Hazard Communication Program

1. INTRODUCTION.

A written hazard communication program is required by CA OSHA (8 CCR 5194) to protect the health and safety of the faculty, staff, and students. This program includes guidelines for labeling of containers, provision of Safety Data Sheets (SDS), maintenance of chemical inventories and training for the use and storage of all hazardous materials.

1.1. Employees who use or may be exposed to potentially hazardous substances or harmful physical agents shall be informed about the hazards of those substances or physical agents and shall be trained in the precautions to take to prevent exposure and what to do if they are accidentally exposed. No employee shall engage in or be required to perform any task, which is determined to be unsafe or unreasonably hazardous.

1.2. The University shall make available to appropriate employees’ information it has about any substance listed in the National Institute of Occupational Safety & Health (NIOSH) Registry of Toxic Effects of Chemical Substances which employees may use or to which they may be or have been exposed.

2. PURPOSE.

Hazardous substances in the workplace in some forms and concentrations pose potential physical and health (acute and chronic) hazards to employees who are exposed to these substances. Departments and employees have a right and a need to know the properties and potential hazards of substances to which they may be exposed, and such knowledge is essential to reducing the incidence and cost of occupational injuries or illnesses. Appendices A and B provide further explanation of the scope of potential physical and health hazards covered by this program and the criteria to be used to determine if a chemical is to be considered hazardous.

2.1. The purpose of this program is to improve the detection, treatment, and prevention of occupational injuries, illness and disease and to support worker’s right to know. It is further intended to ensure that departments and workers have the information necessary for them to know when they are working with or may be exposed to hazardous substances. It is necessary to ensure that departments provide their employees with training in how to avoid exposure to hazardous substances and what to do if they are accidentally exposed to such substances.

3. SCOPE, APPLICATION AND DEFINITIONS.

This program shall apply to all campus departments that use, handle, or store hazardous substances (see Appendix A, Title 8 CCR 5194. This program applies to any hazardous substance that is known to be present in the workplace in such a manner that employees may be exposed under normal conditions of use or in a foreseeable emergency.
3.1. This program does not apply to:

b. Tobacco or tobacco products;
c. Wood or wood products;
d. Articles; and
e. Food, drugs, or cosmetics intended for personal consumption by employees while in the workplace.

4. RESPONSIBILITIES.

4.1. Safety and Risk Management (S&RM) Department

- Develop, implement, and monitor the Hazard Communication Program.
- S&RM will provide general Hazard Communication Training to University employees.
- Assist departments in complying with the program requirements including labeling, Material Safety Data Sheets (MSDS), employee information and training, and recordkeeping.
- Conduct periodic inspection to document the level of Hazard Communication compliance.
- Maintain all environmental monitoring, employee exposure, and employee medical records.
- Provide access to these records in accordance with Section 10 of this Manual.

4.2. DEPARTMENT

- Develop local procedures to ensure effective compliance with the Hazard Communication requirements of Title 8, California Code of Regulations, Section 5194 (see Appendix A) and Sections 1509 (Construction Safety Orders) and 3204 (General Industry Safety Orders), the Injury and Illness Prevention Program (IIPP).
- Ensure that all requirements of the Hazard Communication Program have been met before employees are exposed to hazardous substances under normal conditions of use or in a foreseeable emergency.
- Develop methods to inform employees of the hazards of non-routine tasks in their work areas.

4.3. EMPLOYEE

Because of the number of potential hazards that may exist or be created in the work environment, employees must first use common sense and good judgment always. Each employee assigned to work with a hazardous substance will read and comply with all hazard communication procedures, whether written or oral, while performing assigned duties.
5. LABELING

- Each department shall ensure that all containers of hazardous substances in the workplace are labeled, tagged or marked with the following information in accordance with Title 8 CCR Section 5228 (see Appendix L of this Manual):
  - Identity of the hazardous substance(s) contained therein;
  - Appropriate hazard warnings; and
  - Name of the manufacturer, address and phone number.

- Departments are not required to label portable containers (secondary containers) into which hazardous substances are transferred from labeled containers if intended only for immediate use by the employee who performs the transfer.

- Employees shall not remove or deface existing labels on incoming containers of hazardous substances.

6. SAFETY DATA SHEETS (SDSs).

6.1. If an SDS is not provided by a manufacturer, the ordering Department Head, Supervisor or S&RM staff will:

- Send a written letter request to the manufacturer within seven (7) working days from the date of the employee request.

- Notify the employee within fifteen (15) days of receipt of the SDS.

- Notify the Director of the State Department of Industrial Relations if a response has not been received from the manufacturer within twenty-five (25) working days from the date of the request.

7. EMPLOYEE INFORMATION AND TRAINING.

- Departments shall provide employees with information and training on hazardous substances in their work area at the time of their initial assignment, and whenever a new hazard is introduced into their work area. S&RM will provide general Hazard Communication Training.

- Departments will furnish employees with an explanation of what the SDS is, and of the contents of the MSDS for any hazardous substance to which employees are exposed or equivalent form, either in written form or through training.

8. RECORDKEEPING AND RECORD ACCESS.
• All environmental monitoring, employee exposure and employee medical records required by Cal/OSHA shall be maintained by the Safety and Risk Management for a period of at least thirty (30) years.

• All records will be made available upon request to the employee, former employee, an employee representative of either, or representative of the Chief of the Division of Occupational Safety and Health (DOSH), or the Director of NIOSH.

• Information considered to be pertinent to an employee exposure record (to toxic substances or harmful physical agents):
  • Workplace monitoring or measurement,
  • Biological monitoring results which assess the absorption of a substance by body systems, and
  • MSDSs, or if these are not available, any other information which reveals the identity of a toxic substance or harmful physical agent.

• Information considered to be pertinent to an employee medical record made or maintained by a physician, nurse, or other health care professional or technician is:
  • Medical and employment questionnaire or histories,
  • Results of medical examinations and laboratory and other diagnostic tests,
  • Medical opinions, diagnoses, progress notes, and recommendations,
  • Descriptions of treatments and prescriptions, and
  • Employee medical complaints.

• Safety and Risk Management will make a copy of this Hazard Communication Program available, upon request, to employees, their designated representatives, DOSH, or NIOSH.

9. CONTAINER LABELING

• No container of hazardous substances will be released for employee or student use until it is labeled with:
  • The name of the contents; and
  • Appropriate hazard warnings.

• Supervisors are responsible for adequate container labeling in their work area. All secondary containers will be labeled with a copy of the manufacturer’s label or a generic label that provides space for material identification and hazard warnings.

10. SAFETY DATA SHEETS (SDS)

Department heads are responsible for maintaining alphabetical MSDS files in areas under their control. All employees must have access to material safety data sheets in their work areas or in a central location. If SDS are not available, the area supervisor should be notified. If a MSDS is missing or is obviously incomplete, a new SDS will be requested from the manufacturer within 7 days. If the manufacturer does not respond immediately to a verbal request for a SDS, send a written request. Notify the person who requested the MSDS of the action taken to obtain it within 7 days, and make the SDS available within 15
days of receipt. If a manufacturer or supplier fails to provide a MSDS within 25 days, report the situation to the Office of Safety and Risk Management (S&RM) for notification of CA OSHA.

11. CHEMICAL INVENTORIES

Department heads are responsible for maintaining a complete inventory listing of hazardous substances in areas under their control. The inventory must list materials using an identity that is referenced in the appropriate MSDS. The storage location and maximum quantity to be stored must also be included. Departments are responsible for keeping chemical inventory spreadsheets current. S&RM will periodically request copies of current departmental chemical inventories for the annual campus wide chemical inventory file.

12. EMPLOYEE INFORMATION AND TRAINING

Everyone who works with or is potentially exposed to hazardous chemicals will receive training on the hazard communication standard and the safe use of hazardous materials at the time of assignment and when new hazards are introduced into the work area.

- The training provided by Safety and Risk Management departmental staff will emphasize:
  - The requirements of the hazard communication regulation, including worker rights;
  - Operations in the work area where hazardous materials are used;
  - The location and availability of the written hazard communication program and chemical inventory;
  - The chemical and physical properties of hazardous materials;
  - The health effects of hazardous substances;
  - Detection of a chemical release;
  - Selection and use of personal protective equipment;
  - Procedures for emergency response and the cleanup of chemical spills; and
  - Instructions for interpreting the information provided on labels and material safety data sheets.

It is important that all personnel understand the training. Supervisors are responsible for answering questions from employees, monitoring work practices and informing employees of the hazards associated with chemicals used in non-routine tasks.

13. EMERGENCY RESPONSE PLANS AND PROCEDURES

Chemical spill response procedures are contained in the CSUB Chemical Hygiene Program and Hazardous Materials Emergency Response Plan. Those plans identify key campus personnel who must be notified in the event of an emergency. All employees will be informed of evacuation plans and emergency reporting procedures.

14. AUDITS

The Safety and Risk Manager will periodically audit departmental hazardous material inventories and MSDS files to make sure they are complete.
15. COMMUNICATION WITH CONTRACTORS

Upon notification from Facilities Management, Facilities Planning or Procurement staff or a department head arranging for contract services, the Office of Safety and Risk Management will provide contractors with written hazard communication information including:

- A list of hazardous substances or conditions that the contractor's employees may be exposed to at the job site;
- Information regarding the CSUB container labeling system;
- Protective measures employees may take to lessen the possibility of exposure; and
- The location of material safety data sheets.

This information will be provided at a pre-job meeting. Contractors are responsible for conveying this information to all subcontractors on their work site. Each contractor bringing chemicals onto the campus must provide an inventory, container labels and MSDS.

16. ADDITIONAL INFORMATION

Employees and their designated representatives may obtain a copy of this program, assistance with interpretation of MSDS, and lists of chemical inventories at the Office of Safety and Risk Management.

Definitions.

Article. A manufactured item: (1) Which is formed to a specific shape or design during manufacture; (2) which has end use function(s) dependent in whole or in part upon its shape or design during end use; and (3) which does not release, or otherwise result in exposure to, a hazardous substance under normal conditions of use or in a reasonably foreseeable emergency resulting from workplace operations.

CAS number. The unique identification number assigned by the Chemical Abstracts Service to specific chemical substances.

Chemical name. The scientific designation of a chemical in accordance with the nomenclature system developed by the International Union of Pure and Applied Chemistry (IUPAC) or the Chemical Abstracts Service (CAS) rules of nomenclature, or a name which will clearly identify the substance for conducting a hazard evaluation.

Chief. The Chief of the Division of Occupational Safety and Health, P.O. Box 420603, San Francisco, CA 94142, or designee.

Combustible liquid. Any liquid having a flashpoint at or above 100°F (37.8°C), but below 200°F (93.3°C), except any mixture having components with flashpoints of 200°F (93.3°C), or higher, the total volume of which make up 99 percent or more of the total volume of the mixture.

Common name. Any designation or identification such as code name, code number, trade name, brand name or generic name used to identify a substance other than by its chemical name.

Compressed gas. Compressed gas means:

(A) A gas or mixture of gases having, in a container, an absolute pressure exceeding 40 psi at 70°F (21.1°C); or

(B) A gas or mixture of gases having, in a container, an absolute pressure exceeding 104 psi at 130°F (54.4°C) regardless of the pressure at 70°F (21.1°C); or

(C) A liquid having a vapor pressure exceeding 40 psi at 100°F (37.8°C) as determined by ASTM D-323-72.
**Container.** Any bag, barrel, bottle, box, can, cylinder, drum, reaction vessel, storage tank, tank truck, or the like that contains a hazardous substance. For purposes of this section, pipes or piping systems are not considered to be containers.

**Department.** The Department of Industrial Relations, P.O. Box 420603, San Francisco, CA 94142, or designee.

**Designated representative.** Any individual or organization to whom an employee gives written authorization to exercise such employee's rights under this section. A recognized or certified collective bargaining agent shall be treated automatically as a designated representative without regard to written employee authorization.

**Director.** The Director of Industrial Relations, P.O. Box 420603, San Francisco, CA 94142, or designee.

**Distributor.** A business, other than a manufacturer or importer, which supplies hazardous substances to other distributors or to employers.

**Division.** The Division of Occupational Safety and Health (Cal/OSHA), California Department of Industrial Relations, or designee.

**Emergency.** Any potential occurrence such as, but not limited to, equipment failure, rupture of containers, or failure of control equipment, which may or does result in a release of a hazardous substance into the workplace.

**Employee.** Every person who is required or directed by any employer, to engage in any employment, or to go to work or be at any time in any place of employment.

**Employer.** Employer means:

(A) The State and every State agency.

(B) Each county, city, district, and all public and quasi-public corporations and public agencies therein.

(C) Every person including any public service corporation, which has any natural person in service.

(D) The legal representative of any deceased employer.

**Explosive.** A substance that causes a sudden, almost instantaneous release of pressure, gas, and heat when subjected to sudden shock, pressure, or high temperature.

**Exposure or Exposed.** Any situation arising from work operation where an employee may ingest, inhale, absorb through the skin or eyes, or otherwise meet a hazardous substance.

**Flammable.** A substance that falls into one of the following categories:

(A) Aerosol, flammable. An aerosol that, when tested by the method described in 16 CFR 1500.45, yields a flame projection exceeding 18 inches at full valve opening, or a flashback (a flame extending back to the valve) at any degree of valve opening;

(B) Gas, flammable:

1. A gas that, at ambient temperature and pressure, forms a flammable mixture with air at a concentration of thirteen (13) percent of volume or less; or

2. A gas that, at ambient temperature and pressure, forms a range of flammable mixtures with air wider than twelve (12) percent by volume, regardless of the lower limit;

(C) Liquid, flammable. Any liquid having a flashpoint below 100o F (37.8o C), except any mixture having components with flashpoints of 100o F (37.8o C) or higher, the total of which make up 99 percent or more of the total volume of the mixture.
(D) Solid, flammable. A solid, other than a blasting agent or explosive as defined in section 5237(a), that is liable to cause fire through friction, absorption of moisture, spontaneous chemical change, or retained heat from manufacturing or processing, or which can be ignited readily and when ignited burns so vigorously and persistently as to create a serious hazard. A chemical shall be considered to be a flammable solid if, when tested by the method described in 16 CFR 1500.44, it ignites and burns with a self-sustained flame at a rate greater than one-tenth of an inch per second along its major axis.

**Flashpoint.** The minimum temperature at which a liquid gives off a vapor in sufficient concentration to ignite when tested as follows:

(A) Tagliabue Closed Tester (see American National Standard Method of Test for Flash Point by Tag Closed Tester, Z11.24-1979 (ASTM D 56-79)) for liquids with a viscosity of less than 45 Saybolt Universal Seconds (SUS) at 100o F (37.8o C), that do not tend to form a surface film under test; or

(B) Pensky-Martens Closed Tester (see American National Standard Method of Test for Flash Point by Pensky-Martens Closed Tester, Z11.7-1979 (ASTM D 93-79)) for liquids with a viscosity equal to or greater than 45 SUS at 100o F (37.8o C), or that have a tendency to form a surface film under test; or

(C) Setalflash Closed Tester (see American National Standard Method of Test for Flash Point by Setalflash Closed Tester (ASTM D 3278-78)).

**Hazard warning.** Any words, pictures, symbols, or combination thereof appearing on a label or other appropriate form of warning which convey the health hazards and physical hazards of the substance(s) in the container(s).

**Hazardous substance.** Any substance which is a physical hazard or a health hazard or is included in the List of Hazardous Substances prepared by the Director pursuant to Labor Code section 6382.

**Health hazard.** A substance 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. The term “health hazard” includes substances which are carcinogens, toxic or highly toxic agents, reproductive toxins, irritants, corrosives, sensitizers, hepatotoxins, nephrotoxins, neurotoxins, agents which act on the hematopoietic system, and agents which damage the lungs, skin, eyes, or mucous membranes. Appendix A provides further definitions and explanations of the scope of health hazards covered by this section, and Appendix B describes the criteria to be used to determine whether or not a substance is to be considered hazardous for purposes of this standard.

**Identity.** Any chemical or common name which is indicated on the material safety data sheet (MSDS) for the substance. The identity used shall permit cross-references to be made among the required list of hazardous substances, the label and the MSDS.

**Immediate use.** The hazardous substance will be under the control of and used only by the person who transfers it from a labeled container and only within the work shift in which it is transferred.

**Importer.** The first business with employees within the Customs Territory of the United States which receives hazardous substances produced in other countries for supplying them to distributors or purchasers within the United States.

**Label.** Any written, printed, or graphic material displayed on or affixed to containers of hazardous substances.

**Manufacturer.** A person who produces, synthesizes, extracts, or otherwise makes a hazardous substance.

**Material safety data sheet (MSDS).** Written or printed material concerning a hazardous substance which is prepared in accordance with section 5194(g).

**Mixture.** Any solution or intimate admixture of two or more substances, at least one of which is present as a
hazardous substance, which do not react chemically with each other.


**Organic peroxide.** An organic compound that contains the bivalent -O-O- structure and which may be considered to be a structural derivative of hydrogen peroxide where one or both of the hydrogen atoms has been replaced by an organic radical.

**Oxidizer.** A substance other than a blasting agent or explosive as defined in section 5237(a), that initiates or promotes combustion in other materials, thereby causing fire either of itself or through the release of oxygen or other gases.

**Physical hazard.** A substance 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.

**Produce.** To manufacture, process, formulate, repackage, or relabel.

**Pyrophoric.** A substance that will ignite spontaneously in air at a temperature of 130o F (54.4o C) or below.

**Responsible party.** Someone who can provide additional information on the hazardous substance and appropriate emergency procedures, if necessary.

**Specific chemical identity.** The chemical name, Chemical Abstracts Service (CAS) Registry Number, or any other information that reveals the precise chemical designation of the substance.

**Substance.** Any element, chemical compound or mixture of elements and/or compounds.

**Trade secret.** Any confidential formula, pattern, process, device, information, or compilation of information which gives its user an opportunity to obtain a business advantage over competitors who do not know or use it. A trade secret shall not include chemical identity information which is readily discoverable through qualitative analysis. Appendix D sets out the criteria to be used in evaluating trade secrets.

**Unstable (reactive).** A substance which in the pure state, or as produced or transported, will vigorously polymerize, decompose, condense, or will become self-reactive under conditions of shocks, pressure or temperature.

**Use.** To package, handle, react, or transfer.

**Water-reactive.** A substance that reacts with water to release a gas that is either flammable or presents a health hazard.

**Work area.** A room or defined space in a workplace where hazardous substances are produced or used, and where employees are present.

**Workplace.** Anyplace, and the premises appurtenant thereto, where employment is carried on, except a place the health and safety jurisdiction over which is vested by law in, and actively exercised by, any state or federal agency other than the Division.
HAZARD COMMUNICATION PROGRAM INFORMATION

PURSUANT TO CAL-OSHA REGULATION - GENERAL INDUSTRY SAFETY ORDERS 3204 - AND UNIVERSITY POLICY, ALL EMPLOYEES HAVE THE RIGHT TO SEE AND COPY:

- Relevant medical records and records of exposure to toxic substances or harmful physical agents
- Material Safety Data Sheets or other available information on chemicals or substances used in the workplace, or to which employees may be exposed

THESE RECORDS MAY BE OBTAINED BY COMPLETING THE "REQUEST FOR MEDICAL AND EXPOSURE RECORDS FORM" WHICH IS AVAILABLE IN THE SAFETY AND RISK MANAGEMENT OFFICE (S&RM) extension 2066 or 6320.

SAFETY DATA SHEETS (SDSs)

A list of substances classified as "hazardous by the State of California is in the S&RM Office. SDSs are available for review in your work area, if you need assistance with an SDS, contact your Supervisor, or S&RM.

The SDS lists toxicity information, flammability and explosion hazard data, handling precautions, and procedures to use in case of spills or contact. The appearance or absence of a material on this list is not a reliable indicator of hazard. Inform your supervisor or call S&RM before using any unfamiliar chemical.