

Veolia North America - Industrial Business

February, 2021

ENVIRONMENTAL UPDATES

No Environmental Updates for February 2021

TRANSPORTATION UPDATES

No Transportation Updates for February 2021

HEALTH & SAFETY UPDATES

- A. [OSHA; Hazard Communication Standard; Proposed Rule](#)

MISCELLANEOUS UPDATES

No Miscellaneous Updates for February 2021

A. Hazard Communication Standard; Proposed Rule

Agency

Occupational Safety and Health Administration (OSHA)

Dates

Published Date: 02/16/2021

Comments Due: 04/19/2021

Summary

The Department of Labor's Occupational Safety and Health Administration (OSHA) has issued a proposed rule to update the agency's Hazard Communication Standard (HCS) to align with the seventh revision of the Globally Harmonized System of Classification and Labelling of Chemicals (GHS). This update is being proposed to address issues that arose during the implementation of the 2012 update to the HCS, and provide better alignment with other U.S. agencies and international trading partners, without lowering overall protections of the standard.

Comments on this NPRM (including requests for hearing) and other information must be submitted by April 19, 2021.

OSHA expects that the proposed revisions will enhance the effectiveness of the HCS by ensuring employees are appropriately apprised of the chemical hazards to which they may be exposed, thus reducing the incidence of chemical-related occupational illnesses and injuries. OSHA estimates that the proposed rule would result in net cost savings of \$26.8 million per year at a 7 percent discount rate, as shown in Table ES-1, (a summary of annualized costs by affected industry). Annualized at a 3 percent discount rate, OSHA estimates that the proposed rule would result in net cost savings of \$27.5 million per year.

The proposed modifications to the standard include:

1. Revised criteria for the classification of certain health and physical hazards to better capture and communicate the hazards to downstream users,
2. Revised provisions for labels (including proposed provisions addressing the labeling of small containers and the re-labelling of chemicals that have been released for shipment),
3. Technical amendments related to the contents of SDSs, and
4. New provisions relating to concentrations or concentration ranges being claimed as trade secrets.

Some of the proposed requirements that would change include the following, as outlined in Table 1 Collection of Information requirements being revised in the Hazard Communication Standard:

- Requiring that the label includes the date the chemical is released for shipment
- Allowing the label for bulk shipments of hazardous chemicals to be on the immediate container or be transmitted with the shipping papers, bills of lading, or other technological or electronic means so that it is immediately available to workers in printed form on the receiving end of the shipment.
- Where a pictogram is required by the Department of Transportation under Title 49 of the Code of Federal Regulations to appear on the label for a shipped container, the pictogram specified in Appendix C.4 for the same hazard is not required.
- Chemicals that have been released for shipment and are awaiting future distribution need not to be relabeled; however, the chemical manufacturer or importer must provide the updated label for each individual container with each shipment.
- Adding 29 CFR 1910.1200(f)(12) Small container labelling. This paragraph applies where the chemical manufacturer, importer, or distributor can demonstrate that it is not feasible to use pull-out labels, foldback labels, or tags containing the full label information required by (f)(1). For containers less than or equal to 100 ml capacity, the following information is required - product identified, pictogram(s), signal word, chemical manufacturer's name and phone number, and a statement that the full label information for the hazardous chemical is provided on the immediate outer package. For a container less than or equal to 3 ml capacity, where any label would interfere with the normal use of the container, no label is required but the container must bear, at a minimum, the product identifier. For these containers the full label information required by 29 CFR 1910.1200(f)(1) for each hazardous chemical must be on the immediate outer package. The label must not be removed or defaced, as required by 29 CFR 1910.1200(f)(9). There must also be a statement that the small container(s) inside must be stored in the immediate outer package bearing the complete label when not in use.

Reference/Link

The link below will allow you to view/print this Proposed Rule.

<https://www.govinfo.gov/content/pkg/FR-2021-02-16/pdf/2020-28987.pdf>