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# EAST TENNESSEE STATE UNIVERSITY

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## Facilities Management

**Policy Number:** 700.13

**Title:** Hazard Communication w/GHS Policy

**Implementation Date:** 2002

**Last Revised:** August 22<sup>nd</sup>, 2016

**Last Audited:** July 6<sup>th</sup>, 2020

### **Introduction**

The purpose of this policy is to ensure that the hazards of all chemicals produced or imported are evaluated, harmonized with international requirements, and that information concerning their hazards is transmitted to employers and employees. This transmittal of information is to be accomplished by means of a comprehensive hazard communication program, which is to include container labeling and other forms of warning, safety data sheets and employee training.

### **Scope**

This policy complies with the requirements of the OSHA/TOSHA Hazard Communication Standard, CFR 1910.1200 and TN Rule 0800-1-9. This policy also applies to students and employees who may potentially be exposed to chemicals during university activities.

### **Program Explanation**

The East Tennessee State University Hazardous Chemical Right-To-Know Program is modeled after the Tennessee Hazardous Chemical Right-To-Know Law passed by the General Assembly on May 23, 1985. The Tennessee Right-To-Know Law was enacted because of expressed concern relative to the proliferation and variety of chemicals present in our society and their effect on the safety, health, and welfare of persons living and working in Tennessee.

The intent and purpose of East Tennessee State University's Right-To-Know Program is to provide necessary information that will enable university employees and students to become knowledgeable of the chemicals they work with and to which they may be exposed.

The university's Right-To-Know Program centers on the completion of the following steps:

1. Assigning an individual responsible for implementing the program in each department, clinic, or, if necessary, in each work area.
2. Making a list of all chemicals and by-products used, stored, or produced in each department, clinic, or area.
3. Obtaining a current Safety Data Sheet (SDS) for each chemical, substance, or by-product listed.
4. Determining which chemicals, by-products, or substances are hazardous.
5. Preparing the Workplace Hazardous Chemical List.
6. The Environmental Health & Safety Office shall maintain a copy of each Chemical List in the workplace to which it pertains. EH&S staff may request additional Chemical Lists if it is determined that current lists are incomplete.
7. Ensuring that all containers are properly labeled.
8. Training the employee.

### **Notification**

The State of Tennessee Hazardous Chemical Right-To-Know Poster (Appendix C) will be the authorized means of informing employees about their rights under the Right-To-Know Law. The State of Tennessee Public Employee Safety and Health Protection On The Job Poster (Appendix D) informs employees of their rights under the Tennessee Occupational Safety and Health Law. These posters are available from the Health and Safety Office upon request.

### **Safety Data Sheet**

All manufacturers and distributors supplying ETSU with products which contain hazardous chemicals, or are in themselves physical hazards, must provide the university with a Safety Data Sheet for that product. The Safety Data Sheet must be provided prior to, or with, the initial shipment of the product to the university and must be in the new 16-section format by June 1, 2015. If a SDS is updated, a copy must be forwarded with the first shipment after occurrence of that update. If a product is not considered hazardous, the supplier must provide a statement to that effect. If a SDS is not shipped with the product or received within five (5) days, the department should request it in writing.

## **Safety Data Sheet Sections**

- Section 1 Identification;
- Section 2 Hazard(s) identification;
- Section 3 Composition/information on ingredients;
- Section 4 First-aid measures;
- Section 5 Fire-fighting measures;
- Section 6 Accidental release measures;
- Section 7 Handling and storage;
- Section 8 Exposure controls/personal protection;
- Section 9 Physical and chemical properties;
- Section 10 Stability and reactivity;
- Section 11 Toxicological information.

**Note 1 to paragraph (g) (2): To be consistent with the GHS, an SDS must also include the following headings in this order:**

- Section 12 Ecological information;
- Section 13 Disposal considerations;
- Section 14 Transport information; and
- Section 15 Regulatory information.

**Note 2 to paragraph (g) (2): OSHA will not be enforcing information requirements in sections 12 through 15, as these areas are not under its jurisdiction.**

- Section 16 Other information, including date of preparation or last revision.

**Safety Data Sheets are not required for products which are:**

1. Packaged in small containers (such as spray cans), **AND**
2. Used infrequently, **AND**
3. Obtained from general retail stores

**NOTE:** The hazardous chemical must meet all three requirements to be exempt from Safety Data Sheet rules.

## **Responsibilities**

It is recommended that each department or clinic maintain a copy of the current Safety Data Sheet for each hazardous chemical in the workplace. Safety Data Sheets are also maintained by the Health and Safety Office.

Safety Data Sheets must be maintained on a current basis and must be readily accessible to employees at all times. SDS's can be located on the

EH&S website at <https://www.etsu.edu/facilities/healthsafety/> . If an employee seeks a Safety Data Sheet and it is not available, they may submit a written request through their department representative to the Health and Safety Office or through the EH&S website. The Health and Safety Office is required to furnish a copy within three (3) business days after receiving the written request. If the Safety Data Sheet is not available, the Health and Safety Office will notify the requestor that an effort has been made to obtain the SDS. If after two weeks, the Health and Safety Office is still unable to obtain the requested Safety Data Sheet, the employee shall not be required to work with the hazardous chemical for which the SDS was requested. There shall be no penalty for not doing such work. Reassignment of the employee to other work, at equal pay and benefits, shall not be considered a penalty under this section.

### **Employee Rights**

The following statements of rights are reproduced from Tennessee House Bill 731 - Hazardous Chemical Right-To-Know Law:

*1. Employees who may be exposed to hazardous chemicals shall be informed of such exposure and shall have access to the workplace chemical list and Safety Data Sheets for the hazardous chemicals.*

*2. No non-manufacturing employer, manufacturing employer, or distributor shall discharge, or cause to be discharged, or otherwise discipline, or in any manner discriminate against an employee because the employee has filed a complaint, assisted an inspector of the commissioner who may make or is making an inspection under Section 16(b) of the Act, or has instituted or caused to be instituted any proceeding under or related to this Act or has testified or is about to testify in any such proceeding or because of the exercise of any rights afforded pursuant to the provisions of this Act on behalf of the employee or on behalf of others, nor shall pay, position, seniority or other benefits be lost for exercise of any right provided by this Act.*

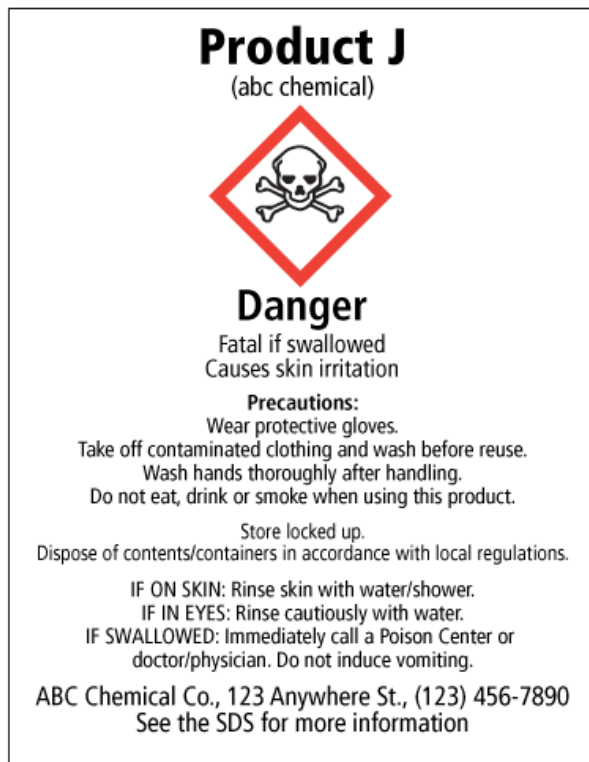
*3. Any waiver by a person of the benefits or requirements of this Act shall be against public policy and be null and void. Any employer's request or requirement that a person waive any rights under this Act as a condition of employment shall constitute a violation.*

### **Incoming Container Labeling:**

The chemical manufacturer, distributor, or importer must label a container with:

- Product identifier
- Signal word
- Hazard Statement(s)

- Pictogram
- Precautionary statement(s)



**NOTE:** Existing labels on containers must not be removed or defaced.

### **Hazard Communication Standard Pictogram**

As of June 1, 2015, the Hazard Communication Standard (HCS) will require pictograms on labels to alert users of the chemical hazards to which they may be exposed. Each pictogram consists of a symbol on a white background framed within a red border and represents a distinct hazard(s). The pictogram on the label is determined by the chemical hazard classification.

### **HCS Pictograms and Hazards:**

#### **Health Hazard**



- Carcinogen
- Mutagenicity

#### **Flame**



- Flammables
- Pyrophorics
- Self-Heating

#### **Exclamation Mark**



- Irritant (skin and eye)
- Skin Sensitizer
- Acute Toxicity

- Reproductive Toxicity
- Respiratory Sensitizer
- Target Organ Toxicity
- Aspiration Toxicity
- Emits Flammable Gas
- Self-Reactives
- Organic Peroxides
- Narcotic Effects
- Respiratory Tract Irritant
- Hazardous to Ozone Layer (Non-Mandatory)

### **Gas Cylinder**



- Gases Under Pressure

### **Corrosion**



- Skin Corrosion/Burns
- Eye Damage
- Corrosive to Metals

### **Exploding Bomb**



- Explosives
- Self-Reactives
- Organic Peroxides

### **Flame Over Circle**



- Oxidizers

### **Environment**

(Non-Mandatory)



- Aquatic Toxicity

### **Skull and Crossbones**



- Acute Toxicity (fatal or toxic)

### **Container Transfer**

If a university employee transfers a hazardous chemical from the original container to another container the label information (chemical or product name and associated hazard(s) – i.e. hydrochloric acid, corrosive) from the original container must be transferred to the new container.

### **Education and Training Program**

Prior to beginning work, each new employee should attend a health and safety orientation program at which time information on Right-To-Know and training on hazardous chemicals present in their workplace will be given. Types of training will vary due to job related activities.

## **Hazardous Chemical Inventory**

Each department must maintain a Workplace Hazardous Chemical List of all chemicals (materials) present in that area and EH&S will also keep a list on file.

## **Hazardous Determination**

The university is required by the Right-To-Know Law to maintain an inventory of all hazardous chemicals (materials) in the workplace. From this inventory, information is obtained to aid in employee education and training, and data is compiled for required submission to the Department of Labor concerning the hazards on campus. It is essential that all departments complete their inventories as accurately as possible.

Safety Data Sheets may be used to evaluate whether the listed chemicals are hazardous. Chemicals which are hazards will be designated as such or listed in the hazardous ingredients section of the Safety Data Sheet. If the department does not have a SDS, it may be requested from the Health and Safety Office.

## **Contact Persons**

Associate Vice President  
Director of Environmental Health & Safety  
Health & Safety Specialist

### **Approved by:**

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William Brady Rasnick, Jr., Associate Vice President,  
Facilities Management

### **Date approved:**

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Audited:     December, 2013  
               June 7<sup>th</sup>, 2016  
               June 28<sup>th</sup>, 2018  
               July 10<sup>th</sup>, 2019  
               July 6<sup>th</sup>, 2020

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