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REVISIONS TO THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION HAZARD COMMUNCATION STANDARD (HCS)

On March 26, 2012, Occupational Safety and Health Administration (OSHA) modified its Hazard Communication Standard (HCS) to conform to the United Nations' (UN) Globally Harmonized System of Classification and Labeling of Chemicals (GHS). The revisions will improve consistency and quality of information that is provided to both employers and employees concerning chemical hazards and protective measures related to chemical hazards.

What is the Globally Harmonized System of Classification and Labeling of Chemicals?

GHS is a system developed by the UN to strengthen international efforts concerning the environmentally sound management of chemicals. It was recognized that an internationally harmonized approach to classification and labeling would provide the foundation for all countries to develop comprehensive national programs to ensure the safe use of chemicals. GHS establishes a set of criteria and provisions that regulatory authorities, such as OSHA, can incorporate into their existing regulations or standards, or use to develop a new system. Regulatory authorities are not required to adopt all of the criteria that are defined in GHS, only those that are appropriate to their specific regulations.

GHS includes harmonized provisions for classification of chemicals for their health, physical and environmental effects, as well as for labels on containers and safety data sheets (SDSs, formerly "Material Safety Data Sheets, or MSDSs). The definitions of hazards in GHS are more specific and detailed than in HCS prior to the adoption of GHS provisions. Under the GHS, each hazard (e.g., explosives, carcinogenicity) is considered to be a hazard class. The classes are sub-divided into categories of hazard. For example, carcinogenicity has two hazard categories; category one is for known or presumed human carcinogens while category two is for suspected human carcinogens. GHS provisions require manufacturers and importers to classify their chemicals using these specific criteria.

GHS provisions also require manufacturers and importers to classify mixtures using a tiered approach. GHS specifies using pictograms and precautionary statements on container labels. GHS also establishes a standardized 16-section format for SDSs to provide consistent sequence of information for users.

HCS Prior to Adopting GHS Provisions

HCS was first promulgated in 1983 and it required chemical manufacturers and importers to evaluate hazards of the chemicals they produce or import and transmit this information on container labels and MSDSs to downstream users of the chemicals. HCS also required employers to train employees who are exposed to hazardous chemicals and provide them access to MSDSs. The standard was performance-oriented, providing definitions of hazards and parameters for evaluating the evidence to determine whether a chemical is hazardous. The evaluation is based upon evidence that is currently available and no testing of chemicals is required. HCS established requirements for minimum information that must be included on labels and MSDSs, but did not provide specific language to convey the information or a specific format in which to provide it. Some chemical manufacturers and importers followed a specified format for MSDSs developed under a voluntary consensus standard (ANSI Z400.1), which was later adopted by GHS with minor changes.

Summary of Changes to the HCS

- **Hazard Classification:** Chemical manufacturers and importers are required to re-evaluate chemicals according to the new criteria adopted from GHS in order to ensure that pure chemicals and mixtures are classified appropriately. The new criteria must be provided to downstream users in revised SDSs.
- **Labels:** Chemical manufacturers and importers must provide a label which includes a signal word, pictogram, hazard statement, and precautionary statement for each hazard class and category.
- **Safety Data Sheets:** The new format contains 16 specific sections with headings for each section, which ensures consistency in presentation of information. Chemical manufacturers and importers are required to distribute modified safety data sheets to downstream users of their chemicals.
- **Information and training:** To facilitate understanding of the new system, the standard requires that workers be trained on the new label elements and safety data sheet format.

Effective Dates for Provisions in HCS:

Effective Completion Date	Requirement(s)	Who
December 1, 2013	Train employees on the new label elements and SDS format.	Employers
June 1, 2015 December 1, 2015	Comply with all modified provisions for preparation of new labels and safety data sheets, except: Distributors shall not ship containers labeled by the chemical manufacturer or importer unless it is a GHS label.	Chemical manufacturers, importers, distributors and employers
June 1, 2016	Update alternative workplace labeling and hazard communication program as necessary, and provide additional employee training for newly identified physical or health hazards.	Employers
Transition Period (May 25, 2012 to the effective completion dates noted above)	Comply with either the revised HCS published on March 26, 2012 or the standard that were in effect prior to adopting GHS provisions.	All chemical manufacturers, importers, distributors and employers

How do changes to HCS affect Sections 311 and 312 of the Emergency Planning and Community Right-to-Know Act (EPCRA)?

Certain provisions of EPCRA sections 311 and 312 and the implementing regulations may be affected due to the revisions in HCS, mainly the requirement for submitting material safety data sheet (MSDS) under section 311. The reporting requirements under EPCRA section 311(a) and its implementing regulations codified in 40 CFR part 370 apply to the owner and operator of a facility required to prepare or have available an MSDS under OSHA HCS for any hazardous chemical. The owner or operator of the facility must submit the MSDS or a list containing all hazardous chemicals to their State Emergency Response Commission (SERC), local emergency planning committee (LEPC) and the local fire department if the reporting thresholds specified in 40 CFR part 370 are met. Section 311(d)(2) of EPCRA requires an owner or operator to submit a revised MSDS to the SERC, LEPC and the local fire department within 3 months of finding significant new information about the hazardous chemical for which an MSDS was previously submitted.

However, states were always given the flexibility to implement EPCRA as needed to meet the goals of EPCRA in their communities. Each state may have specific requirements for submitting information under sections 311 and 312, including electronic reporting. Facilities are encouraged to contact their states regarding the submission of revised SDSs.

Where Do I Go For More Information?

For more information on hazard communication standards, including the link to the final rule published in the Federal Register on March 26, 2012, please visit OSHA's hazard communication safety and health topics page: http://www.osha.gov/dsg/hazcom/index2.html.