

Subject: 4-1 Hazard Communication Right to Know Program	Published Date: 12/30/17
Occupational Safety	Next Review Date: 12/30/18
Scope: University Wide	Original Creation Date: 1998

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Responsible Department/Division/Committee:

Environmental Health and Safety

Policy:

To ensure compliance with the Occupational Safety and Health Administration (OSHA) Hazard Communication Standard 29 CFR 1910.1200 and New York State's Right to Know Law. This program will ensure that the hazards associated with all chemicals and commercial products used by employees are evaluated and that this information is transmitted to the affected employees. In general, each employee at the facility will be trained on the substance of the laws, the hazardous properties of the chemicals with which they work and the measures needed to protect themselves from these chemicals.

Definitions:

NA

Procedures:**A. General:**

1. The Hazard Communication/Right-to-Know Program includes provisions for container labeling, safety data sheet gathering and employee training. It includes a listing of hazardous chemicals in each work area and procedures for informing employees of the hazards associated with chemicals. The program also includes the facility's obligation to inform contractors of University-owned hazardous chemicals to which their employees may be exposed while performing work at Stony Brook.
2. According to the law, any chemical that appears in any of the following publications or has yielded evidence of acute or chronic health hazards in

human, animal or other biological testing is automatically considered to be a health hazard:

- a. 29 CFR part 1910: Subpart Z Toxic and Hazardous Substances (OSHA).
 - b. Threshold Limit Values for Chemical Substances and Physical Agents in the Work Environment, American Conference of Governmental Industrial Hygienists (ACGIH) - latest edition.
 - c. National Toxicology Program (NTP) Annual Report on Carcinogens - latest edition.
 - d. International Agency for Research in Cancer (IARC) Monographs - latest edition.
 - e. National Institute for Occupational Safety and Health's Registry of Toxic Effects of Chemical Substances (RTECS) - latest edition. (Applies to the New York State Right-To-Know Law only).
3. The Department of Environmental Health and Safety has copies of these publications.
 4. A special record will be kept of those employees who are exposed to chemicals on the OSHA Subpart Z list. These chemicals have known toxic effects and have had federal exposure limits, called Permissible Exposure Limits (PEL), established. The employee records will be kept by the University for 40 years.
 5. The University's Right-To-Know Program Coordinator will be a member of the Department of Environmental Health and Safety. It is, however, the responsibility of each Department Head to keep and maintain updated employee and chemical inventories for his/her department, and shall forward updated lists to the Right-To-Know Program Coordinator. Signs will be posted to inform employees that they have the right to know about the Hazardous chemicals to which they are exposed.

B. List of Hazardous Chemicals

1. The Right-To-Know Program Coordinator will maintain lists of all hazardous chemicals used in the facility and update the lists as new chemicals come into the facility. A master list will be maintained by the Department of Environmental Health and Safety, Suffolk Hall, South Campus. LISVH, and Departments, as requested, will maintain inventories online.
2. Chemical manufacturers and importers are required to evaluate the hazards of the chemicals which they manufacture. These health hazard determinations are based on scientific evidence. This evidence must be

statistically significant and must be based on at least one positive study conducted in accordance with established scientific principles. This health hazard information will appear on a Safety Data Sheet (SDS). The law requires that chemical manufacturers, importers, and distributors provide SDSs for all of their products upon demand.

3. Hazard determination will not be conducted by the institution, but will rely on the SDSs received from the manufacturer for information concerning the hazardous chemicals used or stored within the facility. When purchasing new chemicals, the least hazardous substance should be procured.

C. Safety Data Sheets (SDS)

1. The Right-to-Know Program Coordinator will maintain an online electronic SDS library (SDS Pro) at <http://www.stonybrook.edu/ehs/msds/> on every substance on the list of hazardous chemicals located on the master list. The University's Purchasing Departments will obtain an SDS for each new chemical purchased. The SDS will consist of a fully completed OSHA Form 174, or equivalent. The Department Head or designee(s) will ensure that each area maintains an SDS for the hazardous materials in that area. These SDSs will be readily available to all employees, will be written in English, and will include the following information:
 - a. Identification of the substance or mixture and of the supplier
 - b. Hazards Identification
 - c. Composition/information on ingredients
 - d. First Aid measures
 - e. Firefighting measures
 - f. Accidental release measures
 - g. Handling and Storage
 - h. Exposure Controls / Personal Protection
 - i. Physical and Chemical Properties
 - j. Stability and Reactivity
 - k. Toxicological Information
 - l. Ecological Information
 - m. Disposal Considerations
 - n. Transportation information
 - o. Regulatory information
 - p. Other information including information on preparation and revision of the SDS
2. The Right-To-Know Program Coordinator is responsible for acquiring and updating SDSs. He/she will review each SDS for accuracy and

completeness and will investigate further if additional information is necessary.

D. Labeling

1. The OSHA standard 29 CFR 1910.1200 requires that chemical manufacturers, importers, and distributors label their containers of hazardous chemicals. Therefore, each container coming into the facility will be required to have pictograms, a signal word, hazard and precautionary statements, the product identifier, and supplier identification.
2. It is the responsibility of each Department Head, or designee(s) to ensure that each container in his/her department is labeled properly with the identity of the hazardous chemical and the appropriate hazard warnings. This warning may be any type of message, words, pictures, or symbols which convey the hazards. Labels must be legible, in English, and prominently displayed. Any defaced or illegible labels should be reported to the supervisor. Whenever a chemical is transferred to a non-labeled container, a proper label must be made-up and affixed to the new container.
3. The Hazard Communication Standard addresses certain exemptions for in-house labels:
 - a. If a number of stationary containers within a work area have similar contents and hazards, the facility may post signs or placards which convey the hazard information.
 - b. Various types of standard operating procedures, process sheets, batch tickets, blend tickets, and similar written materials may be substituted for container labels on stationary process equipment if they contain the same information as the container labels and if they are already available to the employees in the work area throughout each work shift.
 - c. If hazardous chemicals are transferred from a labeled container to a portable container for immediate use by the employee who makes the transfer, and used during their work shift, labels are not required for the portable container.
 - d. Warning labels are not required for pipes and piping systems. However, contents of such systems should be clearly identified.

E. Training

1. Each employee who works with, or is potentially exposed to, hazardous chemicals will receive initial training on the Hazard Communication/Right-To-Know Law. Training will include the safe use of hazardous chemicals before initial assignment, annually thereafter and whenever a new hazard is introduced into their work areas. It is the responsibility of the Department Head, or designee(s), to notify the Department of Environmental Health and Safety before a new hazard is introduced to employees. This training will be given by a member of the Department of Environmental Health and Safety. A written log will be kept by the Right-To-Know Program Coordinator of all the employees who have received training. The Coordinator will also maintain records of training needs of each department.
2. The topics to be included in the training are as follows:
 - a. Employee rights:
 - 1) The right to request and receive, in writing within 72 hours (not including weekends and holidays), information on the hazardous chemicals with which they come in contact. If they do not receive the requested information, the employee has the right to refuse to work with the substance in question.
 - 2) The right to be informed of the hazardous chemicals used in their work areas.
 - 3) The right to have access to the University's written Hazard Communication/Right-To-Know Program.
 - 4) The right to file a complaint with OSHA (PESH)* if the employee believes that he/she has been discriminated against due to the exercising of his/her rights under this standard.
 - 5) The right to know that the employee must not waive these rights as a condition of employment.
 - b. *NOTE: OSHA is a Federal organization which has authority in the private sector as well as federal institutions. PESH (Public Employees Safety and Health Bureau) is "OSHA" for New York State Public Employees. Therefore, any complaints regarding safety and health should be addressed to PESH.
 - c. How the Hazard Communication/Right-To-Know Program is implemented in the work place, how to read and interpret information on the Safety Data Sheets, and how employees can obtain and use the available hazard information.
 - d. The hazards of the chemicals in the work area.

- e. Measures employees can take to protect themselves from the chemical hazards (i.e., personal protective equipment and work practices).
 - f. Physical and health hazards associated with potential exposure to work place chemicals.
 - g. Hazardous chemical properties including visual appearance, odor, and methods that can be used to detect the presence or release of hazardous chemicals.
 - h. The use of engineering controls.
 - i. Hazardous chemical spill and leak procedures.
 - j. Where the chemical list and SDSs are located, how to understand their content, and how employees may obtain and use appropriate hazard information.
 - k. Explanation of the in-house labeling system.
- 3. The determination of which employees are required to receive specific safety training will be based upon their exposure. It is the intent of the University to ensure that employees receive information regarding all of the chemicals in their work areas and that they are prepared to deal with any unexpected releases or emergency situations, as well as exposures encountered during the normal course of employment.
 - 4. The training format will vary among departments. Audiovisuals, classroom instruction, handouts, and hands-on instruction will be used as appropriate.

F. Contractors

- 1. The law requires that the University provides hazard information to on-site contractors who have employees that may be exposed to University-owned hazardous chemicals while working at Stony Brook. In addition, the contractor must also provide hazard information to the facility when that contractor uses or stores hazardous materials on-site. This function will be coordinated among the Department of Environmental Health and Safety, the Physical Plant, Facilities Engineering and the contractor by the Department Head (or Project Coordinator) of the area on which work is being done, and will be limited to those situations where exposures may occur. The exchange of information will include SDSs, precautionary methods needed to protect workers and the labeling system.

G. Non-routine tasks

- 1. These tasks are those which are not performed on a routine basis and which may involve contact with a hazardous substance. The Department

Head, or designee(s) will determine what hazards are present or may be created by a task. The Department Head or designee(s) is (are) responsible for communicating this information and must inform the employees of any special equipment, such as portable ventilation systems and/or personal protective equipment, that will be needed. The Department Head, or designee(s) should contact the Department of Environmental Health and Safety for advice concerning non-routine tasks.

Forms: NA

Policy Cross Reference: NA

Relevant Standards/Codes/Rules/Regulations/Statutes:

29 CFR 1910.1200 *Hazard Communication*

ANSI Z129.1-1994 *Hazardous Industrial Chemicals: Precautionary Labeling*

ANSI Z400.1-1993 *Hazardous Industrial Chemicals: Safety Data Sheets Preparation*

References and Resources: NA