

Safety|NewsAlert

2021 HazCom Standard Update: *Labeling, SDS & Training Requirements*



Meet Today's Presenter

Jack Fearing, CPEA
Managing Partner
Fearing International Group LLC
jack@fearing-international.com
(908) 303-8359



Presentation Outline



- What's New at OSHA
- Review HazCom Key Elements
- Proposed Changes to HazCom 2021
 - Labeling
 - Safety Data Sheets (SDS)
 - Training
- New Classifications and Other Updates
- Best Practices & Next Steps
- Summary / Q/A

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Polling Question #1

What is your current responsibility regarding your company's HazCom program?

- A. Program Coordinator
- B. Trainer
- C. Other

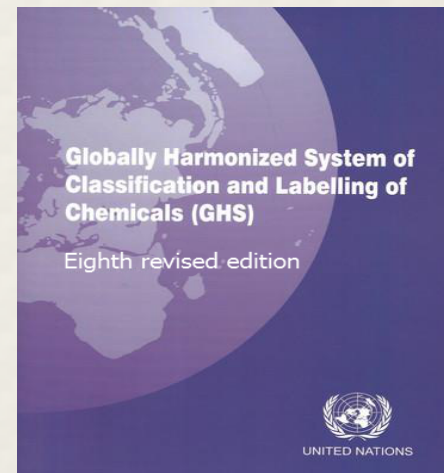
The Global Harmonized System (GHS)



1999 – United Nations Develops GHS



2012 – OSHA Adopts GHS v3



2021 – OSHA NPRM 7

- 1992 – “Earth Summit” in Rio de Janeiro
- 1999 – Adopted GHS title
- 2003 – Promulgated by the United Nations
- 2012 - USA adopts HazCom/GHS (Rev3)
- 2021 – 67 participating countries

OSHA's Proposed NPRM

Hazard Communication / OSHA's Proposed Rulemaking to Amend the Hazard Communication Standard

OSHA's Proposed Rulemaking to Amend the Hazard Communication Standard

U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) has issued a proposed rule to update the agency's Hazard Communication Standard (HCS).

OSHA is issuing a notice of proposed rulemaking (NPRM) to amend the HCS (§ 1910.1200). OSHA is proposing to modify the HCS to maintain conformity with the United Nations Globally Harmonized System of Classification and Labeling of Chemicals (GHS) (revision 7), align certain provisions with Canada and other U.S. agencies, and address issues that have developed since implementation of the 2012 standard.

Highlights

[Federal Register Notice](#)
[Read the proposed rule](#)

- Published February 16, 2021 in the Federal Register (86 FR 9576)
- Public Comment period until April 19, 2021 (extended to May 19, 2021)
- Public hearing will take place if requested during the comment period

www.osha.gov/hazcom/rulemaking

What's New at OSHA?

New or Enhanced
Regulations



More Severe
Penalties



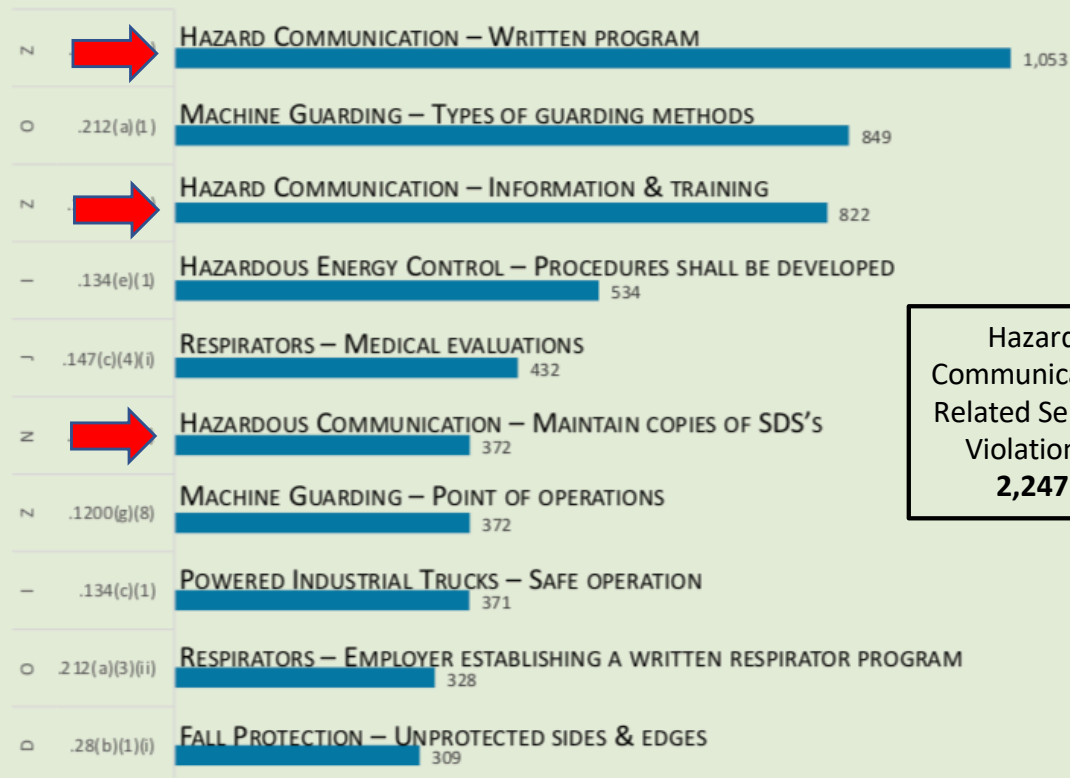
More Aggressive
Enforcement



Most Frequently Standard

MOST FREQUENTLY CITED SERIOUS VIOLATIONS IN GENERAL INDUSTRY FY2020

29 CFR 1910 SUBPARTS



Hazard
Communication
Related Serious
Violations:
2,247

NUMBER OF SERIOUS VIOLATIONS – FY 2020

#2

Hazard Communication

OSHA Standard: 29 CFR 1910.1200

Total Violations:

FY2020 - 3,199 (-24%)

FY2019 - 4,170 (2)

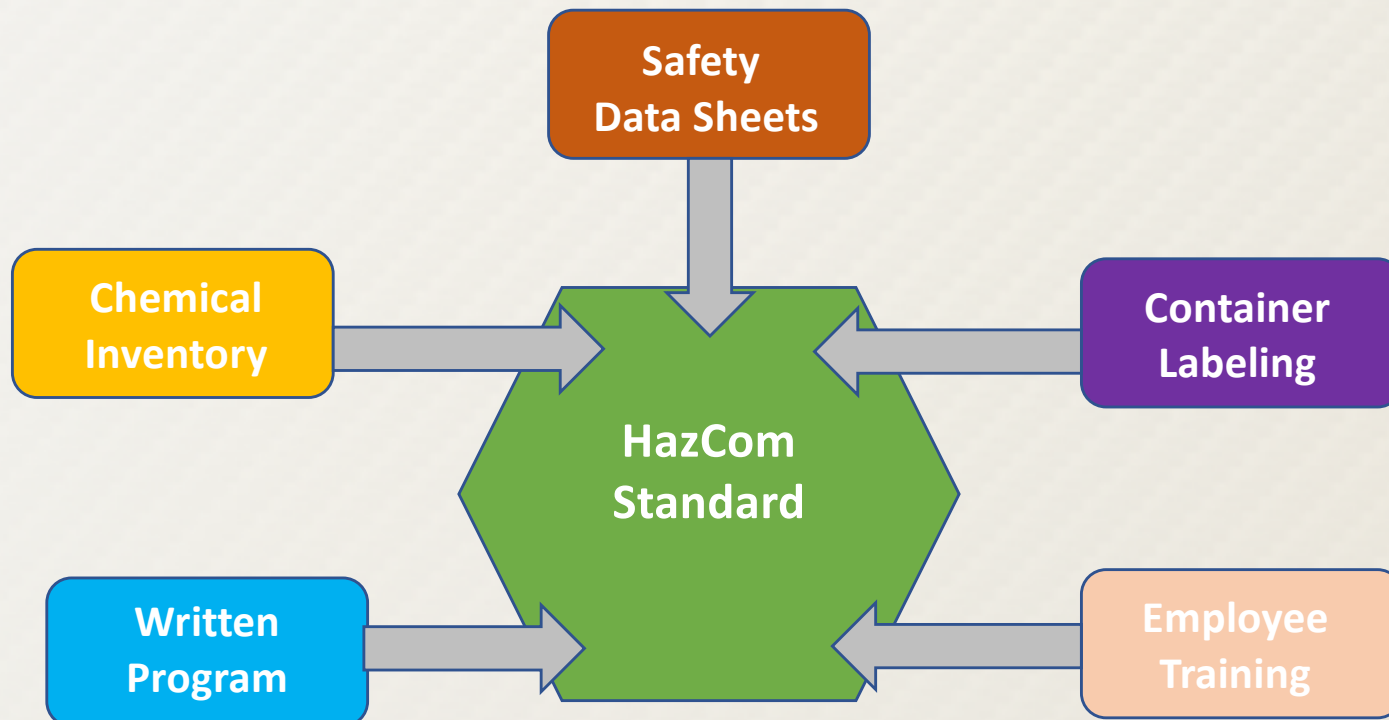


This standard addresses chemical hazards both produced, and imported, into the workplace. It also governs the communication of those hazards to employees.

Top 3 Sections Cited:

- 1. 1910.1200(e)(1)** – Employers must develop, implement and maintain a written HazCom program which describes all appropriate establishment information (1,158)
- 2. 1910.1200(h)(1)** – Provide employees with chemical information and training (820)
- 3. 1910.1200(g)(8)** – Ensure each HM container is properly labeled, tagged or marked (371)

The 5 Key Elements of HazCom



The Five Steps To HazCom Compliance

STEP 1: Written Plan

- Develop a written plan for your facility
- Include your inventory list and details about SDS management, labeling & training

STEP 2: SDS Library

- SDS for every hazardous chemical
- Accessible to employees during workday (85% access)
- Updated to account for GHS changes

STEP 3: Chemical Inventory

- Inventory every hazardous chemical
- Product identifiers should match labels & SDS
- Should be accurate for each workplace

STEP 4: Container Labels

- For every hazardous chemical container
- Legible & in English at minimum
- Account for GHS changes, including newly identified hazards

STEP 5: Employee Training

- On HazCom, including GHS labels, SDS, & more
- On accessing written plan & SDS
- Basic training with hazardous chemicals
- Accurate for comprehension
- Documented in demonstration efforts
- Safe record keeping on what & when

OSHA HAZCOM FACTS*

2nd most cited type of OSHA violation since 2012	\$4.7 million in penalties in 2019 alone	32 million workers exposed to chemical hazards across industries	190,000 chemical-related injuries & illnesses nationwide per year	Nearly 60,000 fatalities nationwide from 2009-2019
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OSHA Required Documentation

- ✓ Written Plans & Permits
- ✓ **Written Procedures***
- ✓ Postings (3)
- ✓ **Sampling and exposure monitoring data***
- ✓ Operating procedures
- ✓ **Chemical inventory & Safety Data Sheets***
- ✓ **Medical evaluation records***
- ✓ Inspection & test records
- ✓ **Maintenance & repair records***
- ✓ **Training records***
- ✓ **Injury & Illness logs (OSHA RK)***



*Directly related to HazCom (1910.1200)

Polling Question #2

Assuming your company uses hazardous materials how would you describe its current state of compliance?

- A. Fully compliant with all 5 key elements
- B. Probably in need of some updating
- C. Not sure


Labeling Requirements

6 Main Elements:

1. Product/Chemical Identifier
2. Signal Word*
3. Pictograms*
4. Hazard Statement
5. Precautionary Statements**
6. Supplier identifier

*Standardized under GHS

**Standardized under HCS



The image shows a sample GHS hazard label for Acetone. The label is rectangular with a dark header. The header contains the product name '1 ACETONE' in white text. Below the header, the label is divided into sections. The first section is a 'DANGER' box (2) with a black background and white text. It lists three hazards: 'Highly flammable liquid and vapor', 'Causes serious eye irritation', and 'May cause drowsiness or dizziness'. To the right of the text are two pictograms (3): a flame (4) and a health hazard (5). The second section is a large white box with black text, containing two columns of precautionary statements (5). The third section is a light blue box at the bottom (6) containing the supplier information: 'Company Name, Street Address, City, State/Province, Country' and 'Telephone: (Country Code#)-###-####'. The label is annotated with numbered circles (1-6) and lines pointing to the corresponding elements.

1 ACETONE

DANGER

- Highly flammable liquid and vapor
- Causes serious eye irritation
- May cause drowsiness or dizziness

Precautionary Statements:

- Keep away from heat, sparks, open flames, hot surfaces. No smoking.
- Use explosion-proof electrical, ventilating, and lighting equipment.
- Use only non-sparking tools. Take precautionary measures against static discharge.
- Avoid breathing vapors, mist, and spray.
- Wash hands and other exposed areas thoroughly after handling.
- Use only in well-ventilated area.
- Wear protective gloves, and eye, face and respiratory protection.
- If on skin (or hair): Take off immediately all contaminated clothing. Rinse skin with water/shower.
- If inhaled: Seek fresh air and keep comfortable for breathing.
- If in eyes: Flush for at least 15 minutes. Remove contact lenses if possible. Continue rinsing.
- Call a poison center or doctor if you feel unwell.
- Store in a well-ventilated place. Keep container tightly closed. Keep cool. Store locked up.
- In case of fire: Use dry chemical, CO₂, water spray (fog) or foam.
- Dispose of contents/container to local, regional, national, and international regulations.

(Sample Only)

6 Company Name, Street Address, City, State/Province, Country
Telephone: (Country Code#)-###-####

Additional non-conflicting info is permitted

Labeling Requirements

Other Considerations:

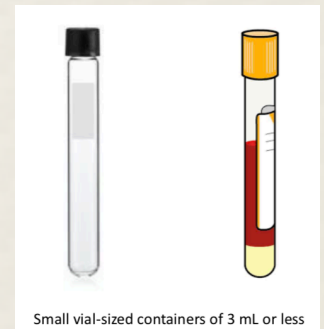
1. Containers

- Small (<100 mL)
- Very Small (<3mL)

2. Bulk Shipments

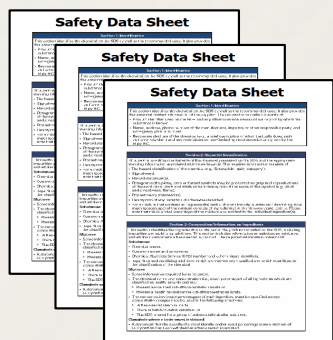
3. Containers Released for Shipping

4. Impacts





Safety Data Sheets (SDS)

- Section 1: Identification
- Section 2: Hazard(s) identification
- Section 3: Ingredients information
- Section 4: First-aid measures
- Section 5: Fire-fighting measures
- Section 6: Accidental release measures
- Section 7: Handling and storage
- Section 8: Exposure control/PPE
- Section 9: Physical/chemical property
- Section 10: Stability and reactivity
- Section 11: Toxicological information
- ***Section 12: Ecological information****
- ***Section 13: Disposal considerations****
- ***Section 14: Transport information****
- ***Section 15: Regulatory information****
- Section 16: Other information



***Not regulated by OSHA**

Employee Training



U.S. Department of Labor

Job Safety and Health IT'S THE LAW!

All workers have the right to:

- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a work-related injury or illness, without being retaliated against.
- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request an OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. OSHA will keep your name confidential. You have the right to have a representative contact OSHA on your behalf.
- Participate (or have your representative participate) in an OSHA inspection and speak in private to the inspector.
- File a complaint with OSHA within 30 days (by phone, online or by mail) if you have been retaliated against for using your rights.
- See any OSHA citations issued to your employer.
- Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.


Employers must:

- Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness.
- Comply with all applicable OSHA standards.
- Report to OSHA all work-related fatalities within 8 hours, and all inpatient hospitalizations, amputations and losses of an eye within 24 hours.
- Provide required training to all workers in a language and vocabulary they can understand.
- Prominently display this poster in the workplace.
- Post OSHA citations at or near the place of the alleged violations.

FREE ASSISTANCE to identify and correct hazards is available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.

This poster is available free from OSHA.

Contact OSHA. We can help.



1-800-321-OSHA (6742) • TTY 1-877-889-5627 • www.osha.gov

OSHA 3090 (Rev. 10-10)

OSHA Training Criteria

Training should be delivered using different formats (e.g., classroom, videos, conference, hands-on) and technologies (e.g., online & CBT, etc.) provided that:

- Documented
- Complies with the applicable standard
- Delivered in a manner & language understood by all employees
- Prepared & delivered by ***“Qualified Person”***

Note: A *“Qualified Person”* is defined by OSHA as one who, “by possession of a recognized degree, certificate, or professional standing, or who by extensive knowledge, training and experience, has successfully demonstrated his ability to solve or resolve problems relating to the subject matter, the work, and/or the project.”

Polling Question #3

Are you confident that the person or persons responsible for conducting your company's HazCom training are "qualified"?

- A. Yes
- B. No
- C. Not Sure

New Classifications & Other Updates

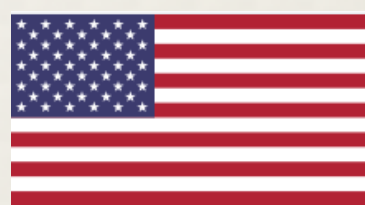
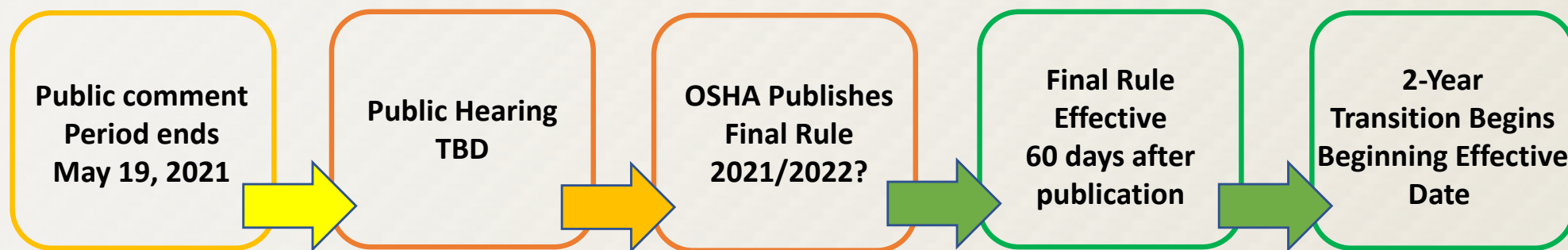
New Classifications:

- Aerosols
- Desensitized Explosives
- Flammable Gases*

Other Updates:

- Trade Secrets
- Hazard Identification
- Hazard & Precautionary Statements
- SDS Section 9

Next Steps



Industries Most Likely Affected?

Important Points to Remember

- What's New at OSHA
- Review HazCom Key Elements
- Proposed Changes to HazCom 2021
 - Labeling
 - Safety Data Sheets (SDS)
 - Training
- New Classifications and Other Updates
- Best Practices & Next Steps





Thank You for Your Participation

For more information or additional questions, please email:
mmyers@successfuel.com

About the Speaker

Jack is a Certified Professional Environmental Auditor (CPEA) and the Managing Partner for Fearing International Group LLC, a Veteran-owned Small Business (VOSB) occupational and aviation safety consulting firm located in Flemington, NJ.

He has more than 35 years of experience in occupational safety and health management and DOD aviation safety. He is a professional member of the New Jersey chapter of the American Society of Safety Professionals (ASSP) and was the chapter Safety Professional of the Year (SPY) in 2019.

Jack has extensive hands-on experience in developing OSHA compliance programs, employee and management training and coordinating with state and Federal regulatory agencies in both union and non-union environments. Jack is a graduate of the University of Massachusetts (BS in Biology) and Boston University (M.Ed in Environmental Science). He is a retired US Army LTC and served as a utility helicopter pilot and Aviation Safety Officer in a Combat Aviation Brigade.