



STATE UNIVERSITY OF NEW YORK  
**COLLEGE OF OPTOMETRY**

Environmental Health and Safety		
Policy Number: <b>3-2</b>		
Title: <b>Hazard Communication-Right to Know Program</b>		
Effective Date: 02/93	Revision: 4/2019	Number of pages: 6

## **PURPOSE**

To ensure compliance with 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 employee. In general, each employee at the College 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.

## **SCOPE**

College wide.

## **POLICY**

### **I. General**

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 College-owned hazardous chemicals to which their employees may be exposed while performing work at SUNY College of Optometry.

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 humans, animals, or other biological testing is automatically considered to be a health hazard:

1. 29 CFR 1910 Subpart Z – Toxic and Hazardous Substances (OSHA)
2. Threshold Limit Values (TLV) for Chemical Substances and Physical Agents in the Work Environment, American Conference of Governmental Industrial Hygienists (ACGIH) –latest edition

3. National Toxicology Program (NTP) Annual Report on Carcinogens – latest edition
4. International Agency for Research in Cancer (IARC) Monographs – latest edition
5. 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)

The Environmental Health and Safety (EHS) Office has copies of these publications.

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 federal exposure limits called Permissible Exposure Limits (PELs) established. The College will keep the employee records for 40 years.

The College's Right-to-Know Program Coordinator is the Environmental Health and Safety Officer (EHSO). 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/EHSO. Signs will be posted to inform employees that they have the right to know about the Hazardous chemicals to which they are exposed. .

## **II. List of Hazardous Chemicals**

The EHSO will maintain a list of all hazardous chemicals used in the facility and update the list as new chemicals come into the facility. A master list will be in Room 3M05 and at UPD by the 42<sup>nd</sup> and 43<sup>rd</sup> street desks.

Chemical manufacturers and importers are required to evaluate the hazards of chemicals they manufacture. These 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 Safety Data Sheets (SDS). The law requires that chemical manufacturers, importers, and distributors provide SDS for all of their products upon demand.

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

## **III. Safety Data Sheets (SDS)**

The EHSO will maintain an SDS library on every substance in the list of hazardous chemicals located on the master list. The purpose of Safety Data Sheets (SDS) is to provide employees with detailed information of the potential hazards associated with materials used or stored in their work area. A SDS also advises employees on the appropriate way to handle hazardous chemicals, what PPE is required for handling the chemical, how to properly store the chemical, information on handling spill cleanup, etc. Per the revised 2012 HCS, all SDS must have a standardized format organized into the following 16 sections.

The Department Head or designee(s) will ensure that each area maintains an SDS for the hazardous materials in that area. These SDS will be readily available to all employees, will be written in English, and will include the following information:

Section: 1 Identification of the substance or mixture and of the supplier  
Section: 2 Hazards Identification  
Section: 3 Composition/information on ingredients  
Section: 4 First Aid measures  
Section: 5 Firefighting measures  
Section: 6 Accidental release measures  
Section: 7 Handling and Storage  
Section: 8 Exposure Controls / Personal Protection  
Section: 9 Physical and Chemical Properties  
Section: 10 Stability and Reactivity  
Section: 11 Toxicological Information  
Section: 12 Ecological Information  
Section: 13 Disposal Considerations  
Section: 14 Transportation information  
Section: 15 Regulatory information  
Section: 16 Other information including information on preparation and revision of the SDS

The EHSO 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.

#### **IV. Labeling**

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.

It is the responsibility of each Department Head, or designee(s) to ensure that each container in his/her department is labeled, tagged or marked 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 be 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.

The Hazard Communication Standard addresses certain exemptions for in-house labels:

1. 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.
2. 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.
3. If an employee makes a transfer of hazardous chemicals from a labeled container to a portable container for immediate use, labels are not required for the portable.
  4. Warning labels are not required for piped and piping systems. However, contents of such systems should be clearly identified.

Further information regarding labeling may be found in Appendix C to 29CFR1910.1200 Allocation of Label Elements.

**Signal Words** are used to indicate the relative level of severity of a hazard. It alerts the user to a potential hazard. There are only two words allowed: “Danger” and “Warning”. Danger is used for more severe hazards. Warning is used for less severe hazards. Only one signal word will appear on the chemical label. Not all labels will have a signal word; some chemicals are not hazardous enough to require that a signal word appear on the label.

**Hazard Statements** are assigned to a hazard class and category that describes the nature of the hazard based on the chemical hazard classification. For example a hazard statement may be “fatal if swallowed” or “toxic in contact with skin.”

**Precautionary Statements** describe the recommended measures to be taken to minimize or prevent adverse effects from exposure to a hazardous chemical or improper storage or handling of a hazardous chemical. Some examples of precautionary statements are “if swallowed call poison control” or “store away from other materials.”

**Pictograms** are intended to convey specific information about the hazards of a chemical. Pictograms will have a black picture atop a white background within a red square frame set on a point. There are nine pictograms under the 2012 HCS, but only eight are enforced by OSHA. The environmental pictogram for aquatic toxicity is not mandatory because OSHA does not have jurisdictional authority.  
See Attachment A

## V. Training

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 the 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 Environmental Health and Safety Office before a new hazard is introduced to employees. This training will be given by the Environmental Health and Safety Officer.

A written log will be kept by the EHSO of all the employees who have received training. The EHSO will also maintain records of the training needs of each department.

The topics to be included in the training are as follows:

1. Employees rights:

- a. 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.
- b. The right to be informed of the hazardous chemicals used in their work areas.
- c. The right to have access to the College's written Hazard Communication/Right-to-Know Program.
- d. 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.
- e. The right to know that the employee may not be asked to waive these rights as a condition of employment.

\*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.

2. 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.
3. The hazards of the chemicals in the work area.
4. Measures employees can take to protect themselves from the chemical hazards (i.e. personal protective equipment, work practices).
5. Physical and health hazards associated with potential exposure to work place chemicals.
6. Hazardous chemical properties including visual appearance, odor, and methods that can be used to detect the presence of a release of hazardous chemicals.
7. The use of engineering controls.
8. Hazardous chemical spill and leak procedures.
9. Where the chemical list and SDSs are located, how to understand their content, and how employees may obtain and use appropriate hazard information.
10. Explanation of the in-house labeling system.

The determination of which employees are required to receive specific safety training will be based upon exposure. It is the intent of the College 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 situation, as well as exposures encountered during the normal course of employment.

The training format will vary among departments. Classroom instruction, online training, and hands-on instruction will be used as appropriate.

## **VI. Contractors**

The law requires that the College provide hazard information to on-site contractors who have employees that may be exposed to College-owned hazardous chemicals while working at SUNY Optometry. 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 Environmental Health and Safety Office, 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.

## **VII. Non-routine tasks**

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 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 should contact the Department of Environmental Health and Safety for advice concerning the non-routine task.

### **RELATED DOCUMENTS**

29 CFR 1910.1200 *Hazard Communication*

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










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

### **INQUIRIES/REQUESTS:**

Environmental Health and Safety  
Room 3M05  
Office: (212) 938-5581  
Fax: (212) 938-5585

ATTACHMENT A

**HCS Pictograms and Hazards**

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