OSHA HAZCOM AND GHS

Changes in "Right-to-Know"

By Kathy Thompson, CIH, MT(ASCP), MPH, MS

The Occupational Safety and Health Administration (OSHA) is tasked with protecting worker health and safety in the U.S. OSHA develops and enforces many standards that apply to workplaces everywhere, including the healthcare environment. One of those standards, the OSHA Hazard Communication (HazCom) Standard, has been significantly revised for the first time since it came about in the 1980s. Those changes in the "Right-to-Know" Standard, as HazCom is commonly called, have brought in the use of the Globally Harmonized System (GHS) to identify and communicate chemical hazards. This new OSHA final rule became effective on May 25, 2012, and is called HazCom 2012.

The major change in the HazCom Standard is to use GHS, which offers a prescriptive approach rather than the previous performance-oriented approach, to determine the hazards of chemicals and communicate them via labels, signage, and safety data sheets (SDSs). This means that you will start seeing a different look to these items and that the term "MSDS" is now changing to SDS due to the newly required GHS format. But what is GHS, and where did it come from?

GHS is a product of the United Nations (UN) and initially came about through committee work on the transportation of dangerous goods. At the 1992 UN Conference on Environment and Development, there was agreement to implement global harmonization for sectors beyond transportation to include many more hazards with the intent that all member countries would eventually be harmonized in their approach to hazardous chemical criteria. While safety was one incentive for this "global harmonization," it was also the economic burden to multi-national companies with hazardous materials criteria and communication differences from country to country that gave rise to the GHS.

While the first edition of the GHS was published by the UN in 2003, it is the third edition from 2009 that OSHA adopted in the revised HazCom 2012. Because of the 'building block' structure of the GHS, implementation between countries can look different in large part due to differences in their regulatory framework and rule-making processes. The U.S. Department of Transportation has actually been using GHS for some time, but that change was not as visible as the OSHA changes will be. Chemical labels and SDSs will look quite different than before once they are converted to GHS format. So, when will that start to happen?

The first OSHA HazCom 2012 compliance deadline you may have heard about is the initial training date of December 1, 2013—that is when workers must be trained on the general elements of GHS labels and SDSs because they will start to see them and need to know how to interpret their information. This training should be considered just the beginning though; so while it needs to be done for compliance, it is also a good opportunity to help ease worker concerns about these regulatory changes and prepare your workplace for the transition to GHS.

The next compliance deadline is for manufacturers and importers, who have until June 1, 2015, to change their chemical product labels and MSDSs to the OSHA GHS format. Because many end-users obtain their chemicals from distributors, there is a later compliance deadline of December 1, 2015, to allow for product sell-through. After that date, products shipped by distributors must have the new GHS labels and SDSs. It is expected that between now and then will be a transition period where you could start to see the new GHS information anytime from your chemical suppliers. Note that some products, such as disinfectants, have labels regulated by the Environmental Protection Agency (EPA) as well as OSHA, but since the EPA has not adopted GHS, these products will need a hybrid approach to labeling and SDSs.

For Environmental Services (EVS) Professionals in healthcare, it is important to be aware of the upcoming OSHA

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compliance deadlines and changes because the Hazard Communication Standard intertwines with many other requirements that affect EVS operations, such as The Joint Commission (TJC) Environment of Care Standards. OSHA regulations that apply to EVS workplaces are also mirrored by TJC, mostly in EC.02.02.01 for hazardous materials and waste. In that Standard, you will see many of the same elements required by OSHA, such as a written chemical inventory and procedures, labeling, and maintaining a collection of MSDSs. Keep in mind that although HazCom is changing to use GHS, many basic elements of the OSHA Standard (such as the need for a written program, chemical list, and (M) SDS access plus labels and training) remain the same. Also compliance with HazCom is often targeted by inspectors, with that Standard consistently in the OSHA Top Ten for citations.

So how does the move to using GHS change the look of labels and MSDSs? The previous Hazard Communication Standard was termed "performance-oriented" because it allowed chemical manufacturers considerable flexibility in how they determined and communicated hazards. While certain information was required on the label and MSDS, there was no specific format required so the same chemical from different manufacturers could have very different looking hazard communication. The move to GHS means using specific criteria to "classify" chemical hazards along with defined label elements and SDS format. This should increase the quality and consistency of chemical hazard information and the new term OSHA uses for HazCom 2012 is the "Right-to-Understand" rather than the previously used "Right-to-Know."

One of the new GHS label elements you will most likely notice is called a pictogram. This is a symbol that represents certain hazard classes, and OSHA will require it to have two colors—black (on white) with a red border. There are nine pictograms in GHS, but OSHA will only require eight of them because they do not have jurisdiction for Environmental Hazards and the pictogram that represents them. The new GHS SDS requires the hazards be identified in Section 2 (where you previously often found the ingredients listed), so you may also see the pictograms on the SDS there, even though the actual symbols are only required on the label and descriptive words for them can be used on the SDS. Since an individual pictogram can represent more than one type of hazard, it will be important to read the statements as well to fully understand the chemical hazards.

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The MSDS has come a long way since the concept was first developed for a few select chemicals by their manufacturers in the 1940s, to it becoming an OSHA regulatory requirement in the 1980s, and now aligning with a globally harmonized approach with HazCom 2012. This evolution is expected to improve worker health and safety once workplaces have successfully managed the transition to GHS. Seeking help from your chemical suppliers and safety or industrial hygiene resources may be a good place to start as you review your written Hazard Communication Program, plan for training, and prepare for HazCom 2012 compliance. ●

Kathy Thompson, CIH, MT(ASCP), MPH, MS has been with the 3M Company for 18 years working in industrial hygiene, chemical product stewardship, and technical service roles. Prior to this, Kathy was employed for 10 years in hospitals performing clinical laboratory and microbiology analysis, infection control, and hospital safety services.

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