HAZARD COMMUNICATION PROGRAM

Risk Management & Safety Office
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November 2006
Revised: December 2006
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1. General Information

1.1. The Texas Hazard Communication Act (THCA), codified as Chapter 502 of the Texas Health and Safety Code (HSC), requires all public employers in Texas to provide their employees with information regarding hazardous chemicals to which employees may be exposed in their workplace. In order to comply with Section 502.009(b) of the THCA and Section 295.7(a) of the THCA Rules (Title 25 of the Texas Administrative Code (TAC), Section 295.1-295.12), the following written Hazard Communication Program has been established for Texas State University-San Marcos.

1.2. The master copy of the written hazard communication program will be maintained by the Risk Management & Safety Office and can be accessed at http://www.vpfss.txstate.edu/riskmgt/. Copies of the written program will be modified as needed for each separate work area where hazardous chemicals are used or stored. A copy may also be maintained at each work area. The written program will be available to all interested employees and their representatives upon request.

1.3. To facilitate administration of and compliance with this Program, the following levels of responsibility have been established:

1.3.1. Risk Management and Safety Office (RMSO) - with regard to the university’s hazard communication program, the RMSO has the following responsibilities:

   1.3.1.1. Compilation and review of the departmental Work Area Chemical Lists (WACL) to comprise the University’s Workplace Chemical List (WPCL). The WPCL shall be updated throughout the year as additional hazardous chemicals are introduced in departments. The WPCL shall be maintained by the employer (Texas State) for thirty (30) years from WPCL preparation date. The RMSO is designated as the office of record to meet this responsibility.

   1.3.1.2. Preparation and submission of the annual Texas Tier Two Report and filing fee to the Texas Department of State Health Services of Health (TDSHS). Provide the Local Emergency Planning Committee (LEPC) and the San Marcos Fire Department (SMFD) with a copy of the Texas Tier Two Report.

   1.3.1.3. Orientation briefings for staff and faculty, including employees’ rights under the THCA, at the New Employee Orientation scheduled by the Human Resources office and New Faculty Orientation scheduled by the Faculty Advancement Center.

   1.3.1.4. Dissemination of the “Notice to Employees” to apprise them of their rights under the THCA, as listed in Attachments D (English) & E (Spanish): (See Also Section 9)

   1.3.1.5 Reporting Employee Accidents – All accidents resulting in death or the hospitalization of five or more employees must be reported to TDSHS, Division for Regulatory Services Enforcement Unit as it relates to hazardous chemical exposure or asphyxiation. (See Section 8)

1.3.2. Department heads/account managers and all employees identified as having supervisory control over other employees of the University are responsible for their employees’ safety and well-being. With regard to this Program, their responsibilities include, but are not limited to, the following:
1.3.2.1. Written Training Program (Attachment C) - Develop and implement a written hazard communications training program to address the use of hazardous chemicals in their work areas. See Section 12.3 for program format.

1.3.2.2. Employee Rights - Post the "Notice to Employee" poster in the work area, Attachments D (English) & E (Spanish): (Also see Section 9).

1.3.2.3. Departmental Work Area Chemical List - Compile a Work Area Chemical List (WACL), not later than December 31 of each year. The WACL must be readily available in the work area and a copy of the list must be furnished to the RMSO, upon request. Although the WACL does not apply to research & teaching laboratories (See Section 2.1.2), it is the practice of Texas State University-San Marcos to maintain WACL to better facilitate accurate MSDS files. (See Section 4)

1.3.2.4. Departmental MSDSs - provide MSDS data in the work area for each chemical listed on the WACL. The MSDS will be readily available for review by employees. (See Section 5)

1.3.2.5. Chemical Container Labels – ensure that all chemical labels have not been defaced in anyway; all secondary containers are properly labeled (See Section 6)

1.3.2.6. Departmental Training - New and newly-assigned employees, including student workers, must be provided an orientation training session before they are allowed to work with, or in, a work area containing hazardous chemicals. (See Section 7)

1.3.2.7. Reporting all hazardous chemical accidents (See Section 8)

1.3.2.8. Provide their employees and/or students with appropriate personal protective equipment (PPE) for the hazardous chemicals in use. (See Section 10)

1.3.2.9. Account managers who contract for services for the University that are provided on campus must ensure the contractor has a written Hazard Communication Program to cover their employees who will be working at the university job site. Account managers who contract for such services must assure that their contracts with vendors contain wording to meet the requirements of the THCA. A WACL with associated MSDS’s must be maintained by the contractor at the university job site and be readily available upon request to university personnel. Failure to provide such information may constitute grounds for termination of the contractor.

1.3.2.10 Appoint an official “Hazard Communication Act (HCA) contact” for each hazardous work area.

1.3.3. Departmental HCA contact in each work area is responsible for: acting as liaison with the RMSO; maintaining department Hazard Communication Plan (HCP), WACL, reporting accidents and MSDS records; and ensuring that new employees are provided training before working with hazardous chemicals.
2. **Exemptions** - Per Section 502.004(f), the following chemicals are exempt from the requirements of the THCA and are outside the scope of this written program:

2.1. Hazardous waste that is subject to regulation by the Texas Commission on Environmental Quality and/or the U.S. Environmental Protection Agency

2.2. A chemical in a laboratory under the direct supervision or guidance of a **technically qualified individual** if:

2.2.1. Labels on incoming containers of chemicals are not removed or defaced

2.2.2. This employer complies with Sections 502.006 (“MSDS”) and 502.009 (“Employee Education Program”) of the THCA with respect to laboratory employees; and

2.2.3. The laboratory is not used primarily to produce hazardous chemicals in bulk for commercial purposes

2.3. Tobacco or tobacco products

2.4. Wood or wood products

2.5. Articles formed to a specific shape or design during manufacture and that does not release or otherwise result in exposure to a hazardous chemical under normal conditions of use

2.6. Food, drugs, cosmetics or alcoholic beverages

2.7. Consumer products or hazardous substances used in the workplace in the same manner as normal consumer use and if the use results in a duration and frequency of exposure that is not greater than exposures experienced by a consumer

2.8. Radioactive waste

3. **Definitions**

3.1. **“Appropriate Hazard Warning”** – Any words, pictures, symbols, or combination thereof appearing on a label or other appropriate form of warning which convey the health and physical hazards, including the target organ effects, of the chemical(s) in the container(s).

3.2. **“Categories of Hazardous Chemicals”** – A grouping of hazardous chemicals with similar properties.

3.3. **“Container”** – Any bag, barrel, bottle, box, can, cylinder, drum, reaction vessel, storage tank, or the like that contains a hazardous chemical or contains multiple smaller containers of an identical hazardous chemical. The term “container” does not mean pipes or piping systems, nor does it mean engines, fuel tanks, or other operating systems in a vehicle. A **primary container** is one in which the hazardous chemical is received from the supplier. A **secondary container** is one to which the hazardous chemical is transferred after receipt from the supplier.
3.4. “Employee” – Those full-time or part-time, faculty, staff and student workers whose compensation is provided, controlled or dispensed by the University and who may be or may have been exposed to hazardous chemicals in the person’s workplace under normal operating conditions or foreseeable emergencies. Note: As a matter of preference the University will also begin to include students who may be exposed to hazardous chemicals in the student’s workplace under normal operating conditions or foreseeable emergencies. While this is not a regulation, the RMSO feels that it is in the best interest of the University and the students to provide safety training at the beginning of each semester in each laboratory.

3.5. “Expose” – Subjecting an employee to a hazardous chemical in the course of employment through any route of entry, including inhalation, ingestion, skin contact, or absorption. The term includes potential, possible, or accidental exposure under normal conditions of use or in a reasonable foreseeable emergency.

3.6. “Hazardous Chemical” or “Chemical” – An element, compound, or mixture of elements or compounds that is a physical hazard or a health hazard regardless of its form.

3.7. “Health Hazard” – A chemical for which there is statistically significant evidence based on at least one study conducted in accordance with established scientific principles that acute or chronic health effects may occur in exposed employees and a chemical which is a toxic agent, irritant, corrosive, or sensitizer.

3.8. “Label” – Any written, printed, or graphic material displayed on or affixed to containers of hazardous chemicals, and which includes the same name as on the material safety data sheet.

3.9. “Material Safety Data Sheet” (“MSDS”) – A document containing chemical hazard and safe handling information that is prepared in accordance with the requirements of the federal Occupational Safety and Health Administration (OSHA) standard for that document. A current MSDS is one which contains the most recent significant hazard information for the hazardous chemicals as determined by the chemical’s manufacturer. An appropriate MSDS is one which conforms to the most current requirements set by OSHA standards.

3.10. “Physical Hazard” – A chemical for which there is scientifically valid evidence that it is a combustible liquid, a compressed gas, explosive, flammable, an organic peroxide, an oxidizer, pyrophoric, unstable (reactive), or water-reactive.

3.11. “Personal Protective Equipment” – Protective equipment provided to an employee by the employer which provides a level of protection to chemicals to which the employee may be exposed that will be adequate to ensure their health and safety based on current industry standards.

3.12. “Stationary Process Container” – A tank, vat, or other such container which holds different hazardous chemicals at different times.

3.13. “Technically Qualified Individual” – An individual with a professional education and background working in the research or medical fields, such as a physician or registered nurse, or an individual holding a minimum of a bachelor’s degree in a physical or natural science. Professors and those working under their direct supervision easily qualify.
3.14. “Work Area” – A room, department, section, studio lab, defined space, utility structure, or emergency response site in a workplace where hazardous chemicals are present, produced, or used, and where employees are present.

3.15. “Workplace” – A contiguous facility that is staffed 20 hours or more per week, unless such a facility is subdivided by the employer. Normally this subdivision would be a building, cluster of buildings or other structures, or a complex of buildings, but could be for a portion of a building if the employer chooses. Noncontiguous properties are always separate workplaces unless they are temporary workplaces, in which case they can be either work areas of a headquarters’ workplace or separate workplaces, which is at the discretion of the employer.

3.16. “Extremely Hazardous Substance (EHS)” – material determined by the Environmental Protection Agency (EPA) to be potentially hazardous to life and health if released. EHS’s are listed in 40 CFR 355 (Appendices A and B) and available online at: http://yosemite.epa.gov/oswer/ceppoehs.nsf/Alphabetical_Results!OpenView&Start=1

3.17. “Hazard Communication Program” – A written program that describes how the elements of the program will be met in the workplace and work areas. This program will include element required by Texas Hazard Communication Act.

3.18. “Local Emergency Planning Committee (LEPC)” – A committee formed under the Emergency Planning and Community Right to Know Act (EPCRA) section 301, and recognized by the State Emergency Response Commission for the purposes of emergency planning and public information. The University is covered by the Hays County LEPC.

3.19. “Penalties” – Sums of money prescribed by the THCA which constitute administrative penalties and civil or criminal fines. These may range from $50 to $100,000 for each violation of the THCA.

3.20. “Texas Tier Two Report” – An annual report required to be sent to TDSHS on hazardous chemicals and extremely hazardous chemicals above the threshold reporting level. Copies of the report are made available to the LEPC and local fire department (San Marcos Fire Department)

3.21. “Work Area Chemical List (WACL)” – A list of specific chemicals in use or stored in each work area. The list contains chemical name, common name, storage location, manufacturer/distributor name, catalog number pertaining to the chemical name, and quantity in use or storage.

3.22. “Workplace Chemical List (WPCL)” – A consolidation of all work area chemical lists (non-exempt) will comprise the University WPCL.

3.23. “Chemical Inventory” – A comprehensive list of chemicals that are a part of the workplace. This excludes office supplies that may be of a chemical nature.

3.24. “University” – A reference to Texas State University-San Marcos

3.25. “Chemical Hygiene Plan (CHP)” – A lab safety plan that presents the recommendations of the RMSI for the use of chemicals in laboratories at the University. All personnel involved in laboratory research
efforts or teaching should be familiar with this document and the protocols which pertain to their work. Every employee is responsible to ensure these procedures are followed.

4. **Workplace Chemical List**………………………………………………… (HSC §502.005 and 25TAC §295.4)

4.1. The Risk Management and Safety Office (RMSO) will develop and maintain a list of hazardous chemicals normally present in the workplace in excess of 55 gallons or 500 pounds. This Workplace Chemical List will be developed for where such quantities of hazardous chemicals are used or stored and will be available for review by employees and their designated representatives. This WPCL is a compilation of all WACL. (See Attachment A, *Model Workplace Chemical List*) Each work area can use this same form.

4.1.1. Work Area Chemical Lists (WACL) are compiled by not later than December 31 of each year. The WACL must be readily available in the work area and a copy must be furnished to RMSO upon request. Research laboratories are exempt from this process (See Section 2); however, as a matter of practice RMSO highly recommends that each work area maintain a working chemical inventory to better facilitate accurate maintenance of current MSDS. (See Appendix I for recommended Chemical Inventory Program)

4.1.2. WACL’s and the WPCL must be dated and signed by the person who compiles them.

4.1.3. WACL’s and the WPCL must indicate those chemicals currently on the EPA Extremely Hazardous Substance (EHS) list. (See Section 3.16)

4.2. The Risk Management and Safety Office will be responsible for reviewing and updating the Workplace Chemical List(s) for the University as necessary, but at least by March 1 of each year when the Tier II Report is due. All WACL’s should be turned in by December 31.

4.3. The Workplace Chemical List will be maintained for at least 30 years.

Note: Further information on chemicals listed on the Workplace Chemical List can be obtained by referring to the Material Safety Data Sheet (MSDS) located in each work area where these chemicals are used or stored.

5. **Material Safety Data Sheets** ………………………………………… (HSC §502.006 and 25 TAC §295.5)

5.1. Texas State University-San Marcos will, through electronic databases, maintain a current and appropriate Material Safety Data Sheet (MSDS) for each hazardous chemical purchased.

5.2. The RMSO will be responsible for the overall MSDS system for the University by providing access to these electronic databases through our website http://www.vpfss.txstate.edu/riskmgt/ and will oversee department heads/account managers and all employees identified as having supervisory control to ensure that:

5.2.1. Incoming MSDSs are reviewed for new and significant health/safety information and that any new information is passed on to the affected employees.

5.2.2. Hazardous chemicals received without an MSDS are withheld from use until a current MSDS is obtained.
5.2.3. Missing MSDSs are requested from an appropriate source (e.g., chemical manufacturer, distributor, or electronic database) within 30 days from receipt of the hazardous chemical.

5.2.4. Affected employees are provided a description of any alternative system (such as electronic databases where MSDS’s are easily accessible; Eg. PDF files not search engines) being used in lieu of hard copy MSDSs.

5.2.5. Emergency responders are provided MSDSs as soon as practical upon request.

5.2.6. Upon receipt of new duplicate MSDSs, the old MSDS may be discarded if the information is the same on both MSDSs.

5.2.7. MSDS’s of chemicals that are no longer in use are stored electronically.

5.3. MSDS files for Texas State University-San Marcos will be kept in the work area either where the chemicals are used or where chemicals are stored.

5.4. MSDSs will be readily available for review by employees or their designated representatives upon request.

6. Chemical Container Labels ........................................... (HSC §502.007 and 25 TAC §295.6)

6.1. All containers of hazardous chemicals used or stored by Texas State University will be appropriately labeled.

6.2. The department heads/account managers and all employees identified as having supervisory control will be responsible for the hazardous chemical labeling system and will verify that:

6.2.1. All primary containers of hazardous chemicals are clearly labeled and not defaced so that they include:

6.2.1.1. The identity of the chemical as it appears on the MSDS

6.2.1.2. The appropriate hazard warnings

6.2.1.3. The name and address of the manufacturer

6.2.1.4. The chemical inventory number (See Appendix I Chemical Inventory Program) Note: this is a recommendation. An updated WACL is required by the University’s Chemical Hygiene Plan (Section 3.5 of the CHP).

6.2.1.5. The date that the chemical was received and opened as per the University’s Chemical Hygiene Plan (Section 3.5 of the CHP)

6.2.2. All secondary containers of hazardous chemicals are clearly labeled to include:

6.2.2.1. The identity of the chemical as it appears on the MSDS
6.2.2.2. The appropriate hazard warnings

6.2.3. A description of alternative labeling systems, if used, is provided to employees. Examples of alternative labeling systems are the National Fire Protection Association (NFPA) 704m Standard and the Hazardous Materials Information Systems (HMIS) Standard.

6.3. Texas State University-San Marcos and its employees will rely on the chemical manufacturers or distributors to provide labels which meet the above requirements for primary containers of all hazardous chemicals purchased, and will re-label containers only when the label is illegible or otherwise does not meet the above requirements.

7. Employee Training Program .................................................... (HSC §502.009 and 25 TAC §295.7)

7.1 Texas State University-San Marcos with the help of the Risk Management & Safety Office will provide an education and training program to all employees who routinely use or handle hazardous chemicals in their workplace.

7.2. Each department head/account manager and all employees identified as having supervisory control over other employees of the University will be responsible for the employee training program and will ensure that:

7.2.1 Appropriate training is provided to all covered employees and includes:

7.2.1.1. The use of information provided on MSDSs and chemical container labels
7.2.1.2. The location of hazardous chemicals present in the employees’ work areas (WACL’s)
7.2.1.3. The physical and health effects of exposure
7.2.1.4. Proper use of personal protective equipment
7.2.1.5. Safe handling of hazardous chemicals
7.2.1.6. First aid treatment for exposure to hazardous chemicals
7.2.1.7 Safety instruction on clean-up and disposal of hazardous chemicals

7.2.2. Required training records are maintained and include:

7.2.2.1. The date of the training session
7.2.2.2. A legible list of all employees attending the training session along with the employees' signature
7.2.2.3. The subjects covered
7.2.2.4. The name of the instructors (Employers may use Attachment B, Employee Training Roster, or Attachment C, Employee Training Sheet, to comply with this requirement)

7.2.3. All covered employees are identified and incorporated into the training program.

7.2.4. Employees are provided information concerning the hazardous chemicals to which they may be exposed during the performance of non-routine tasks.

7.2.5. New employees are trained prior to their being required to use or handle a hazardous chemical.

7.2.6. The need and frequency for periodic/refresher training is assessed.

7.3. Employees subject to these training requirements will sign an attendance roster for each training session attended, verifying that they received and understood the information.

8. Reporting Employee Deaths and Injuries …………………………. (HSC §502.012 and 25 TAC §295.9)

8.1. Texas State University-San Marcos through the RMSO will notify the Texas Department of State Health Services, Division for Regulatory Services, Enforcement Unit, of any employee accident that involves a hazardous chemical exposure or asphyxiation, and that is fatal to one or more employees or results in the hospitalization of five or more employees.

8.2. The RMSO will be responsible for reporting all such accidents to the Texas Department of State Health Services, Division for Regulatory Services, Enforcement Unit, within 48 hours after their occurrence. Notifications will be made either orally or in writing to:

Texas Department of State Health Services  
Division for Regulatory Services, Enforcement Unit  
1100 West 49th Street  
Austin, Texas 78756  
Phone: (512) 834-6665  
Fax: (512) 834-6606

8.3. Employees will be responsible for immediately reporting all accidents involving a hazardous chemical to their supervisor. The employee must also request the completion of a “Supervisor’s Report of Incident, Injury or Illness” (UPPS 04.04.43).

8.4. Employees requiring medical examination or treatment should seek medical attention immediately at the following locations:

8.4.1. **During regular business hours:**  
Texas Clinic (next to Half Price Books)  
900 Bugg Lane, Suite #210; Phone – 396.3962

8.4.2. **After hours/weekends:**  
Central Texas Medical Center (CTMC)  
1301 Wonder World Drive; Phone – 353.8979
8.4. Supervisors will be responsible for reporting all accidents involving a hazardous chemical to Human Resources Representative (Claims Coordinator) and the RMSO by completing a “Supervisor’s Report of Incident, Injury or Illness”. This form can be obtained at:
http://www.humanresources.txstate.edu/hrforms.htm

9. Posting the Notice to Employees............................... (HSC §502.0017 and 25 TAC §295.12)

9.1. Texas State University-San Marcos through the RMSO will distribute the most current version of the TDH Notice to Employees, informing employees of their rights under the THCA (See attachment D, Notice to Employees) for each department to post and maintain in all work areas where hazardous chemicals are used or stored.

9.2. The Notice to Employees shall be clearly posted and unobstructed at all locations in the workplace where notices are normally posted, and with at least one location in each work area.

9.3. In workplaces where employees that have difficulty reading or understanding English may be present, a copy of the Notice, printed in Spanish, will be posted together with the English version of the Notice. (See attachment E, Notice to Employees, Spanish version)

9.4. Additional copies of the Notice, in both English and Spanish, are available on the chemical right-to-know website at www.tdh.state.tx.us/beh/hazcom.htm or on request from the Enforcement Unit at:

Texas Department of State Health Services
Division for Regulatory Services, Enforcement Unit
1100 West 49th Street
Austin, Texas 78756
Phone: (512) 834-6665
Fax: (512) 834-6606


10.1. Texas State University-San Marcos will provide appropriate personal protective equipment (PPE) to all employees who use or handle hazardous chemicals.

10.2. The department head/account manager and all employees identified as having supervisory control over other employees of the University will assume overall responsibility for the PPE program and will ensure that appropriate equipment and training are provided, to include:

10.2.1. Proper selection of PPE based on:

10.2.1.1. Routes of entry

10.2.1.2. Permeability of PPE material

10.2.1.3. Duties being performed by the employee

10.2.1.4. Hazardous chemicals present
10.2.2. Proper fit and functionality of PPE as described by the manufacturer’s specifications

10.2.3. Appropriate maintenance and storage of PPE

11. Maintaining Employee Rights ............................................. (HSC §502.017 and TAC §295.12)

11.1. Texas State University-San Marcos shall not discipline, harass, or discriminate against any employee for filing complaints, assisting inspectors of the Texas Department of State Health Services, participating in proceedings related to the Texas Hazard Communication Act, or exercising any rights under the Act.

11.2. Employees cannot waive their rights under the Texas Hazard Communication Act. A request or requirement for such a waiver by an employer is a violation of the Act.

The Division for Regulatory Services, Enforcement Unit, welcomes your questions or comments regarding this Model Written Hazard Communication Program, the Texas Hazard Communication Act, or any aspect related to the Enforcement Unit’s administration and enforcement of the Act. You may contact the Enforcement Unit at:

Texas Department of State Health Services
Division for Regulatory Services, Enforcement Unit
1100 W. 49th Street, Austin, TX 78756
Phone: (512) 834-6665
Fax: (512) 834-6606

12. Attachments

A. Workplace Chemical List

B. Employee Training Roster

C. Employee Training Sheet

D. Notice to Employees (English version)

E. Notice to Employees (Spanish version)
Workplace Chemical List (Attachment A)

Name of Workplace, Work Area, or Temporary Workplace:

<table>
<thead>
<tr>
<th>Identity Used on the MSDS &amp; Container Label</th>
<th>Work Area</th>
<th>Quantity</th>
<th>Unit Size</th>
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Workplace Chemical List Prepared By: ____________________________ ____________________________

Name (Printed)                             Signature (Required)

Date of Preparation (This form must be revised annually) ______________________________

14
EMPLOYEE TRAINING ROSTER (Attachment B)
Texas Hazard Communication Act, Section 502.009(g)

Department/Work Area: ______________________________

Instructor: _______________ Date: _______________

<table>
<thead>
<tr>
<th>Employee Name (Print)</th>
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Employee Training Roster (continued)

A. Per Sections 502.009(c) and (g) of the Texas Hazard Communication Act (THCA), the following subject(s) were covered in this training:

- Reading and interpreting chemical container labels
- Reading and interpreting alternative labeling systems, if such labeling systems are being used by the employer
- Reading and interpreting Material Safety Data Sheets (MSDSs)
- Location of hazardous chemicals in the workplace
- Physical and health effects of exposure
- Proper use of personal protective equipment
- First aid treatment for exposure
- Safety instruction on handling, cleanup and disposal procedures

B. Per Section 502.009(g) of the THCA, training was conducted based on:

- Categories of hazardous chemicals
- Individual hazardous chemicals

C. This hazard communication training was provided as:

- Initial training per Section 502.009(a) and (f) of the THCA
- Periodic/refresher training per Section VII(B)(6) of this policy
EMPLOYEE TRAINING SHEET (Attachment C)
Texas Hazard Communication Act, Section 502.009(g)

Department/Work Area: ________________________________

Instructor: ________________________________ Date: ________________________________

Per Sections 502.009(c) and (g) of the Texas Hazard Communication Act (THCA), the following subject(s) were covered in this training:

~ Reading and interpreting chemical container labels

~ Reading and interpreting alternative labeling systems, if such labeling systems are being used by the employer

~ Reading and interpreting Material Safety Data Sheets (MSDSs)

~ Location of hazardous chemicals in the workplace

~ Physical and health effects of exposure

~ Proper use of personal protective equipment

~ First aid treatment for exposure

~ Safety instruction on handling, cleanup and disposal procedures

Per Section 502.009(g) of the THCA, training was conducted based on:

~ Categories of hazardous chemicals

~ Individual hazardous chemicals

This hazard communication training was provided as:

~ Initial training per Section 502.009(a) and (f) of the THCA

~ Periodic/refresher training per Section VII(B)(6) of this policy

Employee ________________________________ Date ________________________________
(Signature)

Employee ________________________________ Instructor ________________________________
(Printed) (Signature)
*CHEMICAL INVENTORY PROGRAM (Appendix I)
A recommended program for keeping an updated Chemical Inventory/Work Area Chemical List

- Benefits:
  - Minimize chemical hazards in each laboratory.
  - Maintain overall chemical safety.
  - Manage chemical costs.
  - Conserve valuable lab space.
  - Reduce the amount of time departments spend putting together chemical inventories at the end of each year.
  - Maintain current MSDS’s more efficiently and accurately.

- Procedures:
  - Assign each chemical a number (CIN). This number can be written on small circular stickers and then placed on the chemicals. Each new chemical should receive the next chemical inventory number. Chemicals with the same lots numbers can be assigned the same chemical inventory numbers with letters following. For example: (Three bottles of H₂SO₄ that have the same lot number would be assigned the numbers 125A, 125B, 125C)
  - The date the chemical is received and opened should be written on the bottle along with the expiration date. Chemicals that do not have expiration dates assigned to them by the manufacturer should be given an expiration date no longer than ten years from the date the chemical was received. Chemicals should be disposed of properly when they have expired.
  - Fill out the chemical inventory each time a new chemical is received.
  - Chemicals that are already in the laboratory should also be listed on the chemical inventory.
  - Information concerning the chemical’s disposal or completion should be recorded on the chemical inventory sheet.

*Note: This is a working document at this time and only a recommendation.
(Chemical Inventory Program Cont.)

**Work Area:** ___________________________ **Date Submitted:** ____________

<table>
<thead>
<tr>
<th>CIN</th>
<th>Chemical Name</th>
<th>Location</th>
<th>Manufacturer &amp; Lot #</th>
<th>Amount</th>
<th>Date Received</th>
<th>Date Expires</th>
<th>Date Disposed</th>
<th>EHS (y/n)</th>
<th>MSDS on file (y/n)</th>
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**Prepared by:** ___________________________  **Name (printed)**

**Prepared by:** ___________________________  **Signature (required)**

CIN – Chemical Inventory Number
Chemical Name – Name as it appears on container and MSDS
Location: Building Name & Room Number
Date Received: This date should be listed on the container along with the date it is opened.
Date Expires: If the manufacturer doesn’t list a date, a date of no more than 10 yrs. should be assigned and listed on the container.
Date Disposed: List the date that the chemical is either disposed of or the bottle has been completely used.
EHS (y/n) – Is the chemical on the EHS list?
MSDS (y/n) – Is there a current MSDS on file for this chemical? Preferably a new MSDS with the received date and the CIN listed on the MSDS would be on file.
The Texas Hazard Communication Act (revised 1993), codified as Chapter 502 of the Texas Health and Safety Code, requires public employers to provide employees with specific information on the hazards of chemicals to which employees may be exposed in the workplace. As required by law, your employer must provide you with certain information and training. A brief summary of the law follows.

HAZARDOUS CHEMICALS

Hazardous chemicals are any products or materials that present any physical or health hazards when used, unless they are exempted under the law. Some examples of more commonly used hazardous chemicals are fuels, cleaning products, solvents, many types of oils, compressed gases, many types of paints, pesticides, herbicides, refrigerants, laboratory chemicals, cement, welding rods, etc.

WORKPLACE CHEMICAL LIST

Employers must develop a list of hazardous chemicals used or stored in the workplace in excess of 55 gallons or 500 pounds. This list shall be updated by the employer as necessary, but at least annually, and be made readily available for employees and their representatives on request.

EMPLOYEE EDUCATION PROGRAM

Employers shall provide training to newly assigned employees before the employees work in a work area containing a hazardous chemical. Covered employees shall receive training from the employer on the hazards of the chemicals and on measures they can take to protect themselves from those hazards. This training shall be repeated as needed, but at least whenever new hazards are introduced into the workplace or new information is received on the chemicals which are already present.

MATERIAL SAFETY DATA SHEETS

Employees who may be exposed to hazardous chemicals shall be informed of the exposure by the employer and shall have ready access to the most current material safety data sheets (MSDSs), which detail physical and health hazards and other pertinent information on those chemicals.

LABELS

Employees shall not be required to work with hazardous chemicals from unlabeled containers, except portable containers for immediate use, the contents of which are known to the user.

EMPLOYEE RIGHTS

Employees have rights to:
- access copies of MSDSs
- information on their chemical exposures
- receive training on chemical hazards
- receive appropriate protective equipment
- file complaints, assist inspectors, or testify against their employer

Employees may not be discharged or discriminated against in any manner for the exercise of any rights provided by this Act. A waiver of employee rights is void; an employer’s request for such a waiver is a violation of the Act. Employees may file complaints with the Texas Department of State Health Services at the toll free number provided below.

EMPLOYERS MAY BE SUBJECT TO ADMINISTRATIVE PENALTIES AND CIVIL OR CRIMINAL FINES RANGING FROM $50 TO $100,000 FOR EACH VIOLATION OF THIS ACT

Further information may be obtained from:

Texas Department of State Health Services
Division for Regulatory Services
Enforcement Unit
1100 West 49th Street
Austin, Texas 78756
(512) 834-6665
Fax: (512) 834-6606

Texas Department of State Health Services
Approved 5/05
La Ley sobre Comunicaciones de Peligro en Texas (revisión de 1993), codificada bajo el Capítulo 502 del Código de Salud y Seguridad de Texas, exige que los patronés o empleadores del sector público ofrezcan a los trabajadores con información específica sobre los peligros de aquellos productos químicos a los que trabajadores pueden estar expuestos en su lugar de trabajo. De acuerdo con la ley, el patrón debe ofrecer la información y entrenamiento correspondiente. A continuación tenemos un breve resumen de la ley.

**PRODUCTOS QUÍMICOS PELIGROSOS**

Los productos químicos peligrosos pueden ser cualquiera de los productos o materiales que presentan algún peligro físico o de salud cuando se está usando, a menos que sea uno de los exentos por la ley. Algunos ejemplos de los productos químicos peligrosos usados o almacenados son los combustibles como la gasolina, productos de limpieza y muchos tipos de pinturas, pesticidas, herbicidas, congelantes, productos químicos de laboratorio, cemento, varillas de soldadura, etc.

**HOJAS DE DATOS SOBRE LA SEGURIDAD DEL MATERIAL**

Los trabajadores que pueden estar expuestos a productos químicos peligrosos deberán ser informados por el patrón sobre esa exposición y deberán tener libre acceso a las hojas de datos más recientes sobre la seguridad de los materiales vigentes (MSDSs), en donde se explican los peligros físicos y de salud y dan información adicional sobre estos productos químicos.

**LISTA DE PRODUCTOS QUÍMICOS EN LOS CENTROS DE TRABAJO**

Los patronés deben desarrollar en el lugar de trabajo una lista de productos químicos peligrosos usados o almacenados de tamaño mayor de 55 galones o de 500 libras de peso. Esta lista deberá ser renovada por el patrón, cuando sea necesario, pero cuando menos una vez al año, y debe ponerse al alcance de los trabajadores y sus representantes cuando lo soliciten.

**ETIQUETAS**

Los trabajadores no deberán trabajar con productos químicos peligrosos con recipientes sin etiquetas, a excepción de los recipientes portátiles para su uso inmediato, cuyos contenidos son conocidos por el usuario.

**DERECHOS DE LOS TRABAJADORES**

Los trabajadores tienen los siguientes derechos:

- tener acceso a las copias de MSDSs.
- recibir información sobre su exposición a productos químicos peligrosos.
- recibir entrenamiento sobre los productos químicos peligrosos.
- recibir equipo de protección apropiado.
- levantar quejas, ayudar a los inspectores, o atestiguar contra su patrón.

No se pueden despedir o discriminar contra los trabajadores en ninguna forma por hacer ejercicio de cualquiera de estos derechos proporcionados por esta Ley. La renuncia de un trabajador a sus derechos es nula; el patrón que solicita tal renuncia comete una violación de esta Ley. Los trabajadores pueden llamar al número de información que aparece más adelante, para levantar quejas ante el Departamento Estatal de Servicios de Salud.

**PROGRAMA DE EDUCACIÓN PARA EL TRABAJADOR**

Los patronés deberán proveer entrenamiento a los trabajadores nuevos asignados antes de que los trabajadores trabajen en una área que contiene un producto o material peligroso. Los trabajadores cubiertos deberán recibir entrenamiento por parte del patrón sobre el peligro de los productos químicos y sobre las medidas que pueden tomar para protegerse a sí mismos de esos peligros. Este entrenamiento deberá ser repetido tantas veces como sean necesarios, pero por lo menos cuando un nuevo producto peligroso es introducido en el lugar de trabajo o se recibe nueva información sobre los productos químicos que ya están presentes.

**LOS PATRONES PUEDEN RECIBIR PENALIZACIONES ADMINISTRATIVAS Y MULTAS CRIMINALES O CIVILES QUE VARÍAN DE $50 HASTA $100,000 POR CADA VIOLACIÓN A ESTA LEY.**

Para poder recibir más información por favor llame al:

Texas Department of State Health Services
Division for Regulatory Services
Enforcement Unit
1100 West 49th Street
Austin, Texas 78756

(512) 834-6665
Fax: (512) 834-6606