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SUBJECT: *OSHA Hazard Communication Program*

ISSUE: *Compliance Information for Revised OSHA Hazard Communication Program*

DATE: *November 19, 2015*

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NEW OSHA WORKPLACE HAZARD COMMUNICATION STANDARD COMPLIANCE REQUIREMENTS:

Background

The OSHA workplace Hazard Communication Standard (HCS) has been revised to align with the United Nations Globally Harmonized System of Classification and Labeling of Chemicals (GHS). The purpose of the HCS is to provide employees information about the identities and hazards of chemicals (largely petroleum products) present in the workplace. The OSHA HCS was first introduced in 1983 and applies to all workplaces where hazardous chemicals are present. These workplaces include petroleum marketers on both the wholesale and retail level. The current HCS requires labeling of containers of hazardous chemicals, including skid tanks and stationary above ground tanks, employee access to material safety data sheets (MSDS) and employee training. The revised HCS introduces new labeling requirements, new safety data sheets (formerly MSDS) and new employee training. All employers with hazardous chemicals in their workplaces must have labels and safety data sheets for their exposed workers, and train them to handle the chemicals appropriately.

Major changes to the Hazard Communication Standard

Hazard Classification: Provides specific criteria for classification of health and physical hazards of chemicals, as well as classification of chemical mixtures. Upstream chemical manufacturers are responsible for the new hazard classification requirements under the revised HCS. Refiners and/or terminal operators will communicate the new hazard classification for petroleum products to petroleum marketer distributors by way of new safety data sheets (SDS) which replace current material safety data sheets (MSDS). Petroleum marketing distributors should already have copies of the new SDS for all petroleum products.

Safety Data Sheets: Chemical manufacturers are required to provide new Safety Data Sheets (formerly MSDS) to downstream wholesale customers including petroleum marketer distributors. The new SDS has a new 16 section format that includes a harmonized signal word, pictogram, and hazard statement for each hazard class and category. Petroleum marketer distributors must provide the new SDS to retail customers (one time and upon any revisions to SDS) and keep copies of all SDS on file for employee inspection. Petroleum marketer retailers must keep all copies of SDS on file for employee inspection.

Container Labels: Petroleum marketer distributors and retailers must replace current OSHA hazardous chemical container labels with new, revised labels. Containers that must be labeled include stationary above ground petroleum bulk storage tanks, skid tanks and any other applicable hazardous chemical container in the workplace. Cargo tank vehicles used to transport petroleum do not require OSHA labels.

Employee Training: Petroleum marketer distributors and retailers are required to train employees on how to recognize and understand the new container labels and SDS format.

Employee Access: Petroleum marketer distributors and retailers must provide employees access to hazardous chemicals in the workplace information including, product SDS sheets, Container labels and written hazard communication program.

Written Hazard Communication Program: Petroleum marketer distributors and retailers must update their current written hazardous communication program to reflect the OSHA new revisions. Click [here](#) for a hazard communication program template.

Compliance Dates: A recent OSHA directive has effectively delayed enforcement of the new HCS requirements until June 1, 2016 for distributors and retailers. Both petroleum marketer distributors and retailers must update their written hazard communication program, workplace container labeling (skid tanks and stationary above ground bulk tanks included), train employees concerning the OSHA HCS revisions (labels and SDS) no later than June 1, 2016. Petroleum marketer distributors should supply retailers with new SDS as soon as they become available from upstream suppliers but no later than June 1, 2016. Chemical manufacturers were required to provide the new SDS to downstream distributors by June 1, 2015. [Click here](#) for the OSHA hazard communication enforcement and compliance directive.

State OSHA Programs: Many states have OSHA approved programs and may implement regulations that are more stringent than the federal regulations. Petroleum marketers should check with their state approved OSHA program for any possible variances to requirements in the hazard communication standard. [Click here](#) to see a list of state approved OSHA programs.

Additional Information:

[Click here](#) for OSHA guidance on hazardous communication compliance guidance and resources for small businesses.

Click [here](#) for a detailed PowerPoint Presentation on the OSHA hazardous communication labeling program.