

CHAPTER 19. FAA HAZARD COMMUNICATION PROGRAM

1900. GENERAL. This chapter establishes minimum requirements for the evaluation of potential hazards for all chemicals used by the FAA as well as the evaluation of the potential for non-user exposure to hazardous chemicals, both of which require the transmission of that information to managers and employees under the requirements of the U.S. Department of Labor, Occupational Safety and Health Administration's (OSHA), *Hazard Communication* Standard (HCS), 29 CFR 1910.1200. Additional implementation guidance will be developed by responsible organizations to support this policy, and shall be followed.

1901. BACKGROUND. OSHA promulgated its HCS to provide workers with the right to know the hazards and identities of the chemicals they are exposed to while working, as well as the measures they can take to protect themselves. According to the National Institute for Occupational Safety and Health (NIOSH) there may be over 650,000 hazardous chemicals used in the workplace, and some 40-50,000 manufacturing workers experienced chemical source injuries and illnesses each year. There is no expectation that chemical exposure is widespread in the FAA; however, there is sufficient exposure to warrant a program of employee protection.

1902. SCOPE. This chapter applies to all personnel in FAA-owned or leased buildings and/or facilities and all FAA personnel in General Services Administration (GSA)-controlled buildings and/or facilities. This includes, but is not limited to, employees involved in purchasing, receiving, using, and disposing of chemicals in the workplace. This chapter also covers employees who do not use hazardous chemicals but who may be exposed to chemicals during normal operations or in a foreseeable emergency; e.g., boiler maintenance, aircraft accident investigation, or aircraft certification inspections. FAA contractors and sub-contractors who use or transport chemicals must have their own hazard communication program and comply with paragraph 1905d of this chapter. *Exceptions:* The HCS and this chapter have limited application for laboratories and distributors like the Logistics Center at the Aeronautical Center. (See paragraphs 1910.1200(b)(3) and (4) of the HCS.) Also, office workers who occasionally change the toner in copying machines are not covered by the HCS.

1903. GOALS AND OBJECTIVES.

a. Before any employee is exposed to any chemical in the workplace, the health and physical hazards of that chemical shall be evaluated, and the information obtained from that evaluation shall be communicated to the employee, including methods of protection from the hazards.

b. All FAA organizations shall review their acquisition procedures to ensure that purchased or otherwise acquired chemicals are evaluated for hazard potential, that their containers are labeled in accordance with the HCS, and that a Material Safety Data Sheet (MSDS) is available at the worksite prior to use.

c. All chemicals used or stored in FAA workplaces that are covered by the HCS shall be identified for inclusion in an annually updated inventory or listing.

d. An effort to identify reasonably foreseeable non-use exposure to hazardous chemicals in FAA workplaces or work sites shall be undertaken for the purpose of communicating to employees the potential for exposure and ways that the potential for exposure can be eliminated or reduced.

1904. DEFINITIONS.

a. Carcinogen. A substance that can cause cancer in humans. See 1910.1200(d)(4) for names of publications accepted by OSHA as sources of information for establishing the carcinogenicity of chemicals.

b. Chemical. Any element, compound, product, or mixture of elements and/or compounds as liquids, solids, gases, vapors, or fumes that are stored, handled, used, or disposed of at FAA facilities. As defined by the OSHA standard, chemicals do not include foods, medicine, or items prepared and used for personal consumption. It does not include any consumer product or hazardous substance (such as office supplies) used in the workplace

for the purpose intended by the chemical manufacturer or importer of the product, and the use results in a duration and frequency of exposure which is not greater than the range of exposures that could reasonably be experienced by consumers when used for the purpose intended.

c. Excessive exposure. An exposure to a hazardous chemical that is in excess of an OSHA standard for toxic and hazardous substances listed in Subpart Z of the regulations or, in the absence of a quantitative OSHA standard, in excess of current Threshold Limit Values published by the American Conference of Governmental Industrial Hygienists or current Recommended Exposure Limits published by the National Institutes for Occupational Safety and Health. An FAA medical officer or certified industrial hygienist may be consulted to determine if an exposure is excessive.

d. Exposure. The process in which an employee is subjected in the course of employment to a chemical that is a physical or health hazard, and includes potential (e.g., accidental or possible) exposure. "Subjected" in terms of health hazards includes any route of entry (e.g., inhalation, ingestion, skin contact, or absorption.)

e. Exposure evaluation. Exposures through inhalation can be measured by monitoring airborne levels of the chemical and comparing estimates of exposure durations with work shifts and duties. Evaluation of exposures through ingestion and contact with the skin must include determining the concentration of the chemical, duration of contact with different parts of the anatomy, and other factors.

f. Hazard determination. The determination of whether a chemical potentially could cause a physical or health hazard when stored, used, handled, disposed, or if otherwise known to be present during the performance of workplace duties.

g. Hazardous chemical. Any chemical which is a physical hazard or a health hazard.

h. Hazardous chemical inventory. An annually updated list of all hazardous chemicals in each facility. The list includes the product and manufacturer's name and other appropriate information, and is maintained with that facility's written hazard communication plan.

i. 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. Appendix A of the HCS provides additional information on what constitutes a health hazard.

j. Material Safety Data Sheet (MSDS). An MSDS provides detailed information (see the HCS for detailed requirements) on each hazardous chemical, including its potential hazardous effects, its physical and chemical characteristics, recommendations for appropriate protective measures, and safe disposal. A manufacturer must prepare an MSDS if a product contains 1% or more of a hazardous chemical and/or 0.1% or more of a hazardous chemical that is also a carcinogen. Additional research may be conducted on each chemical; however, MSDS's that contain all required information will be regarded as adequate for the agency program.

k. Physical hazard. A chemical for which there is scientifically valid evidence that it is a combustible liquid, a compressed gas, explosive, flammable, an organic peroxide, an oxidizer, pyrophoric, unstable (reactive), or water-reactive.

l. Written hazard communication program. A written, facility-specific plan that contains details on how the facility will comply with the HCS, and procedures that will be followed to effectively control and manage the acquisition, use, and disposal of hazardous chemicals. A written hazard communication program is also required if employees are exposed to hazardous chemicals known to be present in a workplace, and must be developed whether FAA generates the hazard or the hazard is generated by another employer.

1905. KEY PROGRAM ELEMENTS. A hazard communication program manager shall be appointed in writing to coordinate overall implementation and oversight of the Hazard Communication Program for all FAA lines of business, both at headquarters and in the regions and centers, where chemicals are used or may be encountered as described in this chapter. Prior to the acceptance of a chemical from an outside manufacturer or the use of any chemical by FAA employees, and prior to the exposure of non-chemical-using employees to hazardous chemicals, a written hazard communication program must be developed and implemented in accordance with applicable sections in the HCS. The written program must be available before an employee may be exposed to chemicals and contain at least the following elements:

a. Hazardous Chemical Identification. A hazard determination must be performed and a hazardous chemicals list prepared, and updated annually, of chemicals and chemical products in the workplace that meet OSHA's definition of a hazardous chemical. See 1910.1200(d) and Appendices A and B of the HCS for assistance. The list must address chemicals in all physical forms. The hazardous nature of the chemical and the potential for exposure are the factors that determine whether a chemical is covered.

b. MSDS. A MSDS must be obtained for each hazardous chemical in the workplace. Procedures must be established to ensure that MSDS's are requested for all newly acquired chemicals, purchased or otherwise. If an MSDS is not found for any hazardous chemical, one must be obtained, if available. MSDS's must be made readily accessible to employees when they are in their work areas during their work shifts. For non-user exposure to chemicals, every effort shall be made to obtain applicable MSDS's or comparable information.

c. Labels and Other Forms of Warning.

(1) In addition to the information available from an MSDS, containers of hazardous chemicals used in the workplace must be labeled in English, tagged, or marked with the identity of the material and appropriate hazard warnings. In this way, when an employee picks up a container containing a chemical, he/she can read immediately what are the hazards of that chemical, and what he/she must do to use the chemical safely. Chemical manufacturers, importers, distributors, or other responsible parties are required to ensure that every container of hazardous chemicals they ship is appropriately labeled.

(2) If a chemical is subsequently transferred in the workplace from a labeled container to another container (for example, a maintenance worker fills a can with some kind of cleaner from a large labeled drum), the individual transferring the chemical will have to label that smaller container with the identity of the material and appropriate hazard warnings. *Exception:* Labeling of the container is not required if the transferred chemical is for the immediate use of an individual and will be under the control of, and used only by, the person who transfers it from a labeled container and only within the work shift in which it is transferred.

d. Requirements for Contractors or Other Outside Personnel.

(1) Whenever contractors or other outside servicing personnel are engaged in work on an FAA-owned or controlled site that may expose them to hazardous chemicals already present at the site, the FAA shall provide the contractors with on-site access to MSDS's for each hazardous chemical the contractor's employees may be exposed to while working; information regarding precautionary measures (e.g., engineering controls or personal protective equipment (PPE)) that need to be taken to protect employees during normal operating conditions and in foreseeable emergencies; and information concerning the labeling system used in the workplace. Contractors will be responsible for providing their own PPE.

(2) Whenever contractors bring hazardous chemicals onto any FAA-owned or controlled site, they must provide the facility manager with copies of MSDS's for each chemical they bring on-site; provide information regarding precautionary measures (e.g., engineering controls) they will take to avoid excessive exposure to FAA employees; and post copies of the MSDS's adjacent to the work project. FAA safety staff and/or representatives will evaluate whether additional engineering controls or PPE should be provided to FAA employees who may be

working in or near the construction work activity.

e. Employee Information and Training.

(1) Each FAA employee who may be exposed to hazardous chemicals must be provided information and training prior to initial assignment to work with a hazardous chemical, and again when the hazard changes. Information and/or training also must be provided to employees who do not use chemicals but who may be exposed to hazardous chemicals during normal work operations or during foreseeable emergencies.

(2) Information and training may be done either by individual chemical, or by categories of hazards (such as flammability or carcinogenicity). If there are only a few chemicals in the workplace or at the work site, then each one can be discussed individually.

(3) Training shall include methods and observations that may be used to detect the presence or release of a hazardous chemical in the work area or at the work site.

(4) Training shall include specific procedures to be followed when performing non-routine tasks, or when potential exists for exposure to chemical agents in unlabeled pipes or equipment.

f. Employee Notification Requirements in Facilities. Employees who will not be engaged in the use or handling of hazardous materials shall be notified by management of the types of hazardous chemicals that are planned for use in the facility, appropriate safety information, and procedures to follow in the event of an emergency. In situations where more than one line of business work in the same building, the official authorizing the use of chemicals in the facility shall be responsible for notifying applicable other local management officials, associated labor organization representatives, and safety and health representatives at that location.

g. Program Evaluation. The written hazard communication program shall include a paragraph addressing periodic evaluation and updating of the region's/center's hazard communication program.