RESOLUTION - ACTION REQUESTED 2017-402

MEETING: June 20, 2017

TO: The Board of Supervisors

FROM: Steve Johnson, Human Resources Director - Risk Manager

RE: Adopt a Mariposa County Hazard Communication Program, Effective Immediately

RECOMMENDATION AND JUSTIFICATION:
Adopt the Attached Mariposa County Hazard Communication Program, effective immediately.

The Hazard Communication Standard (Cal/OSHA - California Code of Regulations, Title 8, Section 5194) establishes uniform requirements to ensure that all chemicals used in California workplaces are evaluated to determine their hazards. The attached Plan for Mariposa County is designed to comply with the new Globally Harmonized System of Classification and Labeling of Chemicals ("GHS") prompted revisions to 8 CCR 5194 that became effective June 1, 2015.

This GHS prompted information and changes to the Hazard Communication Standard must be provided to employers and to their affected employees. Chemical manufacturers must perform the evaluations and convey the hazard information obtained to users by means of labels on containers and Safety Data Sheets ("SDS"). Employers must educate their employees to understand the hazards associated with the hazardous chemicals they work with, and ensure that resources such as SDSs and container labels for the chemicals are maintained and accessible.

The GHS is designed to specify and standardize criteria for the classification of health, physical and environmental hazards of chemicals worldwide; specify and standardize what information should be included on labels of hazardous chemicals as well as in SDSs worldwide; and, standardize the way chemical safety information is communicated to all workers. The United States has been involved in this new system since its inception, and in 2012, the U.S. Department of Labor and Federal OSHA revised the Hazard Communication Standard to align with the newly implemented GHS.

The purpose of this written Hazard Communication Program is to establish guidelines and processes to ensure that all employees of the County are apprised of the chemical hazards to which they may be exposed, and to provide a foundation of knowledge to permit employees to make informed decisions on safely working with these chemicals. The safe conduct of work with potentially hazardous chemicals is dependent upon the
value the institution places on protecting health and the environment, and on the motivation and good judgment the individual chemical user exercises. Therefore, it is the responsibility of all employees to adhere to the specifics and the intent of the Hazard Communication Program in order to reduce the risk.

Staff worked closely with consultant Pamela Murcell, CIH, in developing this program, and shared it with the County’s Safety Committee and Department Heads for review.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
Prior safety program items approved by the Board in 2004 and 2015 dealt with County safety, including hazard communication. This is the first formal Hazard Communication Program that the Board will have adopted.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
The Board may decide not to adopt the proposed Mariposa County Hazard Communication Program, but a negative vote would mean that the County would not be in compliance with current State and Federal Regulations.

ATTACHMENTS:
Hazardous Communication Appendix A SDS Request Letter May 2017 (DOCX)
Hazardous Communication Appendix B Training Program May, 2017 (DOCX)
Mariposa County Hazard Communication Program May 2017 (DOCX)

CAO RECOMMENDATION
Requested Action Recommended

Dallin Kimble, County Administrative Officer 6/14/2017

RESULT: ADOPTED [UNANIMOUS]
MOVER: Merlin Jones, District II Supervisor
SECONDER: Rosemarie Smallcombe, District I Supervisor
AYES: Smallcombe, Jones, Long, Cann, Menetrey
MARIPOSA COUNTY
HAZARD COMMUNICATION PROGRAM

POLICY

Mariposa County ("County"), through its management, is committed to the safety and health of all employees and recognizes the need to comply with regulations governing injury and accident prevention and employee safety. The Hazard Communication Program, through its implementation, will help ensure that employees work safely with hazardous chemicals and chemical products during their assigned tasks.

PURPOSE

To enhance our employees' health and safety, the County has developed, implemented, and maintains a hazard communication program as required by the Hazard Communication Regulation (8 CCR 5194). Each Department employee designated as the Hazard Communication Manager has full authority and responsibility for implementing and maintaining this program. We provide information about the hazardous chemicals in our workplace, the associated hazards, and the control of these hazards through a comprehensive hazard communication program that includes the elements described below.

LIST OF HAZARDOUS CHEMICALS

Each Department Hazard Communication Manager, or designee, will prepare and keep current an inventory list of all known hazardous chemicals and chemical products present in their facilities. Specific information on each listed hazardous chemical and chemical product can be obtained by reviewing the applicable Safety Data Sheet (SDS). Refer to the Department’s binder of SDSs for a current inventory list. The inventory list will be current within one year.

PROPOSITION 65 (PROP 65) LIST OF CHEMICALS

Each Department Hazard Communication Manager, or designee, is responsible for obtaining updates of Proposition 65 listed chemicals and providing new information to affected employees. In the case of newly added chemicals to the Prop 65 list, warning requirements take effect 12 months from the date of listing.

The County has some products in use which contain Prop 65 chemicals. These are chemicals that are currently on the State of California’s list maintained by the Office of Environmental Health Hazard Assessment that have been determined to be potential carcinogens or reproductive toxins. The Prop 65 list may be accessed by going to www.oehha.ca.gov.

May, 2017
SAFETY DATA SHEETS (SDSs)

Each Department Hazard Communication Manager, or designee, is responsible for obtaining the SDSs, reviewing them for completeness, and maintaining the safety data sheet system for their organization. In the review of incoming data sheets, if new and significant health/safety information becomes available, this new information is passed on immediately to the affected employees by additional training sessions.

Legible SDS copies for all hazardous chemicals or chemical products to which each Department’s employees may be exposed are kept in each Department’s main office.

SDSs are readily available for review to all employees at any time. If SDSs are missing, new hazardous chemical(s) in use that do not have SDSs, or if an SDS is obviously incomplete, please contact your supervisor immediately and a new SDS will be requested from the manufacturer. Appendix A to this written program contains a template of the letter that will be used to make this request.

If the SDS is not received from the vendor within 25 calendar days of the request, we will either call our local Cal/OSHA compliance office or write to:

Division of Occupational Safety and Health
Deputy Chief of Health and Engineering Services
1515 Clay Street, Room 1901
Oakland, CA 94612

If anyone has a specific question or needs additional information on an SDS, please call the Cal/OSHA Consultation Service at 1-800-963-9424 or HESIS of the Occupational Health Branch at 510-622-4317.

LABELS AND OTHER FORMS OF WARNING (WORKPLACE LABELING)

Before hazardous chemical containers are released to the work area, it is the County’s policy that each Department Hazard Communication Manager, or designee, will verify that all primary and secondary containers are labeled as follows:

<table>
<thead>
<tr>
<th>Label Information</th>
<th>Primary Container</th>
<th>Secondary Container</th>
</tr>
</thead>
<tbody>
<tr>
<td>Identity of the hazardous substance</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Applicable hazard warnings</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Name and address of the manufacturer</td>
<td>Yes</td>
<td>Not necessary</td>
</tr>
</tbody>
</table>

Primary containers are the containers received by the County. These containers can be anything from a 55-gallon drum to a box to a 1-gallon can to an aerosol can. Primary containers are labeled by the provider of the product. County personnel will inspect the containers on delivery to ensure that hazard communication labels are properly affixed.

May, 2017
County personnel will prepare and affix the appropriate label for a secondary container. Secondary container labels will be accomplished using the Hazardous Materials Identification System label (HMIS or color bar label) and name of product.

Numbers for completing the label will be in Section 16 of the SDS.

To address exposures to Prop 65 chemicals, each Department Hazard Communication Manager, or designee, will provide clear and reasonable warnings to individuals prior to exposure by means of posting signs conspicuously, labeling consumer products, and training employees.

EMPLOYEE INFORMATION AND TRAINING

Employees are to attend a health and safety training session set up by their Department Hazard Communication Manager, or designee, prior to starting work. This training session will provide information on the following:

- The requirements of the hazard communication regulation, including the employees’ rights under the regulation
- The location and availability of the written hazard communication program
- Any operation in their work area, including non-routine tasks, where hazardous chemicals or chemical products or Prop 65 carcinogens/reproductive toxins are present and exposures are likely to occur
- Methods and observation techniques used to determine the presence or release of hazardous substances in the work area
- Protective practices the County has taken to minimize or prevent exposure to these substances
- How to read labels and review SDSs to obtain hazard information
- Physical and health effects of the hazardous substances
- Symptoms of overexposure
- Measures employees need to put into practice to reduce or prevent exposure to these hazardous chemicals by engineering controls, work practices, and/or use of personal protective equipment
- Emergency and first-aid procedures to follow if employees are exposed to hazardous chemicals
- The location and interpretation, if needed, of warning signs or placards to communicate that a chemical known to cause cancer or reproductive toxicity is used in the workplace (Prop 65 signs)

May, 2017
Employees will receive additional training when a new hazard is introduced into the workplace and an annual review during a safety meeting. Appendix B to this written program contains an overview of the employee training program.

HAZARDOUS NON-ROUTINE TASKS

Currently, there are not any identified non-routine tasks performed by County employees. However, in the event that such tasks are warranted, prior to starting work on such projects, affected employees will be given information by their supervisor on hazards to which they may be exposed during such an activity. This information will cover:

- Specific hazards
- Measures the County has taken to reduce the risk of these hazards, such as providing ventilation, ensuring the presence of another employee, providing a respiratory protection program, and establishing emergency procedures
- Required protective/safety measures

LABELED/UNLABELED PIPES

Above-ground pipes transporting hazardous substances (gases, vapors, liquids) shall be identified in accordance with 8 CCR 3321, Identification of Piping. The County has established a standardized system for labeling piping systems. Other above-ground pipes that do not contain hazardous substances but may have associated hazards if disturbed or cut, such as compressed air lines, shall be addressed as follows. Before employees enter the area and initiate work, their Department Hazard Communication Manager, or designee, will inform them of:

- The location of the pipe or piping system or other known safety hazard
- The substance in the pipe
- Potential hazards
- Safety precautions

INFORMING CONTRACTORS

To ensure that outside contractors work safely in our facilities and to protect our employees from chemicals used by outside contractors, each Department Hazard Communication Manager, or designee, is responsible for giving and receiving the following information:

- Informing the contractor as to hazardous substances, including Prop 65 chemicals, to which they may be exposed while on the job site
- Obtaining information from the contractor as to substances they will be bringing into the workplace

May, 2017
• Providing contractors with information on our workplace labeling system and access to SDSs
• Requiring contractors to provide copies of SDSs applicable to substances they will be bringing into the workplace
• Advising County employees of precautions and protective measures they may take to minimize the possibility of exposure

RECORDKEEPING

The County maintains records for Hazard Communication Program implementation. The records include:

• Training records which are maintained for the term of employment by Human Resources/Risk Management. For employees who work for the County for less than one year, the employee’s records will be provided to the employee upon termination of employment. Employee training records are maintained by the applicable Department for at least three years.
• Copies of current and archived SDSs (and Material Safety Data Sheets)
• Records of exposure to toxic substances (for example, air monitoring data)

Based on Cal/OSHA regulations (8 CCR 3204, Access to Employee Exposure and Medical Records), all employees have the right to see and copy:

• Records of exposure to toxic substances applicable to work conditions
• SDSs, MSDSs, or other information that exists for chemicals or substances used in the workplace, or to which employees may be exposed.

These exposure records are available by request to their supervisor. A copy of the regulation (8 CCR 3204) is available from their supervisor, or by accessing the Cal/OSHA website at www.dir.ca.gov and going to the Title 8 Regulations link.

If anyone has questions about this plan, please contact your supervisor. Our plan will be maintained by each Department Hazard Communication Manager to ensure that the policies are carried out and the plan is effective.

Chairperson, Mariposa County Board of Supervisors

May, 2017
LIST OF APPENDICES

A. SDS Request Letter Template
B. Hazard Communication Training Program
[Date]

[Chemical Supplier]
[Address]
[City, State Zip Code]

RE: Safety Data Sheet (SDS) for [product(s)]

Please send my organization an up-to-date copy of your Safety Data Sheet (SDS) for the above product(s). The SDS is needed for compliance with the State of California Hazard Communication Regulation, Title 8, California Code of Regulations, Section 5194.

Please send the SDS to:
   Mariposa County
   [name of department]
   Attn: [name]
   [address]
   Mariposa, CA 95338

Alternatively, the SDS may be e-mailed to [email address], or faxed to [fax number].

If this product does not require an SDS, please notify us in writing.

If you have any questions regarding our request, please contact [name] at [phone number].

Sincerely,

Mariposa County
APPENDIX B
Mariposa County
Hazard Communication Employee Training Program

We have developed a training program to increase employee awareness of hazardous substances in our workplace and to motivate employees to protect themselves. The training program is based on the types of hazardous substances used at the work site and the associated hazards.

Overview of Hazard Communication Regulation
The hazard communication regulation (8 CCR 5194) is intended to ensure that both employers and employees understand the dangers associated with hazardous substances in the workplace. In addition to a brief overview of the regulation, we will review the specific requirements of our hazard communication program, including container labeling, SDSs, and training.

Written Hazard Communication Program
We have a written program that outlines how we provide information on and control your exposure to hazardous substances. This plan is available to you during our training and during your work shift from your supervisor, or by electronic version.

Hazardous Substances Used in Our Workplace
At our facilities we use a variety of chemical products. Most of these products contain one or more hazardous substances. Let’s review the hazardous substance inventory list. For specific hazard information on each brand of material, review the Safety Data Sheets (SDSs) and, if applicable, the Proposition 65 list of chemicals, available on the Office of Environmental Health Hazard Assessment website (www.oehha.ca.gov) and going to the Proposition 65 link.

Reading Labels, Warnings, and SDSs
Labels. A product label on both the original and secondary containers should be read before working with the material. Each label has two important pieces of information:
1. Identity of the hazardous substance, and
2. Hazard warnings

The label on the original container also gives the name and address of the manufacturer, as well as other useful information such as hazard statements and precautionary statements. The label should act as a visual reminder of the information we have presented in this training session and of the detailed information on the SDS.

Proposition 65 warnings. These are provided to you prior to exposure in the form of labels, placards, employee training, and the like so that you know that certain chemicals in your workplace are known to the State of California to cause cancer, birth defects, or other reproductive harm.
It is essential to your safety that you read the hazard warnings and use the hazardous substances only within the prescribed guidelines. Questions concerning any of the warning messages should be directed to your supervisor.

**Safety Data Sheets (SDSs).** Manufacturers and importers are responsible for providing us with adequate information for using the hazardous substances safely. We use SDSs as the primary source for informing you about the hazards of the substances in our facilities. SDSs are kept at various locations, and are readily available to you during your shift.

You will be trained on the specific hazards of the substances with which you work. You will also be trained on how to read the information in the SDSs. The information includes:

1. Chemical and physical properties of hazardous substances, such as vapor pressure or specific gravity
2. Physical hazards of the chemicals, such as flammability or reactivity
3. Health hazards of the hazardous substances, such as signs and symptoms of exposure
4. Routes of entry
5. Protective measures, such as work practices, engineering controls, and use of personal protective equipment
6. Methods to detect the release of a hazardous substance in the work area
7. Emergency and first-aid procedures

You can read the Cal/OSHA Hazard Communication Regulation for additional information on any specific program element. A copy of the regulation is available from your supervisor, or by accessing the Cal/OSHA website ([www.dir.ca.gov](http://www.dir.ca.gov)) and going to the Title 8 Regulations link.