



**LAMAR UNIVERSITY**  
**HAZARD COMMUNICATION PLAN**

This plan, in conjunction with individual Departmental Plans, is intended to meet the  
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**Preamble**

Because of the very varied circumstances in which various departments within the University work with hazardous substances, the University requires each department to provide education and training, meeting the requirements of the Hazard Communication Act as outlined below, and appropriate to the particular chemicals and operations within the department, to students and employees.

**Definitions**

hazardous chemicals that has not been declared as waste (and thus regulated under 42 U.S.C. Section 6901 et seq as a hazardous waste).

Other definitions (from the Hazard Communication Act)

"Chemical name" means:

(A) the scientific designation of a chemical in accordance with the nomenclature system developed by the International Union of Pure and Applied Chemistry (IUPAC) or the  
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the OSHA standard in 29 CFR Section 1910.1200(d)(3), or by OSHA's written interpretations. A hazard determination may be made by employers who choose not to rely on the evaluations made by their suppliers if there are relevant qualitative or quantitative differences. A hazard determination shall involve the best professional judgment.

"Health hazard" has the meaning given that term by the OSHA standard (29 CFR 1910.1200(c)).

"Identity" means a chemical or common name, or alphabetical or numerical identification, that is indicated on the material safety data sheet (MSDS) for the chemical. The identity

## **Applicability Hazardous Substances Covered**

The Hazard Communication Act does not apply (although other statutory and regulatory requirements almost always do apply) to

(1) any hazardous waste, as that term is defined by the federal Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. Section 6901 et seq.), when subject to regulations issued under that Act by the Environmental Protection Agency;

(2) a substance in a laboratory under the direct supervision or guidance of a technically qualified individual if:

(A) labels on incoming containers of chemicals are not removed or defaced;

(B) the employer complies with the MSDS requirements below and the Employee Training requirements below with respect to laboratory employees; and

(C) the laboratory is not used primarily to produce hazardous chemicals in bulk for commercial purposes;

(3) tobacco or tobacco products;

(4) wood or wood products;

(5) articles ["Article" means a manufactured item: (A) that is formed to a specific shape or design during manufacture; (B) that has end-use functions dependent in whole or in part on its shape or design during end use; and (C) that does not release, or otherwise result in exposure to, a hazardous chemical under normal conditions of use.]

(6) food, drugs, cosmetics, or alcoholic beverages in a retail food sale establishment that are packaged for sale to consumers;

(7) food, drugs, or cosmetics intended for personal consumption by an employee while in the workplace;

(8) any consumer product or hazardous substance, as those terms are defined in the Consumer Product Safety Act (15 U.S.C. Section 2051 et seq.) and Federal Hazardous Substances Act (15 U.S.C. Section 1261 et seq.), respectively, if the employer can demonstrate it is used in the workplace in the same manner as normal consumer use and if the use results in a duration and frequency of exposure that is not greater than exposures experienced by consumers;

(9) any drug, as that term is defined in the Federal Food, Drug, and Cosmetic Act (21 U.S.C. Section 301 et seq.); and

(10) radioactive waste.

The specific **labeling** provisions of the Hazard Communication Act do not apply (although other statutory or regulatory provisions may well apply) to

(1) any pesticide, as that term is defined in the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. Section 136 et seq.), when subject to the labeling requirements of that Act and labeling regulations issued under that Act by the Environmental Protection Agency;

(2) any food, food additive, color additive, drug, cosmetic, or medical or veterinary device, including materials intended for use as ingredients in those products such as flavors and fragrances, as those terms are defined in the Federal Food, Drug, and Cosmetic Act (21 U.S.C. Section 301 et seq.) and regulations issued under that Act, when they are subject to the labeling requirements under that Act by the Food and Drug Administration;

(3) any distilled spirits that are beverage alcohols, wine, or malt beverages intended for non-industrial use, as those terms are defined in the Federal Alcohol Administration Act (27 U.S.C. Section 201 et seq.) and regulations issued under that Act, when subject to the labeling requirements of that Act and labeling regulations issued under that Act by the Bureau of Alcohol, Tobacco, and Firearms; and

(4) any consumer product or hazardous substance, as those terms are defined in the Consumer Product Safety Act (15 U.S.C. Section 2051 et seq.) and Federal Hazardous Substances Act (15 U.S.C. Section 1261 et seq.), respectively, when subject to a consumer product safety standard or labeling requirement of those Acts or regulations issued under those Acts by the Consumer Product Safety Commission.

### **Material Safety Data Sheets (MSDS)**

Each department shall maintain a legible copy of a current MSDS for each hazardous chemical purchased. If the department does not have a current MSDS for a hazardous chemical when the chemical is received at the workplace, the department shall request an MSDS in writing from the manufacturer or distributor in a timely manner or shall otherwise obtain a current MSDS.

Material safety data sheets shall be readily available, on request, for review by employees, students or designated representatives at each workplace.

Departments with web-enabled computers readily available to employees and students at all times when any work is in progress may wish to use web access as the primary means of accessing MSDSs. Links to numerous free sites are available at <http://www.ilpi.com/msds/> In general, MSDSs are located much more quickly on the web





The workplace chemical list will normally be prepared for each work area or temporary workplace and made readily available to employees and students and their representatives in that area. All employees and students shall be made aware of the workplace chemical list before working with or in a work area containing hazardous chemicals. This list will normally be February of each year, but will be updated whenever significant changes occur.

The University is required to maintain a workplace chemical list for at least 392p4( le)-3(a)-3(st 3(st d00