

## **HAZARD COMMUNICATION POLICY:**

### **SECTION I : PURPOSE:**

The Town of Windham has developed the following Hazard Communication Program in compliance with the Occupational Safety and Health Administration's Hazard Communication Standard, 29 CFR 1910.1200 and NH RSA 281-A:64.

This Policy exists to promote worker safety and to ensure hazardous substances that are used within and by the departments of the Town of Windham have been properly identified and information relative to safe handling of these substances is communicated to all affected employees. In order to accomplish its objectives, this policy specifies requirements for:

- A) Evaluation of hazardous substances.
- B) Information and training for employees working with hazardous substances.
- C) Appropriate labeling and warning systems.
- D) Establishment and maintenance of Material Safety Data Sheet (MSDS) files.

### **SECTION II : RESPONSIBILITIES:**

A) DEPARTMENT HEADS: Each respective Department Head shall:

1. Maintain MSDS and hazardous substance labels in appropriate areas such that employees are informed of chemical and physical hazards, safe work practices, emergency procedures and proper personal protective equipment to be used.
2. Provide an inventory of all hazardous substances used in their facilities.
3. Request MSDS from suppliers for all hazardous substances being considered for use or to be purchased.
4. Forward all MSDS to the JLMC (Joint Loss Management Committee) and the department Health and Safety Committee or Officer as appropriate.
5. Provide notification to contractors and their employees working on Town property regarding any hazardous substances that may be located in the area where they are working.
6. Obtain information from contractors or their employees on any hazardous substances they intend to bring on Town property to which Town of Windham employees may be exposed.
7. Provide for the safety of employees performing non-routine functions such as maintenance activities.

8. Work with the Health and Safety Committee, or the department's designated Safety Officer, as necessary to ensure the review of all chemical purchases (see Form A, Appendix B).

B) MAINTENANCE PERSONNEL: Maintenance personnel shall assist each respective Department Head in ensuring that all appropriate MSDS are obtained from contractors and suppliers of hazardous substances, and that they are maintained in a work area allowing employees to remain informed.

C) HEALTH AND SAFETY COMMITTEE/DESIGNATED SAFETY OFFICER: The following responsibilities are to be carried out by each department's Health and Safety Committee, if one is established, or by the department's designated Health and Safety Officer.

1. Provide interpretation of MSDS and hazard information for labeling (e.g. Hazardous Material Identification System [HMIS], and the National Fire Protection Association [NFPA] system) to each Department Head or designee.
2. Ensure that each employee is trained on hazardous substances at their time of assignment, annually and whenever a new hazard is introduced into the work area. Assist in training, as necessary.
3. Maintain all training records, including the name of the employee, date of training, name of trainer, and signed acknowledgment of employee that training was conducted.
4. Review all chemical purchases, evaluate potential hazards, and approve or reject usage.
5. Provide information to all employees and supervision on chemical and physical hazards, means of protection, and availability of this information.
6. Maintain compliance with both Federal and applicable State and legal right-to-know requirements.

D) TOWN ADMINISTRATOR:

The Town Administrator shall provide information to all new employees on the Town of Windham Hazard Communication Policy and employee rights.

E) EMPLOYEES:

Employees are free to exercise their right to information and training in accordance with this Hazard Communication Policy. Request for information or training will not adversely affect a worker's employment with the Town of Windham.

**SECTION III : REQUIREMENTS:**

A) The following requirements apply to hazardous materials in the work place:

1. Information necessary for contractors, sub-contractors, or other non-Town of Windham employees will be provided using MSDS when possible, or other available resources.
2. Contractors, sub-contractors, and non-Town of Windham employees, prior to initiation of work, shall complete and sign Form B in Appendix B of this policy, which states the types of hazardous substances that will be brought on-site to Town property.
3. This policy will be reviewed at least annually and be revised when necessary.
4. This policy details the evaluation of hazardous substances, use of labels and warning systems, MSDS, employee training requirements and methods to address trade secret issues as follows:

a) Hazard Evaluation:

- 1) Information obtained from the manufacturer or importer of a hazardous substance (as found on the MSDS or other document) should provide sufficient detail to determine exposure risk to employees. If the information is lacking, the Health and Safety Committee or Officer shall take appropriate steps to obtain further information from the manufacturer or distributor.
- 2) New hazardous substances to be purchased should have an MSDS requested by use of Form A.
- 3) Each department's Health and Safety Committee or Officer has the responsibility to approve, reject, and/or specify control(s) on all hazardous substances used at their building.

b) Labeling:

- 1) All hazardous substances received from outside suppliers shall conform to the following minimum requirements:
  - a. Display the identity of the hazardous substances(s).
  - b. Display appropriate hazard warning(s).
  - c. Display the name and address of the manufacturer, importer, or other responsible party.
- 2) Hazardous substance labels and warnings may be written in other languages, provided containers remain labeled in English as well.

- 3) Portable containers of hazardous substances need not be labeled when the substance is transferred from labeled containers and which are intended for immediate use by the person in possession of the portable container.
- 4) Hazardous substances transferred from labeled containers to unlabeled containers, and not intended for immediate use, shall be labeled in accordance with "Labeling" section (1) (a) and (b).
- 5) Each Department Head or designee shall ensure that labels are used in their facility.
- 6) Labels on any container shall be displayed prominently and legibly, and shall not be removed or defaced.
- 7) Other forms of warning (such as warning signs or placards, standard operating procedures, batch tickets, or blend tickets, etc.) can be substituted for container labels or process equipment within a work area as long as they contain the same information and are readily available to employees in the work area.

c) Material Safety Data Sheets (MSDS):

- 1) Copies of MSDS for hazardous substances shall be readily available in each department in the appropriate work areas.
- 2) Each Department Head or designee shall notify employees of hazardous substances used in their work area for which MSDS are available and where the MSDS file is located.
- 3) Contractors shall be notified of appropriate MSDS availability, as well as be asked to provide MSDS for hazardous substances they intend to bring on Town of Windham property.
- 4) Changes in Health Hazard Evaluation Data and content of MSDS are to be communicated to employees working with the material or product as soon as possible.

d) Employee Training Requirements:

- 1) Employees shall be provided with information and training on hazardous substances in their work area under the following situations.
  - a. At the time of assignment.
  - b. Whenever a new hazard or hazardous substance is introduced into their work area, and
  - c. Prior to completion of non-routine tasks.

- 2) Training shall include, at a minimum, the following:
  - a. Understanding MSDS and where they are located,
  - b. Labels/warning signs - purpose and content,
  - c. Chemical and physical hazards associated with the substance or mixture,
  - d. Methods of protection,
  - e. Emergency procedures,
  - f. Explanation that the employee has the right to request and receive information on hazardous substances to which they may be exposed (including a copy of this policy), as well as to have the information forwarded to their physician,
  - g. An explanation of the signs, labels, and/or color coding required for biohazard materials, and information on the proper storage and disposal of biohazard materials.
  - h. Identifying operations where hazardous substances are present,
  - i. Methods and observations that may be used to detect the presence or release of hazardous substances in the work area,
  - j. Methods and procedures the department has taken to protect employees from recognized chemical and physical hazards in the work place.

- 3) Employee training documentation shall include:

- a. Printed and signed name of employee being trained,
  - b. Written statement of the training completed,
  - c. Name of instructor,
  - d. Date of training, written exercise/test, if applicable.
- e) Trade Secrets: Where suppliers or manufacturers claim that the information requested on an MSDS is proprietary, the following actions is to be taken prior to purchasing new hazardous substances:
- 1) The name of the supplier and the hazardous substance in question shall be supplied to the department's Health and Safety Committee or Officer for review.

- 2) The Committee or Officer will attempt to contact the supplier to determine if the substance has any properties that could pose a potential hazard to the employees. Upon completion of their review, the Committee or Office shall make a determination whether the substance should or should not be purchased.

**SECTION IV : AMENDMENTS:**

This Policy may be amended from time to time by a majority vote of the Board of Selectmen at a regularly scheduled Selectmen's meeting.

**SECTION V : EFFECTIVE DATE:**

This Policy shall take effect immediately following a majority vote of the Board of Selectmen at a regularly scheduled Selectmen's meeting.

**Adopted by the Board of Selectmen this 13<sup>th</sup> day of October, 1998.**

**Charles E. McMahon**  
**Douglass L. Barker**  
**Carolyn B. Webber**  
**Margaret M. Crisler**  
**Galen Stearns**  
Board of Selectmen

**APPENDIX A  
REFERENCES**

Title 29, Code of Federal Regulations, part 1910.1200  
Applicable State right-to-know regulations.

*A Recommended Standard: An Identification System for Occupationally Hazardous Materials:*  
U.S. Department of Health, Education, and Welfare. Cincinnati, Ohio: HEW Publication No.  
(NIOSH) 75-126, 1974

*Chemical Hazard Communication Guidebook:* 2<sup>nd</sup> Edition. OSHA, EPA, and DOT Requirments.  
Andrew B. Waldo and Richard C. Hinds

*A Guide to Product Health and Safety and the Right to Know:* Product Health and Safety  
Committee, American Industrial Hygiene Association and Arthur D. Little, Inc.  
ISBN #0-932627-23-4.

*Basic Industrial Hygiene:* Richard S. Brief, Exxon Corporation, New York, NY., 1975

*The MSDS Pocket Dictionary:* Terms Used on MSDSs. 1993. ISBN-0-931690-27-7

APPENDIX B

**FORM A HAZARDOUS SUBSTANCE REQUEST**

Requested by: \_\_\_\_\_ Date: \_\_\_\_\_

Department: \_\_\_\_\_ Material: \_\_\_\_\_

Is this material a trade secret: \_\_\_\_\_ Is appropriate MSDS attached: \_\_\_\_\_

State the intended use of the material: \_\_\_\_\_

Proposed vendor: \_\_\_\_\_ Anticipated cost: \$\_\_\_\_\_

\_\_\_\_\_

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Request approved by:

Department Supervisor: \_\_\_\_\_ Date: \_\_\_\_\_  
(Signature)

Materials Manager: \_\_\_\_\_ Date: \_\_\_\_\_  
(Signature)

Safety Committee/Officer: \_\_\_\_\_ Date: \_\_\_\_\_  
(Signature)

Request denied: (explanation) \_\_\_\_\_  
Date: \_\_\_\_\_

Additional comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**FORM B CONTRACTOR HAZARDOUS CHEMICAL INVENTORY**

**General:**

Contractor/Company Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ Project Start: \_\_\_\_\_

\_\_\_\_\_ Project End: \_\_\_\_\_

Project Supervisor: \_\_\_\_\_ Report Date: \_\_\_\_\_

Location/Description of Project: \_\_\_\_\_

\_\_\_\_\_

**List of Hazardous Chemical(s) to be brought on site:**

Name	Description	Attached MSDS
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**Certification (to be signed by contractor):**

All contracted employees have been trained in accordance wit OSHA's Hazard Communication Standard 29 CFR 1910.1200, including the physical and health hazards, and the proper handling of the hazardous chemicals listed above.

\_\_\_\_\_

Contractor Signature \_\_\_\_\_ Date \_\_\_\_\_

**Approved by:**

Department Supervisor: \_\_\_\_\_ Date: \_\_\_\_\_  
(Signature)

Materials Manager: \_\_\_\_\_ Date: \_\_\_\_\_  
(Signature)

Safety Committee/Officer: \_\_\_\_\_ Date: \_\_\_\_\_

Additional comments/restrictions: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_