

MAINE OIL DEALERS ASSOCIATION

TECHNICAL BULLETIN #1.1

HAZARD COMMUNICATIONS PROGRAM

February, 1997

(replaces TB #1 issued 2/88)

This MODA Technical Bulletin involves the Hazard Communication Standard (29 CFR 1910.1200) issued by the Occupational, Safety and Health Administration (OSHA) of the U.S. Department of Labor. Maine state law also covers this area although not as thoroughly as OSHA. This Bulletin reflects the OSHA requirements and the supplemental Maine state law. The Maine law can be found at Title 26 §§ 1701-1725. You are encouraged to consult the actual Code of Federal Regulations, sections 1910.1200 et al. for complete compliance assurance.

Subject Number One deals with the requirement to develop a Written Communication Program to protect your employees, Subject Number Two deals with the requirement to label containers carrying hazardous materials which are sold to customers who are employers (commercial accounts).

SUBJECT NUMBER ONE: Sample Hazard Written Communication Program

NOTE: The written program must include the specific methods that are used to achieve compliance with the requirements of the Hazard Communication Standard (29 CFR 1910.1200) and MRSA 26 Ch. 22. The specific methods described on this sample written program are for illustrative purposes and other effective methods may be substituted to satisfy local needs or practices.

I. General

The purpose of this instruction is to ensure that [facility name] is in compliance with the OSHA Hazard Communication Standard (HCS) 29 CFR 1910.1200.

The [occupational safety and health manager (OS&H manager) or other technically qualified designee] is the overall coordinator of the facility program acting as the representative of [senior facility official], who has overall responsibility.

In general, each employee in the facility will be appraised of the substance of the HCS, the hazardous properties of chemicals they work with, and measures to take to protect themselves from these chemicals.

II. List of Hazardous Chemicals

The [OS&H manager or designee] will maintain a list of all hazardous chemicals used in the facility, and update the list as necessary. The hazardous chemical list will be updated upon receipt of hazardous chemicals at the facility. The list of hazardous chemicals is maintained at [location]

III. Material Safety Data Sheets (MSDS's)

The [OS&H manager or designee] will maintain an MSDS library on every substance on the list of hazardous chemicals in the [location]. The MSDS will consist of a fully completed OSHA form 174 or equivalent. The [location manager or supervisor] will ensure that each [work area or shop] maintains an MSDS for hazardous materials used in that area. The MSDS's will be readily available to all employees.

The [local manager or designee] is responsible for acquiring and updating MSDS's. The [local OS&H manager or designee] will review each MSDS for accuracy and completeness and will consult with the [Area/Region/Headquarters

OS&H manager] if additional research is necessary. All new procurements for the facility must be cleared by the [local OS&H manager or designee]. Whenever possible, the least hazardous substance will be procured.

MSDS's that meet the requirements of HCS must be fully completed and received at the facility either prior to, or at the time of receipt of the first shipment of any potentially hazardous chemical purchased from a vendor. It may be necessary to discontinue procurements from vendors failing to provide MSDS's in a timely manner.

IV. Labels and other Forms of Warning

[person] is designated to ensure that all hazardous chemicals in the facility are properly labeled. Labels should list at least the chemical identity, appropriate hazard warnings, and the name and address of the manufacturer, importer or other responsible party. [person] will refer to the corresponding MSDS to verify label information. Immediate use containers, small containers into which materials are drained for use on that shift by the employee drawing the material, and under the direct control of the employee drawing the material, do not require labeling. To meet the labeling requirements of HCS for other in-house containers, refer to the label supplied by the manufacturer. All labels for in-house containers will be approved by [person] prior to their use.

[person] will check on a monthly basis to ensure that all containers in the facility are labeled and that the labels are up to date .

V. Training

Each employee who works with or is potentially exposed to hazardous chemicals will receive initial training on the HCS and the safe use of Those hazardous chemicals. The training must commence prior to an employee's initial assignment. Additional training will be provided for employees whenever a new

hazardous materials introduced into their work areas. A refresher course shall be held for all employees at least once a year. Hazardous chemical training is conducted by [person/department/vendor]. (Attach a copy of course outline, training schedules and a description of course materials).

The training will emphasize these elements:

- *A summary of the standard and this written program;
- *Hazardous chemical properties including visual appearance and odor and methods that can be used to detect the presence or release of hazardous chemicals;
- *Physical and health hazards associated with potential exposure to work place chemicals;
- *Procedures to protect against hazards, e.g., personal protective equipment, work practices and emergency procedures;
- *Hazardous chemical spill and leak procedures and;
- *Where MSDS's are located, how to understand their content, and how employees may obtain and use appropriate hazard information.

The [local OS&H manager or designee] will monitor and maintain records of employee training and advise the facility manager on training needs.

VI. The [local OS&H manager or designee], upon notification from the [responsible supervisor], will advise outside contractors of any chemical hazards which may be encountered in the normal course of their work on the premises. All on-site employees, even contractors' employees must be advised of any chemical hazards.

VII. Non-Routine Tasks

[Maintenance or other supervisors] contemplating a nonroutine task, e.g. boiler repair, will consult with the [local OS&H manager or designee] and will ensure that employees are informed of chemical hazards associated with the performance of these tasks and appropriate protective measures. This will be accomplished by a meeting of supervisors and the OS&H with affected employees before such work is begun.

VIII. Further information on this written program, the hazard communications standard, and applicable MSDS's is available at [location/telephone number].

SUBJECT NUMBER TWO: Labeling Requirements Under OSHA Regulations

The Hazard Communications Standard regulations ("HCS regulations") recently promulgated by the Occupational Safety and Health Administration ("OSHA") require petroleum marketers to label containers holding petroleum products that are used in the work place or that are sold to customers that are employers. A "container" included any bag, barrel, bottle, box, can, cylinder, drum, reaction vessel, or storage tank. A sample label is attached as a model for your use.

I. Containers leaving the work place after sale to a commercial customer must be labeled. The label must include:

(a) the identity of the product found in the container. The product should be identified by the name used in the Material Safety Data Sheet relating to such product;

(b) the name and address of the party providing the label, or the name and address of any other party that can provide information about the product; and

(c) warnings conveying health hazards associated with the product. The specific adverse effects on the health must be mentioned in the warning. An example is "Caution, Inhalation Can Cause Lung Cancer." Simply stating "Caution, Harmful

If Inhaled" is not enough. Obviously, not all possible health hazards can be included on the label.

Containers already labeled by upstream suppliers need not be relabeled.

The regulations technically require petroleum marketers to label containers leaving the work place that are owned by the customer. This may be logistically difficult, but the regulations provide no exception for this situation.

II. Containers used by employees within the work place or at a job site must be labeled. The label must include:

(a) the identity of the product found in the container. The product should be identified by the name used in the Material Safety Data Sheet relating to such product;

(b) warnings which convey the health hazards associated with the product. Specific adverse effects on health must be mentioned in the warning. An example is "Caution, Inhalation Can Cause Lung Cancer." Simply stating "Caution, Harmful If Inhaled" is not enough.

Containers already labeled by upstream suppliers need not be relabeled.

When petroleum products are transferred into temporary container by an employee and such container will be used and controlled solely by an employee during the work shift in which it is transferred, such temporary container need not be labeled. All other containers used by employees should be labeled.

Petroleum marketers may use signs or placards in lieu of affixing labels to individual stationary containers within the work place. Such signs, placards, or process sheets must identify the containers to which they are applicable and convey the minimum labeling information mentioned above.

Marketers should be aware that these labeling requirements are minimum standards, and do not supersede any existing or future labeling requirements. Marketers may integrate the information required by the HCS regulations into the forms of labels required by other federal or state authorities. However, labels required by the Department of Transportation under the Hazardous Material Transportation Act must be included separately in containers shipped across state borders.

NOTE: Any MODA member in the Workers Compensation Trust is invited to call Bob Delancy at Northern General Services if you need specific updating or help with any of your safety needs. All MODA members are also encouraged to contact OSHA and/or a professional risk/loss safety consultant when updating Hazard Communications Programs.

SAMPLE LABEL

(CAN BE USED FOR MARKING CONTAINERS BOTH WITHIN THE
WORK PLACE OR LEAVING THE WORK PLACE)

GASOLINE (LEADED) 4% BENZENE, 1% TETRAETHYL
LEAD WARNING:

Excessive inhalation of fumes or mist can cause depression of the central nervous system and eye irritation. Ingestion can cause nausea, vomiting, diarrhea, restlessness, aspiration, and chemical pneumonia. Prolonged skin contact can cause skin irritation leading to dermatitis. In case of contact with eyes, flush thoroughly with running water.

FOR MORE INFORMATION CONTACT:

(Name and address of party who can provide further information on Leaded Gasoline.)

SAMPLE LABEL

(CAN BE USED FOR MARKING CONTAINERS BOTH WITHIN THE WORK PLACE OR LEAVING THE WORK PLACE)

KEROSENE

WARNING:

Excessive inhalation of fumes or mist can be irritating to the respiratory passages and can cause headaches, dizziness, nausea, vomiting and loss of coordination. In case of ingestions, do not induce vomiting and contact a physician. In case of contact with eyes, flush with copious amounts of water.

FOR MORE INFORMATION CONTACT:

(Name and address of party who can provide further information on Kerosene)

SAMPLE LABEL

(CAN BE USED FOR MARKING CONTAINERS BOTH WITHIN THE
WORK PLACE OR LEAVING THE WORK PLACE)

FUEL OIL #2

WARNING:

Excessive inhalation of fumes or mist can be irritating to the respiratory passages and can cause headaches, dizziness, nausea, vomiting and loss of coordination. In case of ingestion, do not induce vomiting and contact a physician. In case of contact with eyes, flush with copious amounts of water.

FOR MORE INFORMATION CONTACT:

(Name and address of party who can provide further information on Fuel Oil #2)