



School District Hazard Communication Program

HAZARD COMMUNICATION PROGRAM

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Hazard Communication Program

In accordance with the OSHA Hazard Communication Standard, 29 CFR 1910.1200, the following hazard communication program has been developed. Pursuant to Section 101.055, Stats., the Wisconsin Department of Safety and Professional Services (DSPS) is required to adopt and enforce health and safety standards equal to those offered private employees as administered by OSHA. Definitions relating to the hazard communication program are found in this program.

Additional specific school district program information that is included as part of this plan can be found on the Health & Safety page of the school district safety website under Hazard Communication.

It is the policy of the School District to properly identify and label all hazardous chemicals/substances present in the School District; have information on the hazards of these substances readily accessible to the School District employees; and provide School District employees with information on how to prevent injury or illness due to chemical exposure.

The School District has developed this program for the employee and has every intention to cooperate with the employee in his/her Right To Know. The success of this program requires the cooperation of the employee and this program applies to all School District employees. Failure to comply with this policy will result in disciplinary action as determined by the School District.

I. Responsibilities

A. Employer Responsibilities

1. Develop, implement and maintain Hazard Communication Program.
2. Identify and label all hazardous chemicals/substances.
3. Obtain and make available to all employees Material Safety Data Sheets for all hazardous chemicals/substances.
4. Review Hazard Communication Program.
5. Provide initial and annual training for all applicable employees.

B. Employee Responsibilities

1. Employees are expected to follow this written hazard communication program as well as School District policies relating to hazardous chemicals substances.
2. Employees shall notify their supervisor of any unlabeled or improperly labeled chemicals, or of any unsafe chemical situations.
3. Employees shall not deface nor alter chemical labels, nor dispose of any MSDS's. Forward all received MSDS's to the Hazard Communication Program Director.

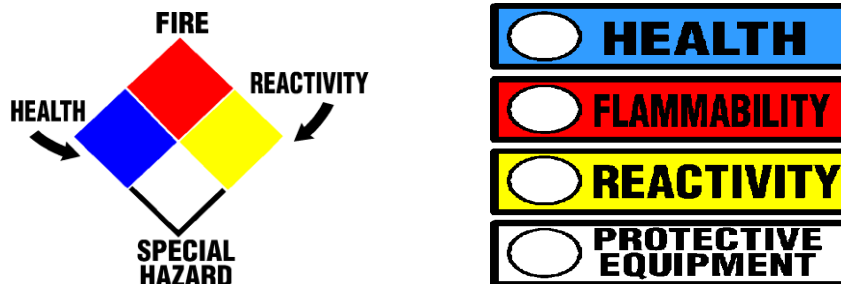
II. Hazardous Chemical Location/Inventory

The School District has compiled a list of all hazardous chemicals/substances found within the

District. This list is available from the Hazard Communication Director upon employee request.

III. Chemical Labeling

- A. All hazardous chemicals within the School District will be labeled.
- B. The labels utilized for meeting this requirement will contain the following information:
 - 1. Identity of the chemical/product.
 - 2. Appropriate hazard warning.
 - 3. Name and address of the manufacturer.
- C. Materials already labeled by the manufacturer meeting the above requirements are acceptable and do not need to be relabeled.
- D. Any materials not appropriately labeled by the manufacturer, or materials placed in any unmarked container must be labeled as previously stated.
- E. Only appropriately labeled containers will be allowed for use within the School District.
- F. Improperly labeled containers, including the contents, will be disposed of in accordance with all applicable regulations.
- G. Containers utilizing the National Fire Protection Association (NFPA) labeling system, or the Hazardous Materials Information System (HMIS), or systems with similar hazard information markings will be acceptable. See the NFPA (left) and HMIS (right) systems as illustrated below.



- H. The employer is not required to label portable containers into which hazardous chemicals are transferred from labeled containers, and which are intended only for the immediate use of the employee who performs the transfer. For purposes of this section, drugs which are dispensed by a pharmacy to a health care provider for direct administration to a patient are exempted from labeling.
- I. The employer shall not remove or deface existing labels on incoming containers of hazardous chemicals, unless the container is immediately marked with the required information.
- J. The employer shall ensure that labels or other forms of warning are legible, in English, and prominently displayed on the container, or readily available in the work area throughout each work shift. Employers having employees who speak other languages may add the information in

their language to the material presented, as long as the information is presented in English as well.

- K. The employer need not affix new labels to comply with this section if existing labels already convey the required information.
- L. The employer who becomes newly aware of any significant information regarding the hazards of a chemical shall revise the labels for the chemical within three months of becoming aware of the new information. Labels on containers of hazardous chemicals shipped after that time shall contain the new information. If the chemical is not currently produced or imported, the employer shall add the information to the label before the chemical is shipped or introduced into the workplace again.

IV. Material Safety Data Sheets (MSDS)

- A. An MSDS will be available for each hazardous chemical found within the School District. A copy of these MSDS's shall be maintained in the workplace and shall be readily accessible during each work shift to employees when they are in their work area. Electronic access, and other alternatives to maintaining paper copies of the material safety data sheets are permitted as long as no barriers to immediate employee access in each workplace are created by such options.
- B. Where employees must travel between workplaces during a work shift, i.e., their work is carried out at more than one geographical location, the material safety data sheets may be kept at the primary workplace facility. In this situation, the employer shall ensure that employees can immediately obtain the required information in an emergency.
- C. If an MSDS is not currently available, the Hazard Communication Director, or designee will contact the product manufacturer, vender, and/or distributor to obtain a copy. A sample letter to request an MSDS from the manufacturer can be found as attachment 1.
- D. If the Hazard Communication Director, or designee is not successful in obtaining a MSDS, a copy of the letter sent will be on file where the MSDS would be, and the District will either use up, or dispose of the product and subsequently utilize a product with a MSDS.
- E. All MSDS's will be kept readily accessible to employees at each building.
- F. All MSDS's will be forwarded to the Hazard Communication Director upon receipt, for further distribution throughout the District. The Hazard Communication Director will be responsible for the updating of all MSDS's.

V. Employee Training

The School District will provide employees with effective information and training on hazardous chemicals in their work area at the time of their initial assignment, and whenever a new physical or health hazard the employees have not previously been trained about is introduced into their work area. Information and training may be designed to cover categories of hazards (e.g., flammability, carcinogenicity) or specific chemicals. Chemical-specific information must always be available through labels and material safety data sheets.

- A. Employees will be informed of the following topics:

1. Policies and procedures related to the Hazard Communication Standard.
2. Any operations in their work area where chemicals are present.
3. Location of this written program and MSDS's.

C. Employees will be trained in the following topics:

1. Methods and observations that may be used to detect the presence or release of a hazardous chemical in the work area (such as monitoring conducted by the employer, continuous monitoring devices, visual appearance or odor of hazardous chemicals when being released, etc.).
2. The physical and health hazards of the chemicals in the work area.
3. The measures employees can take to protect themselves from these hazards, including specific procedures the employer has implemented to protect employees from exposure to hazardous chemicals, such as appropriate work practices, emergency procedures, and personal protective equipment to be used.
4. The details of the hazard communication program developed by the employer, including an explanation of the labeling system and the material safety data sheet, and how employees can obtain and use the appropriate hazard information.

VI. Contractor Responsibilities

- A. All outside contractors will be required to provide MSDS's to the School District, for all hazardous chemicals for which they bring into the District.
- B. The School District will also provide, upon contractor request, a list of hazardous chemicals as well as MSDS's present in the contractors work area.
- C. Any contractor which employees subcontractors will be responsible for meeting the above requirements for their subcontracted employees.
- D. All contractors will sign a letter of acceptance stating that they will conform with the requirements of this written program. A sample letter for contractors to sign can be found at the end of this program as Attachment 2.

VII. Recordkeeping

- A. The School District will keep on hand a copy of all MSDS's used within the District for a period of 30 years after the last known use of the product.
- B. All employee exposure/medical records will be kept by the District for a period of 30 years after employment termination.
- C. The chemical manufacturer or importer, may withhold the specific chemical identity, including the chemical name and other specific identification of a hazardous chemical, from the material safety data sheet. The specific chemical identity is made available to health professionals,

employees, and designated representatives in accordance with the applicable provisions as follows:

1. Where a treating physician or nurse determines that a medical emergency exists and the specific chemical identity of a hazardous chemical is necessary for emergency or first-aid treatment, the chemical manufacturer, importer, or employer shall immediately disclose the specific chemical identity of a trade secret chemical to that treating physician or nurse, regardless of the existence of a written statement of need or a confidentiality agreement.
2. In non-emergency situations, a chemical manufacturer, importer, or employer shall, upon request, disclose a specific chemical identity, otherwise permitted to be withheld under paragraph (i)(1) of the standard, to a health professional (i.e. physician, industrial hygienist, toxicologist, epidemiologist, or occupational health nurse) providing medical or other occupational health services to exposed employee(s), and to employees or designated representatives.

VIII. Definitions

Hazardous Chemical – Any chemical which exhibits a physical hazard, and/or a health hazard.

Article – A manufactured item other than a fluid or particle: (i) which is formed to a specific shape or design during manufacture; (ii) which has end use function(s) dependent in whole or in part upon its shape or design during end use; and (iii) which under normal conditions of use does not release more than very small quantities, e.g., minute or trace amounts of a hazardous chemical (as determined under paragraph (d) of this section), and does not pose a physical hazard or health risk to employees.

Assistant Secretary – The Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, or designee.

Chemical – Any element, chemical compound or mixture of elements and/or compounds.

Chemical manufacturer – An employer with a workplace where chemical(s) are produced for use or distribution.

Chemical name – The scientific designation of a chemical in accordance with the nomenclature system developed by the International Union of Pure and Applied Chemistry (IUPAC) or the Chemical Abstracts Service (CAS) rules of nomenclature, or a name which will clearly identify the chemical for the purpose of conducting a hazard evaluation.

Combustible liquid – Any liquid having a flashpoint at or above 100 deg. F (37.8 deg. C), but below 200 deg. F (93.3 deg. C), except any mixture having components with flashpoints of 200 deg. F (93.3 deg. C), or higher, the total volume of which make up 99 percent or more of the total volume of the mixture.

Commercial account – An arrangement whereby a retail distributor sells hazardous chemicals to an employer, generally in large quantities over time and/or at costs that are below the regular retail price.

Common name – Any designation or identification such as code name, code number, trade name, brand name or generic name used to identify a chemical other than by its chemical name.

Compressed gas:

- (i) A gas or mixture of gases having, in a container, an absolute pressure exceeding 40 psi at 70 deg. F (21.1 deg. C); or
- (ii) A gas or mixture of gases having, in a container, an absolute pressure exceeding 104 psi at 130 deg. F (54.4 deg. C) regardless of the pressure at 70 deg. F (21.1 deg. C); or
- (iii) A liquid having a vapor pressure exceeding 40 psi at 100 deg. F (37.8 deg. C) as determined by ASTM D-323-72.

Container – Any bag, barrel, bottle, box, can, cylinder, drum, reaction vessel, storage tank, or the like that contains a hazardous chemical. For purposes of this section, pipes or piping systems, and engines, fuel tanks, or other operating systems in a vehicle, are not considered to be containers.

Designated representative – Any individual or organization to whom an employee gives written authorization to exercise such employee's rights under this section. A recognized or certified collective bargaining agent shall be treated automatically as a designated representative without regard to written employee authorization.

Director – The Director, National Institute for Occupational Safety and Health, U.S. Department of Health and Human Services, or designee.

Distributor – A business, other than a chemical manufacturer or importer, which supplies hazardous chemicals to other distributors or to employers.

Employee – A worker who may be exposed to hazardous chemicals under normal operating conditions or in foreseeable emergencies. Workers such as office workers or bank tellers who encounter hazardous chemicals only in non-routine, isolated instances are not covered.

Employer – A person engaged in a business where chemicals are either used, distributed, or are produced for use or distribution, including a contractor or subcontractor.

Explosive – A chemical that causes a sudden, almost instantaneous release of pressure, gas, and heat when subjected to sudden shock, pressure, or high temperature.

Exposure or Exposed – That an employee is subjected in the course of employment to a chemical that is a physical or health hazard, and includes potential (e.g. accidental or possible) exposure. "Subjected" in terms of health hazards includes any route of entry (e.g. inhalation, ingestion, skin contact or absorption.)

Flammable – A chemical that falls into one of the following categories:

- (i) "Aerosol, flammable" means an aerosol that, when tested by the method described in 16 CFR 1500.45, yields a flame projection exceeding 18 inches at full valve opening, or a flashback (a flame extending back to the valve) at any degree of valve opening;
- (ii) "Gas, flammable" means: (A) A gas that, at ambient temperature and pressure, forms a flammable mixture with air at a concentration of thirteen (13) percent by volume or less; or (B) A gas that, at ambient temperature and pressure, forms a range of flammable mixtures with air wider than twelve (12) percent by volume, regardless of the lower limit;

(iii) "Liquid, flammable" means any liquid having a flashpoint below 100 deg. F (37.8 deg. C), except any mixture having components with flashpoints of 100 deg. F (37.8 deg. C) or higher, the total of which make up 99 percent or more of the total volume of the mixture.

(iv) "Solid, flammable" means a solid, other than a blasting agent or explosive as defined in 1910.109(a), that is liable to cause fire through friction, absorption of moisture, spontaneous chemical change, or retained heat from manufacturing or processing, or which can be ignited readily and when ignited burns so vigorously and persistently as to create a serious hazard. A chemical shall be considered to be a flammable solid if, when tested by the method described in 16 CFR 1500.44, it ignites and burns with a self-sustained flame at a rate greater than one-tenth of an inch per second along its major axis.

Flashpoint – The minimum temperature at which a liquid gives off a vapor in sufficient concentration to ignite when tested as follows:

(i) Tagliabue Closed Tester (See American National Standard Method of Test for Flash Point by Tag Closed Tester, Z11.24-1979 (ASTM D 56-79)) for liquids with a viscosity of less than 45 Saybolt Universal Seconds (SUS) at 100 deg. F (37.8 deg. C), that do not contain suspended solids and do not have a tendency to form a surface film under test; or

(ii) Pensky-Martens Closed Tester (see American National Standard Method of Test for Flash Point by Pensky-Martens Closed Tester, Z11.7-1979 (ASTM D 93-79)) for liquids with a viscosity equal to or greater than 45 SUS at 100 deg. F (37.8 deg. C), or that contain suspended solids, or that have a tendency to form a surface film under test; or

(iii) Setaflash Closed Tester (see American National Standard Method of Test for Flash Point by Setaflash Closed Tester (ASTM D 3278-78)).

Organic peroxides, which undergo autoaccelerating thermal decomposition, are excluded from any of the flashpoint determination methods specified above.

Foreseeable Emergency – Any potential occurrence such as, but not limited to, equipment failure, rupture of containers, or failure of control equipment which could result in an uncontrolled release of a hazardous chemical into the workplace.

Hazardous Chemical – Any chemical which is a physical hazard or a health hazard.

Hazard Warning – Any words, pictures, symbols, or combination thereof appearing on a label or other appropriate form of warning which convey the specific physical and health hazard(s), including target organ effects, of the chemical(s) in the container(s). (See the definitions for "physical hazard" and "health hazard" to determine the hazards which must be covered.)

Health Hazard – A chemical for which there is statistically significant evidence based on at least one study conducted in accordance with established scientific principles that acute or chronic health effects may occur in exposed employees. The term "health hazard" includes chemicals which are carcinogens, toxic or highly toxic agents, reproductive toxins, irritants, corrosives, sensitizers, hepatotoxins, nephrotoxins, neurotoxins, agents which act on the hematopoietic system, and agents which damage the lungs, skin, eyes, or mucous membranes. Appendix A provides further definitions and explanations of the scope of health hazards covered by this section, and Appendix B describes the criteria to be used to determine whether or not a chemical is to be considered hazardous for purposes of this standard.

Identity – Any chemical or common name which is indicated on the material safety data sheet (MSDS) for the chemical. The identity used shall permit cross-references to be made among the required list of hazardous chemicals, the label and the MSDS.

Immediate Use – That the hazardous chemical will be under the control of and used only by the person who transfers it from a labeled container and only within the work shift in which it is transferred.

Importer – The first business with employees within the Customs Territory of the United States which receives hazardous chemicals produced in other countries for the purpose of supplying them to distributors or employers within the United States.

Label – Any written, printed, or graphic material displayed on or affixed to containers of hazardous chemicals.

Material Safety Data Sheet (MSDS) – Written or printed material concerning a hazardous chemical which is prepared in accordance with paragraph (g) of this section.

Mixture – Any combination of two or more chemicals if the combination is not, in whole or in part, the result of a chemical reaction.

Organic Peroxide – An organic compound that contains the bivalent -O-O-structure and which may be considered to be a structural derivative of hydrogen peroxide where one or both of the hydrogen atoms has been replaced by an organic radical.

Oxidizer – A chemical other than a blasting agent or explosive as defined in 1910.109(a), that initiates or promotes combustion in other materials, thereby causing fire either of itself or through the release of oxygen or other gases.

Physical Hazard – A chemical for which there is scientifically valid evidence that it is a combustible liquid, a compressed gas, explosive, flammable, an organic peroxide, an oxidizer, pyrophoric, unstable (reactive) or water-reactive.

Produce – To manufacture, process, formulate, blend, extract, generate, emit, or repackage.

Pyrophoric – A chemical that will ignite spontaneously in air at a temperature of 130 deg. F (54.4 deg. C) or below.

Responsible Party – Someone who can provide additional information on the hazardous chemical and appropriate emergency procedures, if necessary.

Specific Chemical Identity – The chemical name, Chemical Abstracts Service (CAS) Registry Number, or any other information that reveals the precise chemical designation of the substance.

Trade Secret – Any confidential formula, pattern, process, device, information or compilation of information that is used in an employer's business, and that gives the employer an opportunity to obtain an advantage over competitors who do not know or use it. Appendix D sets out the criteria to be used in evaluating trade secrets.

Unstable (Reactive) – A chemical which in the pure state, or as produced or transported, will vigorously polymerize, decompose, condense, or will become self-reactive under conditions of shocks, pressure or temperature.

Use – To package, handle, react, emit, extract, generate as a byproduct, or transfer.

Water-Reactive – A chemical that reacts with water to release a gas that is either flammable or presents a health hazard.

Work Area – A room or defined space in a workplace where hazardous chemicals are produced or used, and where employees are present.

Workplace – An establishment, job site, or project, at one geographical location containing one or more work areas.

ATTACHMENT 1

MATERIAL SAFETY DATA SHEET
MANUFACTURER REQUEST LETTER

DATE: _____

TO: (Chemical Manufacturer Name)

(Chemical Manufacturer Address)

(City, State, Zip)

RE: Chemical Material Safety Data Sheet (MSDS) Request

The School District is using some of your products and need(s) (a) Material Safety Data Sheet(s) in order to complete our Hazard Communication Program and fully comply with State and Federal regulations.

Please send (a) Material Safety Data Sheet(s) on the following products:

(List)

Your prompt attention is necessary to fully implement our Hazard Communication Program. Please send the MSDS(s) within ten (10) working days or we may be forced to discontinue use of your product.

Thank you for your cooperation.

Hazard Communication Program Director

ATTACHMENT 2
OUTSIDE CONTRACTOR
ACCEPTANCE LETTER

Subject: OSHA HAZARD COMMUNICATION STANDARD

To School District Outside Contractor:

The Occupational Safety and Health Administration's (OSHA) Hazard Communication Standard (29 CFR 1910.1200), adopted by the Department of Safety and Professional Service (DSPS) who regulates School Districts, states that contractors/suppliers must be informed of the hazardous chemicals their employees may be exposed to while performing their work and any appropriate protective measures. In order to comply with this requirement, the School District has developed a list (inventory) of all the hazardous chemicals known to be present within our District. A Material Safety Data Sheet (MSDS) is also on file for each of these chemicals and/or hazardous substances. This information is available to you and to your employees upon request.

In order to protect the safety and health of our own employees, contractors/suppliers must provide (upon the School District an MSDS on any hazardous chemical(s) or material(s) which they bring into this District. Failure to provide this information in a timely manner will result in the discontinued use and removal of the chemical or material from the premises as well as the potential removal of the contractor/supplier from the premises.

Each employer is also responsible for notifying any subcontractor that they employ regarding the requirements of OSHA's Hazard Communication Standard and about the other provisions described in this letter.

If we can be of any further assistance, please feel free to contact me at (phone number)_____.

Sincerely,

Hazard Communication Program Director