

OSHA & DOT REGULATORY CHANGES

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OSHA HAZARD COMMUNICATION STANDARD 2012



CURRENT STATUS

- 1994 OSHA Hazard Communication Standard
 - 29CFR 1910.1200
- Joint Commission EC.02.02.01
 - EP 1: Chemical Inventory
 - EP 11: MSDS
 - EP 12: Chemical Labeling



BUILDING TOURS

- Where do you find an MSDS?
 - Looking around
 - Trying to find a book
 - Can't find on a computer screen
 - Multiple possible answers



ALL CHEMICALS MUST BE
APPROPRIATELY LABELED...



YOU'VE WORKED HARD...
BUT NOW EVERYTHING IS DIFFERENT!

WHAT'S A SAFETY OFFICER TO DO?



GLOBAL HARMONIZATION

RATIONALE

- Globally Harmonized System (GHS)
- International Requirements
- Uniformity
- Right to Understand vs. Right to Know



DISCLAIMER

- This program provides summary information
- For compliance information see the complete standard at www.osha.gov/dsg/hazcom/index.html
- Side-by-side comparison of 1994 & 2012 at www.osha.gov/dsg/hazcom/side-by-side.html












MAJOR CHANGES: LABELING

- Product Identifier
 - Name or number
 - Cross-reference to chemical inventory
- Signal Word
 - Danger or warning
- Hazard Statement
- Pictogram
- Precautionary Statement
 - To avoid adverse effect
- Manufacturer/Importer Information



PICTOGRAMS

<p>Health Hazard</p>  <ul style="list-style-type: none"> • Carcinogen • Mutagenicity • Reproductive Toxicity • Respiratory Sensitizer • Target Organ Toxicity • Aspiration Toxicity 	<p>Flame</p>  <ul style="list-style-type: none"> • Flammables • Pyrophorics • Self-Heating • Emits Flammable Gas • Self-Reactives • Organic Peroxides 	<p>Exclamation Mark</p>  <ul style="list-style-type: none"> • Irritant (skin and eye) • Skin Sensitizer • Acute Toxicity (harmful) • Narcotic Effects • Respiratory Tract Irritant • Hazardous to Ozone Layer (Non Mandatory)
<p>Gas Cylinder</p>  <ul style="list-style-type: none"> • Gases under Pressure 	<p>Corrosion</p>  <ul style="list-style-type: none"> • Skin Corrosion/ burns • Eye Damage • Corrosive to Metals 	<p>Exploding Bomb</p>  <ul style="list-style-type: none"> • Explosives • Self-Reactives • Organic Peroxides
<p>Flame over Circle</p>  <ul style="list-style-type: none"> • Oxidizers 	<p>Environment (Non Mandatory)</p>  <ul style="list-style-type: none"> • Aquatic Toxicity 	<p>Skull and Crossbones</p>  <ul style="list-style-type: none"> • Acute Toxicity (fatal or toxic)

WORKPLACE LABELS

- Same as manufacturer labels OR
- Product identifier AND
- Words, pictures, and/or symbols to provide general hazard information to be used in conjunction with other available information
- EXEMPTION: Immediate use of employee performing the transfer from labeled container



OTHER LABELING REQUIREMENTS

- Must be in English
- Can add other languages as needed
- Legible
- Prominently displayed



SAMPLE LABEL

PRODUCT IDENTIFIER

CODE _____
Product Name _____

SUPPLIER IDENTIFICATION

Company Name _____
Street Address _____
City _____ State _____
Postal Code _____ Country _____
Emergency Phone Number _____

PRECAUTIONARY STATEMENTS

Keep container tightly closed. Store in cool, well ventilated place that is locked.
Keep away from heat/sparks/open flame. No smoking.
Only use non-sparking tools.
Use explosion-proof electrical equipment.
Take precautionary measure against static discharge.
Ground and bond container and receiving equipment.
Do not breathe vapors.
Wear Protective gloves.
Do not eat, drink or smoke when using this product.
Wash hands thoroughly after handling.
Dispoae of in accordance with local, regional, national, international regulations as specified.

In Case of Fire: use dry chemical (BC) or Carbon dioxide (CO₂) fire extinguisher to extinguish.

First Aid

If exposed call Poison Center.
If on skin (on hair): Take off immediately any

HAZARD PICTOGRAMS



SIGNAL WORD
Danger

HAZARD STATEMENT

**Highly flammable liquid and vapor.
May cause liver and kidney damage.**

SUPPLEMENTAL INFORMATION

Directions for use


Fill weight: _____ Lot Number _____
Gross weight: _____ Fill Date: _____
Expiration Date: _____

MAJOR CHANGES: SDS

- Safety Data Sheets vs. Material Safety Data Sheets
- MSDS required specific information but no specific format so difficult to read and follow
- SDS comply with ANSI standards
 - Common format
 - Specified section headings



SDS SECTIONS

- 
1. Identification
 2. Hazard
 3. Composition
 4. First Aid
 5. Fire Fighting
 6. Accidental Release
 7. Handling/Storage
 8. Exposure Controls
 9. Properties
 10. Stability/Reactivity
 11. Toxicology
 12. Ecological
 13. Disposal
 14. Transport
 15. Regulatory
 16. Other

SDS NOTES

- All headings listed as stated and in same order
- Indicate “not applicable” under heading if appropriate
- Sections 12-15 enforced by other agencies
- SDS must be in English
 - Can add other languages as needed



SDS ACCESSIBILITY

- Electronic or hard copy
- Available to employees in each workplace
- Backup must be available
 - Not necessarily a hard copy




MINOR CHANGES

- HAZARD CLASSIFICATION
 - Manufacturers responsible
 - Previously hospital option to determine hazards
 - (OSHA considers this a significant change.)

- TERMINOLOGY
 - Align with GHS
 - Most self-explanatory
 - Classify = evaluate, assess, and determine if they are hazardous
 - Definitions section
 - Pictogram
 - Signal Word
 - Etc.



CONSTANTS

- 
- HAZARD COMMUNICATION PLAN
 - Written program
 - Same elements as 1994
 - Terminology & program changes
 - Labels
 - SDS
 - Product Identifier
 - Etc.
 - Editing, but no major changes

- TRAINING
 - Operations in the workplace
 - Location & availability of Hazard Communication Program
 - Methods to detect presence or release
 - Chemical hazards
 - Personal protection
 - HazCom Program content
 - Edited for 2012 program

IMPORTANT DATES

- **DECEMBER 1, 2013**
 - Employees trained on new labels & SDS format
- **JUNE 1, 2016**
 - Final compliance date
 - New labels & SDS
 - Hazard Communication Program
- **DECEMBER 1, 2015**
 - New labels on manufacturer shipments
- **Compliance with either 1994 or 2012 is acceptable during phase-in**



ACTION PLAN

- Review information on OSHA website
- Electronic MSDS
 - Contact vendor to determine their conversion plan
- Hard Copy MSDS
 - Process to replace with SDS format
 - New shipments
 - Request SDS from vendors
 - Consider moving to electronic



ACTION PLAN

- LABELS
 - Employer not responsible for updating existing labels unless defaced or new hazards
- HAZARD COMMUNICATION PROGRAM
 - Update to 2012 program for SDS and labeling
- TRAINING
 - All staff working with chemicals updated by 12/1/13
 - Modify orientation & annual update programs



NFPA 704

- NFPA labeling may remain if employees trained to understand both systems
- Different numerical scales
- Different hazard criteria
- OSHA & NFPA developing a reference card to compare the two systems

DOT HAZARDOUS MATERIALS TRAINING REQUIREMENTS



REGULATIONS

- Hazardous materials regulated by DOT 49CFR
- Pipeline and Hazardous Materials Safety Administration (PHMSA)
www.phmsa.dot.gov
- Mission: “To protect people & the environment from risks inherent in the transportation of hazardous materials by pipelines and other modes.”



JOINT COMMISSION

- Number one PHMSA finding in hospitals: Lack of training for those signing hazmat manifests
- JC surveyors to determine if DOT-required training has been provided
- EC.02.02.01 EP 11: “For managing hazardous materials & waste, the hospital has the permits, licenses, manifests, and material safety data sheets required by law and regulation.”



WHO MUST BE TRAINED?

- Anyone who performs ANY function under the hazardous materials rule
 - Loading, unloading handling
 - Marking packaging
 - Preparing for transportation
 - Typing description on shipping paper
 - **Signing manifest**
 - Etc.



DEFINITIONS

- Hazmat Employer: Uses one or more employees in connection with:
 - Transporting hazmat in commerce
 - Causing hazmat to be transported or shipped in commerce
 - Representing, marking, certifying, selling, offering, reconditioning, testing, repairing, or modifying packages as qualified for use in the transportation of hazmat



DEFINITIONS

- Hazmat Employee: Person who:
 - Loads, unloads, or handles hazmat
 - Tests, reconditions, repairs, modifies, marks or otherwise represents packaging as qualified for use in transportation of hazmat
 - Prepares hazmat for transportation
 - Is responsible for safety of transporting hazmat
 - Operates a vehicle used to transport hazmat



REQUIREMENTS

- Training Requirements: 49 CFR 172.704
- ALL hazardous materials employees must be trained
- Cannot perform functions unless trained
- Purpose: “To increase a hazmat employee’s safety awareness and be an essential element in reducing hazmat incidents.”



EMPLOYER RESPONSIBILITY

- Comply with applicable regulations
- Train and test employees
- Provide certification of training
- Retain records for each hazmat employee
 - Period of employment + 90 days thereafter



INITIAL TRAINING

- Upon new hire or job change
- Completion required within 90 days of hire or assignment
- Until completion, must work under supervision of a hazmat employee with proper training



TOPICS

- General awareness
- Function-specific training
- Safety
- Security awareness
- Driver training – if motor vehicle operator
- OSHA, EPA, etc. training



GENERAL AWARENESS

- Familiarity with requirements of 49 CFR 172.704 (training requirements)
- Recognize & identify hazardous materials



FUNCTION-SPECIFIC TRAINING

- Specific to the function that the employee will perform
 - e.g. Signing manifests



SAFETY TRAINING

- Measures to protect employee from hazards posed by materials
- Methods and procedures for avoiding accidents
- Emergency response information
 - Part 172, subpart G; 29 CFR 172: 600-606



RECURRENT TRAINING

- Every 3 years from date of first training



RECORDKEEPING

- Hazmat employee's name
- Completion date of most recent training
- Copy, description, or location of training materials
- Name and address of trainer
- Certification of training and testing
- Retained for employment + 90 days



TRAINING SOURCES

- Hazmat employer
- Public or private sources
- DOT CD @ \$25
 - https://hazmatonline.phmsa.dot.gov/services/Pub_Sale.aspx
- Hazardous waste haulers



PREVIOUS EMPLOYER

- Previous employer training may be used to meet training requirements
- Current training record must be obtained from previous employer
- Must address the requirements as described



TRAINERS

- Employer is responsible to determine trainer's qualifications
- Outside source may be designated to train, test, and certify by employer



TESTING

- Employer responsible to provide testing if trainer does not
- Testing may be in any format
 - Written, verbal, etc.
- Employee is certified only in areas where hazmat duties can successfully be performed based on test



ENFORCEMENT

- DOT Administration
- Safety & compliance reviews
 - Shippers, carriers, package manufacturers



FINES

- Up to \$50,000 for each violation
- Up to \$100,000 for death, serious illness, severe injury
- Criminal violations
 - Fines and/or imprisonment



QUESTIONS?

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