

Maricopa County Policies and Procedures	Subject: Policy and Procedures for Maricopa County Comprehensive Hazard Communication Plan	Number: A2231 Issue Date: 05/01
Approved: <i>David R. Smith</i>	Initiating Department: Risk Management	

I. PURPOSE

The purpose of the Hazard Communication Standard is to ensure that the hazards of all chemicals produced or imported are evaluated and that information concerning their hazards is transmitted to employers and employees. This transmittal of information is to be accomplished by means of comprehensive hazard communication programs, which are to include container labeling and other forms of warning, material safety data sheets, and employee training. This written plan complies with U.S. Occupational Safety & Health Agency (OSHA) 29 Code of Federal Regulations (CFR) 1910.1200 and Arizona Division of Occupational Safety & Health (ADOSH) Arizona Revised Statutes (ARS) 23-4010, Title 41 Chapter 6. This written plan accomplishes several objectives:

- A. It describes the methods each division shall use to provide training and information to employees regarding hazards in the workplace.
- B. It explains the general and specific approaches Maricopa County shall take to implement the program.
- C. It defines the responsibilities of key county personnel.
- D. It describes the specific procedures that must be followed to ensure employee protection.

II. POLICY

Each county division/department must establish a Hazard Communication Program (HCP) to inform employees of the potential physical and health hazards that may result from exposure to chemical agents in the workplace. Information must be provided to employees by the appropriate use of hazard warning labels, material safety data sheets, and employee training programs. Each division/department shall designate a person(s) responsible for ensuring that the HCP is implemented and reviewed annually. Every division/department shall comply with all policies and procedures outlined in this document.

- A. All County employees exposed to hazardous chemicals shall be trained as outlined in this written program. It shall be the policy of the county to maintain awareness of all hazardous chemicals encountered by its employees and to communicate any associated hazards along with the necessary safety precautions. Also, all visitors and contractors at county facilities and job sites shall comply with this program or be denied access to these areas.
- B. Every effort shall be made to reduce the amount of hazardous materials stored and used at county facilities. County employees should make every effort to choose materials with reduced health and physical hazards.
- C. No hazardous materials will be delivered, stored, or used at any county facility unless they are properly labeled, tagged, or marked. Additionally, Material Safety Data Sheets (MSDS) must be located nearby, and employees have been trained on the properties of the chemical.
- D. As part of the Hazard Communications Program, county employees have the right:
 - To receive information about the materials to which they may be exposed.
 - To have their physician or agent receive information about the hazardous substances to which the employee may be exposed.
 - To avoid retaliation when exercising their "right-to-know" under the Hazardous Communications Program.

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- E. All county employees are subject to disciplinary action for failure to comply with the HCP and other safety policies.

III. DEFINITIONS

- A. **Chemical Agent** - Any chemical, which is a physical hazard or a health hazard. It may be an element, chemical compound or mixture of elements or compounds, but it does not include hazardous wastes regulated by the Environmental Protection Agency (EPA) tobacco and tobacco products wood and wood products or food, drugs, or cosmetics intended for personal consumption by employees.
- B. **Health Hazard** - A chemical 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 chemicals which are carcinogens, toxic or highly toxic agents, reproductive toxins, irritants, corrosives, sensitizers, hepatotoxins, nephrotoxins, neurotoxins, and biological agents which act on the hematopoietic system, and agents which damage the lungs, skin, eyes, or mucous membranes.
- C. **Material Safety Data Sheet (MSDS)** - Written or printed material concerning a hazardous chemical, which is, prepared in accordance with 29 CFR 1910.1200 (g).
- D. **Physical Hazard** - A chemical for which there is scientifically valid evidence that it is a combustible liquid, a compressed gas, an explosive, a flammable, an organic peroxide, an oxidizer, a pyrophoric, an unstable (reactive), or a water-reactive.

IV. PREFACE

Maricopa County strives to maintain a safe and healthful workplace for all its employees. The HCP is part of a larger countywide program to ensure the protection of both human health and environment.

This HCP is intended to address comprehensively the issue of evaluating the potential hazards of chemicals and communicating information concerning hazards and appropriate protective measures to employees. This may include, but is not limited to, provisions for: developing and maintaining a written hazard communication program for the workplace, including lists of hazardous chemicals present; labeling of containers of chemicals in the workplace, as well as types of containers of chemicals being shipped to other workplaces; preparing and distributing material safety data sheets to employees and downstream employers; and developing and implementing employee training programs regarding hazards of chemicals and protective measures.

The HCP shall be located and accessible at all county permanent reporting locations and shall be made known to all county personnel. This HCP is available to employees, employee representatives, and the ADOSH for review. If there are any questions regarding this HCP, please contact the County Hazardous Materials Consultant at the Risk Management Safety Office.

The success of our HCP depends largely upon the cooperation of every employee. Employees should be alert to the potential hazards of all materials in their work area, consult the MSDS for specifics concerning the hazardous chemicals with which they work, and follow the appropriate work practices that have been established to protect their health and safety. The Maricopa County HCP fits the specific needs of OSHA's hazardous communications regulations for General Industry and Construction.

V. HAZARD COMMUNICATION PLAN REQUIREMENTS

OSHA 29 CFR 1910.1200 subpart Z and ARS 23-410 Title 41, Chapter 6 require that government agencies, develop, implement, and maintain at each workplace a written hazard communication program that shall describe labels and other forms of warning, MSDS availability, and how employee information and training will be met, and including the following:

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- A. Describes how in-plant labeling will be accomplished.
 - Who is responsible for making and maintaining labels.
 - Description of the labeling system used.
 - Description of alternative written system (if used).
- B. Describes how the MSDS requirements will be met.
 - Who is responsible for the MSDS program.
 - How MSDS will be obtained and kept for every product used.
 - How MSDS will be made accessible to employees upon request.
 - How MSDS will be checked for obvious omissions (i.e., checklist).
 - How missing MSDS will be requested in writing from vendor.
 - How ADOSH will be notified if vendors fail to respond.
- C. Describes MSDS alternatives (if used, manufacturer duties apply).
- D. Describes how employees are trained.
 - Who is responsible for training.
 - Initial training plan.
 - Update (on new hazards) and refresher training plans.
 - Curriculum of information given.
- E. Provides a complete list of on-site hazardous substances.
- F. Describes how employees will be informed of hazards of non-routine tasks.
- G. Describes how contractors will be informed of hazardous substances.
- H. Requires that written programs be available upon request to employees, ADOSH, and OSHA.

VI. LABELS AND OTHER FORMS OF HAZARD WARNING

A. General Policy

The immediate supervisor shall ensure that labels or other forms of warning are legible, in English, and prominently displayed on the container, or readily available in the work area throughout each work shift. Employers with employees who speak other languages may add the information in that language to the material presented, provided the information presented includes an English version. The identity of the material that appears on the manufacturer's or sector's label and/or tag and marked container shall be the same name used to identify the material in the MSDS for that substance. All containers of hazardous substances entering or leaving county workplace must be labeled, tagged or marked with the identity of the hazardous substance(s), appropriate hazard warnings and name and address of the manufacturer or other responsible party.

B. Manufacturer's products or Sector Generated Materials:

Materials:

1. No hazardous substance will be accepted for use in the division or shipped by the sector unless the container is labeled, tagged or marked as appropriate with at least the following information:
 - Identity of the hazardous chemical(s).
 - Appropriate physical and health hazard warnings.
 - Name and address of the manufacturer, distributor or other responsible party.

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2. Should the original label become defaced, the county user shall contact their supervisor or the designated person(s) responsible for a replacement label. In the interim, the label appearing below must be used

Manufacturer: _____

Chemical Name: _____

Physical Hazards: _____

Special Precautions: _____

3. The hazardous material label used shall be in accordance with the requirements of OSHA and DOT standard.

4. The National Fire Protection Association (NFPA) labeling system (NFPA No. 704 M) characterized by a color coded diamond shaped symbol shall be used at all sector designated hazardous materials storage areas.

C. Workplace containers of Hazardous Chemicals & Waste

1. It is the county's policy that all portable containers involving hazardous chemicals shall be labeled. The labels may be purchased commercially or the employee making the chemical transfer can fill in the label appearing below.

NOTE: Transfer required information from original label.

**Maricopa County
Label for Transfer of Chemicals
From One Container to Another**

Manufacturer: _____

Chemical Name: _____

Physical Hazards: _____

Special Precautions: _____

2. Where it is not feasible to label individual stationary process containers, an alternate method such as signs, placards or batch process sheets may be used to convey the identity of the hazardous chemical and the appropriate hazard warnings of the applicable container. The written materials must be readily accessible to employees in their work area throughout each work shift.

D. Responsibility for Ensuring Proper Labeling:

1. Superintendents/Supervisors/Site Managers

For all county facilities, reporting locations and job locations, the Superintendent, supervisor, site manager, or his/her designated representative shall examine the labels of all containerized products located at the work area. The containers shall be marked with the required information as described above.

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Commercial or vendor distributed products are not to be received unless they are appropriately marked, tagged or labeled.

*In Maricopa County, the field superintendent is the most senior supervisor assigned to a work area, but in no case shall be a position lower than a front line supervisor.

2. Divisions/Department:

Each county division is responsible for annual reviews, updates, and conformance to labeling procedures used at its locations.

3. Risk Management Safety Office.

The Safety Office is responsible for providing assistance for reviewing labeling procedures throughout Maricopa County.

4. Materials Management.

Materials Management shall only accept hazardous materials with proper labels and MSDS and will not deliver or transfer, or release hazardous materials to the requesting division/department without proper labels and MSDS.

E. Responsibilities for Ensuring Labeling of Containers Shipped by a Division/Department

1. Supervisors/Field Managers

Supervisors and field managers of warehouses, shops, transportation, field or other facilities that ship products or containers of hazardous materials shall ensure that they are properly labeled and accompanied by an up-to-date MSDS.

If there is any question about the Hazard Communication Standard concerning labeling of any product that has been generated by the department, the assistance of the County Hazardous Materials Consultant should be obtained.

VII. MATERIAL SAFETY DATA SHEETS (MSDS) INFORMATION:

A. Responsibility of Obtaining/Maintaining MSDS

1. Division/Department

Each division/department shall be responsible for the acquisition of MSDS for each facility or appropriate work location. This is to allow more rapid provision and access to MSDS.

Upon receipt of an MSDS, each department will provide copies of the collected MSDS by work location to the county Safety Office.

2. Risk Management Safety Office

The Safety Office will have the master file of MSDS for all departments. The County Hazardous Materials Consultant will maintain satellite yards and workplaces. A file of MSDS of hazardous substances at work areas shall be maintained at the work areas. The supervisor is responsible for maintaining current MSDS relating to their operation, and the department is responsible for acquiring and transmitting work area MSDS to supervisors. Field supervisors will make available

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MSDS to employees at work areas. If a supervisor does not have a specific MSDS for a hazardous substance that is brought into their work area, the supervisor shall obtain the MSDS from the department. The material will not be used at any work area until the proper MSDS has been received.

If an MSDS has not been received from a vendor, the division/department or the county Hazardous Materials Consultant is responsible for requesting the MSDS from the vendors.

If a requested MSDS has not been received within 25 working days from the date of the request, or the MSDS is deficient, the Safety Office shall be notified, who will then contact ADOSH. The purchase of the product shall be immediately halted.

The Safety Office will serve as the central repository for all county MSDS. The Safety Office will maintain copies of all MSDS indexed by product name. Upon request from field personnel, the Safety Office will provide the desired MSDS information. Once each division/department has submitted their MSDS by work location, the Safety Office shall:

- Screen the MSDS for their integrity.
- Report any deficient MSDS to the manufacturer.
- Document efforts to obtain new MSDS.
- Maintain a master file and list of MSDS.

3. Materials Management

The Maricopa County Materials Management Department shall ensure that the MSDS are requested on each purchase order or bid specification and that the MSDS are sent to the user departments and the county Safety Office for all products purchased requiring MSDS.

4. Other Chemical Purchases

With the objective of determining whether a chemical is hazardous or not, all new chemicals considered for purchases must include an MSDS and review by the Safety Office prior to purchase. Copies of MSDS shall be sent to the Safety Office, using division/departments and work locations.

B. Division/Department Generator of By-Products Used in Commerce

Divisions or departments must prepare an MSDS for any potentially hazardous product they create which is used or transported in commerce.

C. Organization and Accessibility of MSDS in Work Areas

MSDS for chemicals and/or products used at work sites shall be located in notebooks maintained by the field supervisor and shall be made available to employees at the work site upon request. The MSDS shall be grouped and indexed by chemical class, manufacturer or alphabetized product name for easy access.

D. Updating MSDS Information

It is expected that manufacturers shall update the MSDS for products they sell to the county as new health or physical requirements are learned. The Safety Office shall also track hazard information on hazardous substances. Since they are responsible for reviewing manufacturer's MSDS, they shall notify the manufacturer if there is a difference of opinion on the health hazard determined or precautions suggested on the MSDS.

E. Forwarding Division/Department Prepared MSDS

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If a division/department prepares its own MSDS for a product it distributes, the MSDS shall be prepared and/or revised by the line supervisor whenever new information is acquired. A copy of the new MSDS will be sent immediately to the Safety Office.

F. Supplements to MSDS

In some instances, a division/department may prepare supplemental MSDS or written procedures for protection from certain hazardous substances. These MSDS or procedures may be used to supplement a manufacturer's MSDS as part of the employee orientation and training.

VIII. LIST OF HAZARDOUS CHEMICALS

The county Hazardous Material Consultant will maintain a master file of lists of hazardous chemicals at all departments and satellite yards. A list of hazardous materials on work sites shall be posted and maintained at the division and department levels and at satellite yards by the field supervisors. Divisions/departments and the field supervisor are responsible for maintaining current MSDS and inventories of all hazardous chemicals on site and shall update inventories and MSDS semi-annually for accuracy. Each division/department shall provide MSDS as required along with a copy of the chemical inventory to the Safety Office as required every six months.

IX. REVIEW OF HAZARDOUS MATERIALS PURCHASE

Materials already on hand shall be inspected by the Safety Office to ensure compliance with the Hazard Communication Standard (29 CFR 1910.1200).

Highly toxic materials, which are potentially hazardous in their current use, shall be identified and safer substitutes shall be recommended, if possible. The Safety Office shall also review future purchases of hazardous materials.

X. EMPLOYEE TRAINING

A. General

The Safety Office shall publish a bulletin for all employees notifying them of this Hazard Communication Program, its basic elements, and the division's/department's plans for training.

Employees shall be informed of their rights and access to information. They shall review MSDS for hazardous substances they may encounter at the jobsite. Notices shall be posted at employee reporting locations advising them of the location of records and their rights.

The Hazardous Communication Training Plan shall be conducted for all potentially exposed employees. For training schedule, contact the county Hazardous Materials Consultant.

A written record of the employee's training shall be maintained by the division/department for three years past termination of employment, and a copy forwarded to the Safety Office. The training record shall include name, date, and type of training, trainer, and signatures of the trainee and trainer.

B. Training Program Curriculum

1. Training skills for Trainers
2. ADOSH Hazard Communication Standard
3. The Maricopa County Hazard Communication Plan
4. Labeling system and alternative labeling system(s)
5. Detailed training, including methods used for detection of hazardous substances, emergency procedures, and first aid and disposal practices
6. Review of specific MSDS for chemicals used by those employees

C. Designated Person(s) Responsible for Training

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1. Initial Training

- A nationally recognized agency will train Safety Office personnel.
- Maricopa County Risk Management Safety Office personnel will train all supervisors.
- All employees (including volunteers, and correctional custody personal), upon assignment to a workplace or work area with possible hazardous substances, shall receive hazard communication training by their supervisor.

2. On-Going Training

- Field supervisors, or their designees, shall instruct all new employees on hazardous materials in their work area. Safety Office personnel may provide this training upon request.
- Field supervisors, or their designees, shall provide refresher training annually for those employees that require training. Safety Office personnel may provide this training, upon request.

D. New Hazards Training

When new hazards enter the work place or work area, employees who may be exposed shall receive appropriate training by their supervisor, or Safety Office personnel, if requested, before working with the new hazard. These situations may arise when:

- A new chemical is used or identified.
- The manufacturer has updated a MSDS.
- New scientific findings are made available.

XI. HAZARDS OF NON-ROUTINE TASKS

Before initiating a non-routine task involving a hazardous substance, all affected employees shall be advised by the work area supervisor of potential exposure to the specific hazardous substances and be provided and trained on appropriate standard operating procedures for personal protection, emergency procedures, effects of overexposure, first aid, and disposal, where appropriate. The appropriate MSDS should be consulted. The Maricopa County Safety Office is available for assistance.

XII. CHEMICALS IN PIPES

All pipes containing hazardous substances shall be labeled or marked with one of the methods listed in 29 CFR: 1910.1200 (f, 4:6) - Hazard Communication Standard.

All employees working in the area where the pipe is located shall be trained in the use and understanding of the pipe labeling system by the work area supervisor or his designated representative. In the event of a pipe leak, emergency response personnel shall be made aware of the materials present in the pipe. All abandoned pipes, which may contain hazardous materials, will be tested before removal.

XIII. ON-SITE CONTRACTORS

Whenever a contractor is doing work on an asset of Maricopa County managed by a county division or supervised by a designated county department authority, the county department shall notify the contractor of the existence of any hazardous substance or waste on or at that asset. The contractor shall notify the department supervisor/inspector of any hazardous substances that will be brought to and/or used at the workplace. Both parties as per this requirement shall provide MSDS to the division authority and the Safety Office.

The training of all contractor employees shall be the sole responsibility of the contractor. The county department workplace supervisor or county department inspector will ensure that the contractor has complied with all applicable regulations by inspecting a roster of personnel who have received Hazard Communication Standard (29 CFR 1910.1200) training.

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All contractors working for Maricopa County will have an appropriate Health & Safety Plan that includes a complete inventory of hazardous materials to be used with appropriate MSDS.

XIII. TRADE SECRETS: REF. CFR 1910.1200 (i)

A "trade secret" is something that gives a company an opportunity to obtain an advantage over competitors who do not know it or use it. Chemical industry trade secrets are generally formulas, process data, or a "specific chemical identity." The latter is the type of trade secret information referred to in the Hazard Communication Standard. The term includes the chemical name, the Chemical Abstracts Services (CAS) Registry Number, or any other specific information, which reveals the precise designation. It does include common names.

The standard strikes a balance between the need to protect exposed employees and the employer's/company's need to maintain confidentiality of a *bona fide* trade secret. This is done by providing for limited disclosure to health professionals who are furnishing medical or other occupational health services to exposed employees under specified conditions of need and confidentiality.

A. Medical Emergency

The chemical manufacturer, importer, or employer must immediately disclose the specific chemical identity of a hazardous chemical to a treating physician or nurse when the information is needed for proper emergency first aid treatment. As soon as circumstances permit, the chemical manufacturer, importer or employer may obtain a written statement of need and a confidentiality agreement.

B. Non-Emergency Situations

In non-emergency situations, chemical manufacturers, importers or employers must disclose the withheld specific chemical identity to health professional providing medical or other occupational health services to exposed employees, if certain conditions are met. The provision for obtaining trade secret information can be found in **hazard communications 29 CFR1910.1200 (i)**, Trade Secrets.