

OSHA 1910.1200 Hazard Communication Standard Questions and Answers

Q. *What is the OSHA 1910.1200 Hazard Communication Standard?*

- A. OSHA has revised the comprehensive Hazard Communication Standard. It requires employers to develop (by September, 1987) Material Safety Data Sheets (MSDSs) on all materials they utilize. It also requires them to complete a hazard evaluation on all chemicals they distribute and to label appropriate warnings on each container. The third requirement to chemical distributors is that they provide an MSDS with each initial order of a substance and also provide updates as MSDSs are reevaluated.

Q. *What SIC Code employers are covered by 1910.1200?*

- A. It covers 32 million employees in more than 3.8 million worksites in SIC Codes 01 through 89.

Q. *In developing MSDAs, how far do manufacturers, importers, users, and distributors have to go in identifying hazards and ingredients?*

- A. Mixtures tested as a whole should describe the hazards of the mixture. Mixtures not tested as a whole shall be assumed to have the same health hazards as each hazardous material of 1% or greater concentration, 0.1% or greater concentrations of carcinogens.

Q. *What trade secret protection is provided?*

- A. Only the specific chemical identity may be withheld, including the chemical name and other specific identification. A claim that the identity is a trade secret must be proven. The MSDS must identify the physical properties, effects of the substance, and that chemical identity which is being withheld.

Q. *What do employers have to do?*

- A. By November, 1985, they must obtain MSDSs on all potentially hazardous materials. By April, 1986, they need to develop and implement a comprehensive hazard communications program which will include container labeling and other forms of warning, MSDSs, and employee training. By May 20, 1988, all employers in the nonmanufacturing sector must be in compliance with all provisions of the revised standard.

The OSHA Hazard Communication requires employers to develop Material Safety Data Sheets on all materials they utilize.

Q. *Specifically, what needs to be in the Hazard Communication Program?*

- A. It should include a list of the requirements of this Standard, any operation in each work area where hazardous chemicals are present, and the location and availability of this written Hazard Communication Program, list of chemicals, and MSDS. Employers whose workers handle only sealed containers of chemicals are required to keep labels affixed to incoming containers, provide access to MSDS while the material is in the workplace, and train employees to protect themselves in case of leaks or breakage. However, these employers will not be required to maintain written Hazard Communication Programs.

Q. *What is considered a hazardous material?*

- A. A hazardous chemical is any substance which contains 1% or more of a chemical appearing on OSHA's Z-1, Z-2, or Z-3 list of toxic and hazardous substances, or on the American Conference of Government Industrial Hygienists (ACGIH) list of "Threshold Limit Values For Chemical Substances and Physical Agents in the Work Environment". It also includes any substance containing 0.1% of a suspect carcinogen listed on the National Toxicology Program (NT) "Annual Report on Carcinogens", or found to be potentially carcinogenic in the International Agency for Research on Cancer (IARC) "Monograph", or by OSHA.

Q. *What if an MSDS does not identify a hazard which is known to be present?*

- A. That substance will become a part of the Hazard Communication Program list of hazardous chemicals.

Q. *What training is required?*

- A. Employers shall provide employees with information and training on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard is introduced into the work area.

Q. *What is considered a physical hazard?*

- A. A physical hazard is a material that is a combustible liquid, compressed gas, explosive, flammable, inorganic peroxide, an oxidizer, pyrophoric, unstable or water reactive.

Q. *What is a health hazard?*

- A. A health hazard is a chemical for which there is statistically significant evidence based on at least one positive study conducted in accordance with established scientific principles that indicates acute or chronic health effects may occur to employees. This could include carcinogens, toxic or highly toxic agents, irritants, corrosives, sensitizers, etc.

Q. *Will the revised Standard preempt existing state or local laws?*

- A. The revised Standard will preempt state and local laws which concern an issue covered by the Standard, without regard to whether the state or local law would conflict with, complement, or supplement it, and without regard to whether the state or local law appears to be at least as effective as the federal Standard. The only authorized state worker right-to-know laws would be those established in states and jurisdictions that OSHA-approved state plans. Federal workers will be covered under an executive order.

Q. *What Action Plan is recommended for an employer to implement a Hazard Communication Program?*

1. Develop a master list of all chemicals in the facility.
2. Review MSDSs to determine if the material should be included in a written hazard communication plan.
3. Review current labeling on containers of these substances to determine if they adequately warn employees of potential hazards.
4. Categorize physical and health hazards associated with each work area.
5. Write an employee information and training plan tailored for each work area.
6. Conduct periodic industrial hygiene sampling to determine the potential risk the hazard poses for employees in the work area. If you determine the risk to be nil, remove the substance from your hazard communication program.
7. Inform employees of your written communication plan, the information they have access to, and conduct an annual training session.

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