

Revision Responsibility: Vice President for Business Affairs  
Responsible Executive Officer: Vice President for Business Affairs

Source/Reference: Health & Safety Manual

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## **PURPOSE**

This is designed to maintain compliance with regulatory requirements for employees exposed to Hazardous Chemicals.

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### 23.1.1. General

Tennessee House Bill No. 731 Hazardous Chemical Right To Know Law went into effect on January 1, 1987. The General Assembly's intention in passing this legislation is to:

1. "Provide access to information regarding [hazardous] chemicals to enhance the ability of manufacturing and non-manufacturing workers to minimize hazardous exposure to such chemicals,
2. Provide information to emergency personnel to protect the public health, safety, and welfare, and
3. Provide information to citizens to enable them to make informed decisions regarding their safety, health, and welfare."

The purposes of the following materials are to:

1. Provide information concerning the law,
2. Specify the impact on employees, students, and other individuals using college facilities that may be impacted by the law,
3. Outline the college's compliance with the law and associated processes and procedures, and
4. Ensure employers and employees know about work hazards and how to protect themselves; thus reducing the incidence of chemical source illness and injuries.

The Tennessee Hazardous Chemical Right To Know Law is stated in the Tennessee Code Annotated, Title 50, Chapter 3, Part 20 (50-3-20). The law was derived from the OSHA (i.e., Occupational, Safety, and Health Administration) 1910.1200 - Hazard Communication Standard. The Tennessee law empowered the state to enforce the provisions of the standard to non-manufacturing employers as well as to manufacturing employers. OSHA has published a Chemical Hazard Communication Guide (to establish

uniform requirements to make sure that the hazards of all chemicals imported into or used in the workplace are evaluated, and that this hazard information is transmitted to affected employers and

exposed employees.

## 23.02. RESPONSIBILITIES

### 23.2.1. Safety Administrators

The college's Safety Administrators are responsible for assuring the institution's compliance with the Hazardous Chemical Right To Know Law. The Safety Administrators are responsible for ensuring:

1. Appropriate work area chemical lists and MSDSs are maintained in a current manner in all work areas of the college where an employee may be exposed to hazardous chemicals under normal operating conditions or foreseeable emergencies,
2. A master chemical list is accessible via the MSDS Online Safety Sheets link available on the Facilities Management website <http://ws.edu/facilities-management/>. Instructions for use of the internet site are also outlined on a link at this site.
3. Appropriate education and training programs are provided to employees,
4. Notices informing employees about their rights under the Act are posted where notices are normally posted,
5. Labels on containers of hazardous chemicals have not been removed or defaced and that such labels are appropriate,
6. Warnings are posted for hazardous chemicals produced in the work area (e.g., carbon monoxide and welding fumes),
7. A workplace (i.e., for the main campus, off-campus center, etc.) hazardous chemical list containing the required information for each hazardous chemical normally used or stored in excess of fifty- five (55) gallons or five hundred (500) pounds is filed with the local fire chief and the assistant director of TOSHA (i.e., Tennessee Occupation Safety and Health Administration). Such lists will be updated as necessary but not less than annually,
8. Appropriate signs are placed on the outside of any building that contains hazardous chemicals as defined in the Tennessee Hazardous Chemical Right To Know Law Section 14(f),
9. A copy of the MSDS for any chemical on the workplace chemical list is provided to the fire chief upon written request, and
10. The fire chief or his representative is permitted on site inspections of the hazardous chemicals on the workplace chemical list during normal business hours for the sole purpose of pre-planning emergency fire department activities.

### 23.2.2. Employees

All full-time and regular part-time employees must be knowledgeable of the Hazardous Chemical Right To Know Law and the college's Written Hazard Determination and Communication Programs to comply with this law. Employees must participate in the college's Hazardous Chemical Right To Know Law education and training program and annual refresher training programs.

Employees must be trained in the safety knowledge available on all substances they come in contact with under normal operating conditions or foreseeable emergencies. Employees must know the location of the work area chemical list and Material Safety Data Sheets (MSDSs) of the hazardous chemicals they come in contact with under normal operating conditions or foreseeable emergencies.

Employees should be able to recall in simple language the following basic information about each hazardous material in their work area:

1. What hazardous chemical(s) the employee comes into contact with under normal operating conditions or in a foreseeable emergency,
2. Where is the chemical present?
3. Effect on the body,
4. Detection, and
5. Protection.

Also, employees should be able to recall in simple language basic information about the college's Written Hazard Determination and Communication Programs.

Employees that remove hazardous chemicals from the original containers to unlabeled, temporary containers must use the chemicals within one work shift (i.e., 7-1/2 hours) or:

1. Transfer the hazardous chemical back to the original container, or
2. Label the temporary container with hazard information similar to the original container (i.e., see Section 23.04.02 "Labels and Other Forms of Warning" of this manual).

The Hazardous Chemical Right To Know Law requires that MSDS's be made accessible to students. Thus, faculty instructing students where hazardous chemicals are used (e.g., in labs) will inform students of the location of MSDS's and other associated materials explaining the law and its requirements.

### 23.2.3. Supervisors

Supervisors will ensure all regular full-time and part-time employees under their direct supervision:

1. Participate in the college's Hazardous Chemical Right To Know Law education and training

program and annual refresher training programs, and

2. Adhere to the college's requirements to comply with the Hazardous Chemical Right To Know Law.

Supervisors will ensure the work area chemical list/s and associated MSDSs are maintained in a current manner if their employees may be exposed to hazardous chemicals under normal operating conditions or foreseeable emergencies in the work areas that are the responsibility of the supervisor. Supervisors will ensure all labels on containers of hazardous chemicals have not been removed or defaced and that such labels are appropriate.

#### 23.2.4. Contractors and Subcontractors

A contractor or subcontractor who introduces hazardous materials into college facilities/property will be responsible, for the purposes of this Act, for his employees in such workplaces. Contractors and subcontractors will comply with the duties and responsibilities of contractors and subcontractors under this Act as established by the

commissioner of the department of labor. A contractor or subcontractor who introduces hazardous chemicals into college facilities/property must provide MSDSs for such chemicals to all other parties of the contract prior to introducing such hazardous chemicals.

### 23.03. WRITTEN HAZARD DETERMINATION PROGRAM

#### 23.3.1. Material Safety Data Sheet

Entries in the hazardous ingredients section of the material safety data sheet (i.e., see Appendix 23.04.05.A) provide the necessary information to determine if a chemical is hazardous or not. For those chemicals that have not been declared hazardous by the manufacturer, a statement to this effect will be provided in place of a MSDS.

#### 23.3.2. Other Determination

In those instances when a MSDS is not available to determine if a chemical is hazardous (e.g., chemicals created in a laboratory), the definition of hazardous chemical as specified in the Tennessee Hazardous Chemical Right To Know Law Section 3(11) will be used. The law states:

“Hazardous chemical” means any element, chemical or mixture of elements and/or compounds which is a physical hazard or health hazard as defined by OSHA standard in 29CFR Section 1910.1200(c) or a hazardous substance as defined by OSHA standard in 24CFR Section 1910.1200(d).

### 23.04. WRITTEN HAZARD COMMUNICATION PROGRAM

#### 23.4.1. General

The institution's Safety Administrators are responsible for the communication to employees and maintenance of the college's written hazard determination and communication programs and the college's compliance with the Tennessee Hazardous Chemical Right To Know Law.

#### 23.4.2. Labels and Other Forms of Warning

Existing labels on containers of hazardous chemicals will not be removed or defaced. When a hazardous chemical is transferred from the original container to another container and the chemical is to be stored in the additional container for a period in

excess of one work shift (i.e., 7 ½ hours), an appropriate label will be created and affixed to the additional container. The label classification information will be made readily available to employees. Employees will not be required to work with a hazardous chemical from an unlabeled container except from a temporary container intended for the immediate use by the employee who placed the hazardous chemical into the temporary container.







Appropriate warnings will be posted for hazardous chemicals (e.g., carbon monoxide and welding fumes) produced in the work area. Relevant signs will be placed on the outside of any building that contains hazardous chemicals as defined in the Tennessee Hazardous Chemical Right To Know Law Section 14(f). Notices informing employees about their rights under the Tennessee Law will be posted where notices are normally posted.




In addition to product identification and manufacturer, labeling must include:

Label Classification Information

#### **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.

Health Hazard	Flame	Exclamation Mark
		
<ul style="list-style-type: none"> <li>• Carcinogen</li> <li>• Mutagenicity</li> <li>• Reproductive Toxicity</li> <li>• Respiratory Sensitizer</li> <li>• Target Organ Toxicity</li> <li>• Aspiration Toxicity</li> </ul>	<ul style="list-style-type: none"> <li>• Flammables</li> <li>• Pyrophorics</li> <li>• Self-Heating</li> <li>• Emits Flammable Gas</li> <li>• Self-Reactives</li> <li>• Organic Peroxides</li> </ul>	<ul style="list-style-type: none"> <li>• Irritant (skin and eye)</li> <li>• Skin Sensitizer</li> <li>• Acute Toxicity</li> <li>• Narcotic Effects</li> <li>• Respiratory Tract Irritant</li> <li>• Hazardous to Ozone Layer (Non-Mandatory)</li> </ul>
<p><b>Gas Cylinder</b></p>	<p><b>Corrosion</b></p>	<p><b>Exploding Bomb</b></p>
		
<ul style="list-style-type: none"> <li>• Gases Under Pressure</li> </ul>	<ul style="list-style-type: none"> <li>• Skin Corrosion/Burns</li> <li>• Eye Damage</li> <li>• Corrosive to Metals</li> </ul>	<ul style="list-style-type: none"> <li>• Explosives</li> <li>• Self-Reactives</li> <li>• Organic Peroxides</li> </ul>

Flame Over Circle	Environment	Skull and Crossbones
		
<ul style="list-style-type: none"> <li>• Oxidizers</li> </ul>	<ul style="list-style-type: none"> <li>• Aquatic Toxicity</li> </ul>	<ul style="list-style-type: none"> <li>• Acute Toxicity (fatal or toxic)</li> </ul>

#### 23.4.3. Workplace Chemical List

A workplace chemical list will be maintained for the college's main campus and each of the off-campus centers. Each workplace chemical list will comprise of a list of all chemicals for each work area within the particular geographical location of college facilities. A link to the internet site where one can access the chemicals lists is available at <http://ws.edu/facilities-management/>.

The chemical list for each work area will be made readily available to all employees of the work area.

#### 23.4.4. Workplace Hazardous Chemical List

A workplace hazardous chemical list will be maintained for the college's main campus and each of the off-campus centers if the hazardous chemicals are normally stored in excess of fifty-five (55) gallons or five hundred (500) pounds.

The workplace hazardous chemical list will be updated at least annually and filed with the local fire chief and the assistant director of TOSHA (i.e., Tennessee Occupation Safety and Health Administration).

#### 23.4.5. Material Safety Data Sheet (MSDS)

Appropriate material safety data sheets for each hazardous chemical to which employees come in contact with under normal operating conditions or foreseeable emergencies will be obtained and made readily available to such employees.

#### 23.4.6. MSDS Access

A master chemical list is accessible via the MSDS Online Safety Sheets link available on the

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Facilities Management website <http://ws.edu/facilities-management/>. Instructions for use of the internet site are also outlined on a link at this site.

#### 23.4.7. Employee Information and Training

All full-time and regular part-time employees will be provided with information and training on hazardous chemicals in their work area. New employees will be provided with such information and training during their indoctrination process. Employees will be informed of:

1. The requirements of the Tennessee Hazardous Chemical Right To Know Law,
2. Any operations in their work area where hazardous chemicals are present, and
3. The location and availability of the college's written hazard communication program, including list(s) of hazardous chemicals and associated material safety data sheet (MSDSs).

Employee training will include presentations concerning:

1. The physical and health hazards of the chemicals in the work area,
2. The measures employees can take to protect themselves from these hazards,
3. The details of the hazard communication program developed by the college, including an explanation of the labeling system and the material safety data sheet, and how employees can obtain and use the appropriate hazard information, and