicals in the workplace. The objective of training is to provide employees with enough information to allow them to make more knowledgeable decisions with respect to any personal risks of their work and the need for safe work practices.

The OSHA Standard requires certain topics to be covered in the employee information and training program. Specifically they are:

1. Overview of the Hazard Communication Standard
2. The physical and health of the chemicals in the work area.
3. The measures employees can take to protect themselves from these hazards include operational procedures, appropriate work practices, emergency procedures, and personal protective equipment.
4. Explanation of material safety data sheets and the information they convey.
5. Explanation of container labeling systems and secondary container labeling practices.
6. Identity of operations in the workplace where hazardous chemicals are present.
7. Details on the availability and locations of the hazardous chemical inventory, material safety data sheets, and Written Hazard Communications Program.

B. Identifying Employees for Training

All employees (full and part-time) must be included in the training program if they use hazardous chemicals and/or hazardous chemicals are present in their work area. This includes graduate assistants or student workers that are being paid by the university. Students are not required to be included in the training program. An employee does not necessarily have to handle or work directly with a hazardous chemical for the training requirement to apply. The Hazard Communication Standard requires that employees be trained about the hazardous chemicals in their work area.

The steps outlined below will allow departments/supervisors to determine which employees will have to be included in the training program:

1. Identity all rooms, offices, labs, etc. where hazardous chemicals are present.

2. Determine which employees are located in those areas and/or who perform the major part of their job in those areas.
3. The employees identified in step #2 must be included in the training program and trained about the hazardous chemicals their area.

C. Frequency of Training

Training is required for all employees potentially exposed to hazardous chemicals found in their area. These employees are to be trained initially and whenever a new hazard is introduced into their work area.

If a new hazard is introduced in the work area, training will have to be given for the new hazard. Otherwise, it will only be a one-time requirement.

NOTE: A new hazard is not necessarily a new chemical. If a new solvent is brought into the workplace, and it has hazards similar to existing chemicals for which training has already been done, then no new training is required.

D. Training Methods

There are two basic approaches that will be acceptable:

- Specific chemical training
- Generic chemical training

Specific chemical training, which consists of simply going over the material safety data sheets for the particular chemicals, may be appropriate. Generic chemical training which categorizes chemicals into groups or hazard classes (e.g. corrosive, flammables, toxics, etc.) rather than training on individual chemicals will probably be more appropriate in most areas at Eastern Kentucky University.

If a department or supervisor opts to use the specific chemical training approach, documentation that the supervisor discussed the information on the material safety data sheets (for all chemicals in the work area) with employees should be maintained. Documentation on (all employees) training must be kept and should include employee's signatures and dates.

In addition the guidelines on material safety data sheets contained in Appendix B should be copied and distributed to employees prior to discussing the data sheets for specific chemicals. Departments/supervisors must also inform employees about the existence of the Written Hazard Communication Program and the information it contains. It must also be made available to employees upon their request.

Even if a department uses the generic training approach, additional problems may be found depending on the type of chemical(s) in an employee's work area. Department/supervisors will have to determine the chemical classification (or type) by reading labels of chemical containers.

It will be up to the departments/supervisor to ensure that all affected employees are adequately trained. This may require departments to rent or purchase additional programs that cover the need.

During training sessions, departments/supervisors must also inform employees about the existence of the Written Hazard Communication Program and the information it contains. Departments/supervisors must make this written program available to employees who wish to review it.

E. Documentation of Training

All employees training must be documented. These training records should be kept with this manual. A suggested training record form is provided in this manual. The employee must sign the completed training record form.

TRAINING RECORD
EASTERN KENTUCKY UNIVERSITY
HAZARD COMMUNICATION STANDARD
(EMPLOYEE "RIGHT-TO-KNOW" LAW)

EMPLOYEE NAME _____
JOB TITLE _____
DEPARTMENT _____
CAMPUS ADDRESS _____

The following topics have been covered in the training program for this employee:

1. Overview of the Hazard Communication Standard.
2. The physical and health hazards of the chemicals in the work area.
3. The measures employees can take to protect themselves from these hazards including operational procedures, appropriate work practices, emergency procedures, and personal protective equipment.
4. Explanation of material safety data sheets and the information they convey.
5. Explanation of container labeling systems and secondary container labeling practices.
6. Identity of operations in the workplace where hazardous chemicals are present.
7. Details on the availability and locations of the hazardous chemical inventory, material safety data sheets, and Written Hazard Communications Program.

CERTIFICATION:

EMPLOYEE SIGNATURE _____ DATE _____

DUPLICATE THIS FORM AS NEEDED