

HANDBOOK OF Hazard Communication and OSHA Requirements



George G. Lowry
and Robert C. Lowry

*Handbook of Compliance for the
Federal "Right-to-Know" Standard*

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Hazard Communication
and
OSHA Requirements

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**COMPLIANCE GUIDE FOR THE FEDERAL
“RIGHT-TO-KNOW” STANDARD**

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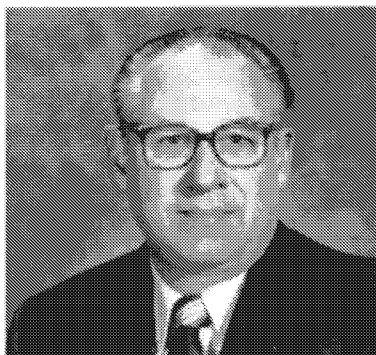
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WHY THIS BOOK?

Valuable examples are included. Recently added to these is UPDATE No. 2, January, 1987 (enclosure) which provides a copy of OSHA's approved MSDS Form, plus additional data.

This tome should be a big help to people in industry, such as environmental and safety engineers, industrial hygienists, medical departments, employee education managers, plant managers, personnel directors, legal departments, governmental relations offices, plant security, fire and disaster control officers, plant maintenance managers, purchasing agents and other specifiers and, in small companies, personnel managers, presidents and owners. Consultants will find this fact-packed guide provides answers to most client questions. Others who will benefit include corporate law firms, and casualty insurance companies' claims officers, loss control engineers and risk management engineers. Industrial unions may also want this volume.



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NOTICE

Effective either November 25, 1985 or May 25, 1986, ALL THE FOLLOWING INDUSTRIES must comply with the HAZARD COMMUNICATION STANDARD:

Manufacturers of:

- Apparel and other Textile Products
- Chemicals and Allied Products
- Electrical Equipment and Supplies
- Fabricated Metal Products
- Food and Kindred Products
- Furniture and Fixtures
- Instruments and Related Products
- Leather and Leather Products
- Lumber and Wood Products
- Machinery other than Electrical
- Miscellaneous Products
- Paper and Allied Products
- Petroleum and Coal Products
- Primary Metal Industries
- Printing and Publishing
- Rubber and Plastic Products
- Stone, Clay and Glass Products
- Textile Mill Products
- Tobacco Manufacturers
- Transportation Equipment

Distributors of Chemicals

Importers of Chemicals

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**UPDATE No. 2, including OSHA's approved MSDS
Form (enclosed)**

PREFACE

On November 25, 1983, the Occupational Safety and Health Administration of the U.S. Department of Labor promulgated a new "Hazard Communication" standard (29 CFR 1910.1200). The purpose of this Standard (the HCS) is to

ensure that the hazards of all chemicals produced or imported by chemical manufacturers or importers are evaluated and that information concerning their hazards is transmitted to affected employers and employees within the manufacturing sector.

The HCS preempts any state law pertaining to the same subject, and applies to chemical manufacturers, importers and distributors as well as to all employers within Standard Industrial Classification (SIC) Codes 20-39. Chemical manufacturers, importers, and distributors are required to be in compliance with applicable provisions of the HCS. All manufacturers now are supposed to be in full compliance.

Many regulated firms are understandably uneasy about the HCS. In addition to the usual negative reaction to new regulations and standards, there is concern over the complexity of the regulations and the ambiguity of certain provisions.

Nevertheless, the concepts of the HCS are supported by major labor organizations as well as by major industrial groups. Although such issues as trade secrets, the effect of the preemption provision, and the exclusion of non-manufacturing sectors from coverage are currently being disputed in the courts, there seems to be little question that the essential features of the HCS will take effect as scheduled.

This book is intended to help all affected companies comply with the HCS as smoothly as possible. Contained herein are explanations of what is required, as well as recommendations of how to comply, particularly in areas where details are not spelled out in the standard itself. Numerous suggestions are given to help you identify hazardous materials in the

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workplace and also to help you obtain the required information. Finally, opinions are offered as to the outcome of certain questionable matters if things go as expected. These are “educated guesses” based on experience (sometimes called “expert opinions”). Still, they are opinions rather than fact and must be understood as such. Whenever you have a question regarding your legal rights and liabilities under this standard, you should consult your own attorney for interpretation of the law as it applies to your particular situation.

Chapter 1 explains some basic concepts of safety and how they relate to the HCS. Chapter 2 outlines legal responsibilities under the HCS in terms of its provisions and exemptions. Also discussed are pending challenges to the HCS, statutory penalties for noncompliance, and the relationship of the HCS to tort liability for injuries caused by hazardous chemicals. Chapters 3 through 9 discuss particular problems to be confronted and solved on the way to compliance. These include hazard identification, physical and health hazard characterization, warning label design and content, material safety data sheets, written hazard communication programs, and employee training. Chapter 10 discusses nontechnical problems facing the manufacturing employer, as well as the practical advantages to be gained through compliance.

In the end, whether your firm succeeds in adjusting smoothly to life under the Standard will often boil down to management attitudes and the quality of relations with employees. Given a positive management attitude and good labor relations, compliance should have real long-term benefits for both the firm and its employees. We hope this handbook will make it easier to enjoy those benefits—and avoid pitfalls of the Standard—than if you were left to your own devices.

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