

THE FEDERAL RIGHT-TO-KNOW LAW

The following is the University's statement covering the legalities for the Right-to-Know Law.)

HAZARDOUS COMMUNICATION RIGHT-TO-KNOW UNIVERSITY OF TENNESSEE KNOXVILLE, TENNESSEE

PURPOSE

The intention of the Tennessee Occupational Safety and Health Administration's (TOSHA) Hazard Communication Right-to-Know Law is to provide employees information regarding chemicals used in the work place so as to minimize hazardous exposure to the chemicals and to provide information to emergency personnel to assist in protecting the health, safety and welfare of the citizens of Tennessee.

EXPLANATION OF THE LAW

The Tennessee Occupational Safety and Health Administration Hazard Communication Right-to-Know Law requires the employer to perform the following:

1. Post adequate notification informing the employee about their rights under this law;
2. Develop a chemical listing of each of the hazardous chemicals used or stored in the work place in excess of fifty-five (55) gallons or five hundred (500) pounds, submit this listing to the Tennessee Department of Labor, and maintain the listing for a period of at least thirty (30) years.
3. Develop a library of the appropriate Material Safety Data Sheets (MSDS) which will always be accessible to the employee;
4. Develop a written document which addresses the labeling of containers, the training of employees as to the hazards of routine and non-routine tasks, and the maintaining and updating of the program; and
5. Develop a program of communication with firefighting agencies relative to the hazardous chemicals and provide a description of their location.

WRITTEN COMMUNICATION PROGRAM

Adequate notification will be posted in locations where notices are normally posted to inform the employees about their rights under the Tennessee Occupational Safety and Health Administration Hazard Communication Right-to-Know Law. Hazardous chemicals in or leaving the work place shall be properly labeled, tagged or marked in a manner which complies with the act and does not conflict with any other regulation pertaining to hazardous chemicals. Labels will identify the hazardous chemical, provide the appropriate hazard warning and give the name, address and

telephone number of the chemical manufacturer or responsible party. Existing labels on containers of hazardous chemicals will not be removed or defaced. Any employee will not be required to work with a hazardous chemical from an unlabeled container except when that employee places the chemical in the portable container and he/she immediately (the same day) uses the substance. In order to enhance compliance with the law, employees affix contents identification labels to all portable containers.

A chemical listing of each hazardous chemical normally used or stored in the work place or laboratory will be compiled and maintained. This listing shall include the chemical name, the chemical abstract service (CAS) number, where applicable, and the work place where the chemical is normally used or stored. The work place chemical list will be maintained for no less than thirty (30) years. The listing will be updated annually. The list will be made available for inspection by the public during regular working hours.

A library of Material Safety Data Sheets (MSDS) will be maintained and made available to the employee on request. If the MSDS are not provided by the chemical manufacturer or distributor upon delivery of the chemical, the unit head will request a MSDS in writing from the manufacturer or distributor within five (5) business days. If the MSDS are not made available, the employee may refuse to work with the hazardous chemical without penalty. Each department will maintain a file of the MSDS of the chemicals or products used by employees of that respective department. This file will assure that the employee will have access to the MSDS as required. A back-up library of MSDS will be maintained at the Department of Environmental Health and Safety.

The employee must be informed of any known exposure to hazardous chemicals and be provided access to the work place chemical list and material safety data sheets upon request. No employee may be retaliated against for exercising his or her rights under this law. The employee may not waive any right under the law as a condition of employment.

Any student, contractor, sub-contractor, vendor, salesperson, or visitor shall be informed of any hazardous chemicals used in the areas being visited or areas where a person will be working. Notification of the presence of hazardous chemicals shall be the responsibility of the head of the department that the visitor is visiting or person providing the service. Those persons shall either be provided or required to provide their own safety and protective equipment. Any contractor, sub-contractor, vendor or salesperson, or visitor shall be required to inform the department head of the hazards of chemicals which they may be delivering or using while on campus. This request shall be made part of the bidding process for those providing services or performing construction for the University. Trade secrets will be protected but the appropriate health hazard and fire protection information must be provided by the chemical manufacturer.

The fire chief having jurisdiction will be provided a copy of the work place chemical

list and the names and telephone numbers of representatives who can be contacted for information during an emergency situation. The fire chief shall be permitted to inspect the work place where hazardous chemicals are used and the MSDA file will be made available to him upon request. Approved signs will be placed on the outside of any building which contains Class A and B explosives, poison gases, water-reactive flammable solids, radioactive materials or any other hazardous chemicals in excess of fifty-five (55) gallons or five hundred (500) pounds.

The provision of the law does not apply to pesticides as defined in the Federal Insecticide, Fungicide and Rodenticide Act, although the Department of Environmental Health and Safety will be provided with an annual inventory listing of the Pesticides, Insecticides, Fungicides and Rodenticides used on campus.

LABORATORIES AND HAZARDOUS CHEMICALS

The teaching, research and other laboratory facilities are considered as the work place for many University employees and students. Therefore, such facilities are not exempt from the rules and regulations of this law. Employees working in laboratories will be provided appropriate training and will have access to the chemical inventory listing, Material Safety Data Sheets and the written program document. Students in laboratory classes of the University shall have as part of their curriculum instruction orientation to laboratory safety, including notification of the requirements of the Hazardous Communication Right-to-Know Act.

RESPONSIBLE AUTHORITY

The responsibility for assessing the hazards of working with chemicals and implementation of the appropriate protection principles rest with the department head of the respective department. Any concerns of an employee which is not satisfied after discussion with the unit head may be addressed by contacting the University, Department of Environmental Health and Safety.

The responsible authority to coordinate, audit and determine compliance of the University's program, either as individual units or campus wide, will be the University, Department of Environmental Health and Safety.

HAZARD COMMUNICATION RIGHT-TO-KNOW TRAINING PROGRAM

The Hazard Communication Right-to-Know Law requires the University of Tennessee, Knoxville (UTK) to inform employees about the hazards of chemicals and substances used in the laboratories, classrooms and various work places on campus. This law applies to any chemicals known to be present in the employee's work place which the employee may be exposed to under normal conditions of use or in a foreseeable emergency. Transmittal of information is to be accomplished by means of a comprehensive hazardous chemical communication program, which will include container labeling, inventory of work place chemicals, provision of Material Safety

Data Sheets (MSDS) and employee training. Employees working with hazardous chemicals will be provided an educational and training program in the safe use and handling of hazardous chemicals. A new employee assigned to work with hazardous chemicals will be provided training prior to working in the area. The training will be provided either during the employees orientation, on the job by his supervisor or by personnel from the Department of Environmental Health and Safety. The training program will include procedures to be followed in case of emergency. Training will be both general for campus wide and specific for the employee's work place. The inventory list of the chemicals used in the work place and the MSDS will be used to provide the specific training to the employees of the various departments. After the initial training of employees, an annual refresher training program will be provided. Training records and dates will be kept on each employee receiving the training. A signed statement by the employee that he or she has attended and received the appropriate Hazard Communication Right- To-Know training will be maintained within his or her departmental files and also a copy filed with the Department of Environmental Health and Safety. Specific training for non-routine tasks will be dictated by the situation and evaluated thoroughly in accordance with past experience and knowledge of that situation.

AVAILABILITY OF MATERIAL SAFETY DATA SHEETS

The policy of The University of Tennessee, Knoxville (UTK) is to strive to maintain a comprehensive master file of the Material Safety Data Sheets at the Department of Environmental Health and Safety. The MSDS will be made available upon request during normal working hours, 8:00 am to 5:00 pm, M-F, by calling 974-5084. During emergency situations and at times other than normal working hours, individuals should contact the University Police Department at 974-3111 who will have available a current listing of individuals and organizations capable of providing emergency management assistance and information.

MATERIAL SAFETY DATA SHEETS

The Material Safety Data Sheets are designed to provide information concerning the physical and health hazards of chemicals found in the work place. The training program concerns the Material Safety Data Sheets will include the following topics:

I. Identify

- A. Chemical Name
- B. Common or Trade Names
- C. Chemical Formula
- D. Chemical Abstract Service Number - CAS
- E. Chemical Composition

II. Physical Data

- A. Boiling Point Temperature
- B. Freezing Point Temperature
- C. pH
- D. Vapor Pressure
- E. Specific Gravity
- F. Molecular Weight
- G. Density
- H. Solubility in H₂O
- I. Odor
- J. Color
- K. Volatile Components

III. Fire and Explosive Data

- A. Flash Point
- B. Auto-Ignition Temperature
- C. Flammability Limits in Air
 - 1. Upper
 - 2. Lower
- D. Extinguishing Media

IV. Reactivity Data

- A. Stability
- B. Incompatibility (Materials to Avoid)
- C. Hazardous Decomposition Products

V. Health Hazard Data

- A. Threshold Limit Value (TLV)
- B. Exposure Effect
- C. Emergency and First Aid Procedures

VI. Spill, Leak and Disposal Procedure

- A. Steps to be Taken in Case Material
- B. Waste Disposal Method

VII. Special Protection Information

- A. Respiratory Protection
- B. Ventilation
- C. Protective Gloves
- D. Eye Protection

Special Precautions and Comments

End of University of Tennessee Right-To-Know statement.