



NORTHEAST STATE

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HAZARD COMMUNICATION AND THE TENNESSEE RIGHT TO KNOW LAW

May, 2022

**Office of Safety, Security and Plant
Operations 423.354.5224**

Hazard Communication Right-To-Know Program

The Northeast State Community College Hazard Communication & Right-To-Know Program is modeled after the Tennessee Hazardous Chemical Right-To-Know Act passed by the Tennessee General Assembly on May 23, 1985. The Tennessee Right-To-Know Law was enacted because of the expressed concern relative to the proliferation and variety of chemicals present in our society and their effect on the safety, health, and welfare of persons living and working in Tennessee.

The intent and purpose of Northeast State Community College's Hazard Communication & Right-To-Know Program is to provide necessary information that will enable the college employees and students to know the hazards and identities of the chemicals they are exposed to and how to protect themselves from adverse effects of chemicals. The RTK program is reviewed and updated annually

The college's Right-To-Know Program centers on the completion of the following:

1. Assigning an individual responsible for implementing the program in each department, or, if necessary, in each work area.
2. Making a list of all chemicals and by-products used, stored, or produced in each department or area.
3. Obtaining a current Safety Data Sheet (SDS) for each chemical, substance, or by-product listed.
4. Understand how to determine which chemicals, by-products, or substances are hazardous.
5. Preparing the Workplace Hazardous Chemical List.
6. Submitting the hazardous chemical list to the Office of Safety, Security and Plant Operations for compilation and submission to local emergency response agencies. The hazardous chemical list due on January 1 of each year.
7. Ensuring that all containers are properly labeled.
8. Training the employees
9. Multi-employer workplaces (non-employees of Northeast State Community College who may have exposure while they are on any of NeSCC sites).

Notification

The Occupational Safety Health Administration (OSHA) poster "You Have a Right to a Safe and Healthful Workplace" will be the means of informing employees about their rights under the Tennessee Hazardous Chemical Right-To-Know Act. These posters, available from the Office of Safety, Security and Plant Operations must be displayed in a conspicuous location for each area.

Roles and Responsibilities

The overall responsibility for the program lies with the Special Assistant to the President for Safety, Security and Plant Operations. The Special Assistant shall:

1. Coordinate, audit and determine compliance of NeSCC's Hazard Communication Program including annual updates and revisions.
2. Maintain the online library for Safety Data Sheets.
3. Submit any required regulatory agency reports.
4. Collect and keep records of chemical inventory reports.
5. Work with local fire departments to provide chemical inventory, Material Safety Data Sheets / Safety Data sheets, contact information for college personnel to be contacted during an emergency situation.
6. Make available necessary training to ensure compliance.
7. Serve as a resource for questions and comments concerning NeSCC Hazard Communication Program.

Department Heads and Supervisors

1. Ensure that all employees who might have exposure to hazardous chemicals are trained and understand the Hazard Communication Program / Right to Know Law.
2. Provide proper Personal Protective Equipment for employees.
3. Assure that students, visitors, contractors, sub-contractors, vendors, salesperson(s) are informed of where any hazardous chemicals are located and provide necessary precautions to ensure their safety.
4. Provide access to computer terminals for <https://www.msdsonline.com/>
5. Assure that all containers are properly labeled
6. Respond to emergency situations such as employee or student exposure, spills / leaks, fires.

OSHA Laboratories Coordinator shall:

1. Conduct routine inspections to assure compliance with safety processes that protect workers from the dangers of hazardous chemicals.
2. Maintain the Chemical Inventory.
3. Assure that all containers are properly labeled.
4. Serve as Administrator to the <https://www.msdsonline.com> system.

Hazardous Determination

The college is required by the Right-To-Know Law to maintain an inventory of all hazardous chemicals/materials in the workplace. From this inventory, information is obtained to aid employee education and training, and data is compiled for submission to the Department of Labor if requested and local emergency response agencies concerning the hazards on campus. It is essential that all departments complete inventories as accurately as possible. Safety Data Sheets may be used to evaluate whether the listed chemicals are hazardous chemicals.

Hazardous chemicals are listed in the “Hazardous Ingredients” section of the Safety Data Sheets.

Safety Data Sheets*

Northeast State Community College is aligned with the Globally Harmonized System (GHS).

All manufacturers and distributors supplying Northeast State Community College with products that contain hazardous chemicals must provide the college with a Safety Data Sheet (SDS) for that product. The SDS must be provided prior to or with the initial shipment of the product to the college. If an SDS is updated, a copy should be forwarded with the first shipment of chemicals after occurrence of the update. If a product is not considered hazardous, the supplier must provide a statement to that effect. If an SDS is not shipped with the product or received within five (5) days after shipment, the department should request the SDS from the office of Environmental Health, Safety and Sustainability. SDS sheets can also be requested through the <https://www.msdsonline.com> system.

Safety Data Sheets are not required for products that are:

1. Packaged in small containers (such as spray cans), **and**
2. Used infrequently, **and**
3. Obtained from general retail stores.

Note: The hazardous chemical must meet **all three** requirements to be exempt from the SDS rules.

Each department will provide computer access to electronic copies of the current Safety Data Sheets on each hazardous chemical in the workplace. Safety Data Sheets are available on MSDSONline.com and are available by department locations.

Safety Data sheet library is maintained by the Office of Safety, Security and Plant Operations.

Safety Data Sheets must be maintained on a current basis and must be readily accessible to employees at all times.

SDS's can be located on the EH&S website at NortheastState.edu. If an employee seeks a Safety Data Sheet and it is not available, they may submit a written request through their department representative to the Office of Safety, Security and Plant Operations or through the EH&S website. The Office of Safety, Security and Plant Operations is required to furnish a copy within three (3) business days after receiving the written request. If the Safety Data is not available, the office will notify the requestor that an effort has been made to obtain the SDS. If after two weeks, the Office of Safety, Security and Plant Operations is still unable to obtain the requested Safety Data Sheet, the employee shall not be required to work with the hazardous chemical for which the SDS was requested. There shall be no penalty for not doing such work. Reassignment of the employee to other work, at equal pay and benefits, shall not be considered a penalty under this section.

Container Labeling

All containers of hazardous chemicals must be properly labeled, tagged, or marked. Proper labels should indicate the following:

1. Identity of the hazardous chemical, i.e., the common and/or chemical name as well as any chemical ingredients.
2. The name and address of its manufacturer, importer, or other responsible party.
3. Its potential physical hazards (If not handled properly, it might burn, explode, react, etc.).
4. Its potential health hazards (e.g., overexposure may irritate the skin, burn the eyes, cause dizziness, cause cancer, etc.).

Any container from a chemical manufacturer that has converted to the GHS system must have the following information:

1. Product Identifier;
2. Signal Word;
3. Hazard Statement(s);
4. Pictogram(s);
5. Precautionary Statement(s);

6. Name, address and telephone number of the chemical manufacturer, importer, or other responsible party.

Note: Existing labels on containers must not be removed or defaced.

Secondary Container Labeling Transfer

Materials that are transferred from the original container to a secondary container must have a secondary container label. Secondary container labeling must at least include the product identifier and words, pictures, symbols or a combination thereof, which in combination with other information immediately available to employees, provide specific information regarding the hazards of the chemicals. Container labels may be obtained from the Safety, Security and Plant Operations office.

Education and Training Program

The department supervisor, in conjunction with the Office of Safety, Security and Plant Operations and the Office of Human Resources, is responsible in coordinating and conducting training for new employees. The Office of Safety, Security and Plant Operations will provide the training program. The training may be conducted online or instructor led in a classroom setting. Departmental supervisors are responsible for ensuring that all elements required of the training program are implemented within their respective departments. In order to comply with Tennessee law, refresher must be provided on an annual basis. The training program shall include, as a minimum, the following:

- Defining the Hazard Communication Standard, the reasons why the standard were written, and the employees' rights under the standard.
- Explanation of the written plan and how each employee can access the plan.
- Information on how to interpret container labels and Safety Data Sheets, and to understand the relationship between these two methods of hazard communication.
- The location of the workplace chemical list and Safety Data Sheets file and employee rights of access to them.
- Places in an employee's work area where hazardous chemicals are present.
- The physical and health hazards of hazardous chemicals in the work area. The chemical long-term and short-term effect on the body and how the chemical can be detected if present.

- Measures that employees may use to protect themselves from chemical hazards. These would include proper work practices, personal protective equipment, emergency procedures, etc.
- General safety instructions on the handling, clean up, and disposal of hazardous chemicals. This would also include what to do in the event of a chemical spill. Information on chemical spills and clean-up procedures is available in the Northeast State Hazardous Waste Management Guide

Hazardous Chemical Inventory

Each department must make a Workplace Hazardous Chemical List of all chemicals within their respective areas. When chemicals are added or deleted, the list must be updated. A copy of current chemical lists must be forwarded to the Office of Safety, Security and Plant Operations upon request. The chemical inventory list shall be kept on file for 30 years.

Multi-Employer Workplace

Anyone that is not an employee of Northeast State Community College, but is conducting services at any of our sites where they could be exposed to hazardous chemicals shall be made aware of the elements of the Hazard Communication Program to ensure their safety. The Supervisor or Department Head that is responsible for the area that the non-employee of NeSCC will be in shall:

1. Provide access to and ensure the understanding of Safety Data Sheets for the chemicals in their area.
2. Assure that proper Personal Protective Equipment is used if required.
3. Communicate procedures on how to react to exposure. This would include procedures for eyewash and shower stations, and evacuation in the event of a spill.