

Regulation EBAB

Las Cruces Public Schools

Related Entries: 248 & 542

Responsible Office: Associate Superintendent for Operations

HAZARD COMMUNICATION/RIGHT TO KNOW

I. PURPOSE

The purpose of this regulation is to implement the LCPS Board of Education's policy with regard to ensuring that all employees of the school district are informed of and trained to deal with the hazards associated with the materials/chemicals that they use and/or encounter in their work environment.

Policy and Regulation EBAB, are otherwise referred to as the "Right to Know Law," which is designed to provide knowledge, warning, protection and training to school district employees and students who may be exposed to hazards of chemicals and other materials during the course of their employment or education with LCPS.

II. BACKGROUND

In compliance with New Mexico Occupational Health and Safety Act Regulation 29 CFR 1910.1200, "Hazard Communication Program," it is necessary and appropriate for the school district to "ensure that the hazards of chemicals produced or imported by chemical manufacturers or importers are evaluated, and that information concerning their hazards is transmitted to affected employers and employees (and students). The transmittal of information is to be accomplished by means of comprehensive hazard communication programs, which are to include container labeling and other forms of warning placards, material safety data sheets and personnel training."

III. DEFINITIONS

- A. *Material safety data sheets (MSDS)* means written or printed material concerning a hazardous chemical which shall contain the following information on each chemical Identity, Manufacturer or Supplier Information, Hazardous Ingredients/Identity, Physical/Chemical Characteristics, Fire and Explosion Data, Reactivity Data, Health Hazard Data, Precautions for Safe Handling and Use, and Control Measures.
- B. *Hazard Communication Program* means that LCPS shall develop, implement, and maintain at each school building and district/department building a written hazard communication program which at least requires labels on each container of hazardous chemicals, an inventory of all hazardous chemicals, an MSDS for each hazardous chemical, and provides employee information and training with regard to these chemicals.
- C. *Chemical Hygiene Coordinator* means a person designated at each building or school site to ensure that this regulation is being fully and correctly implemented under the guidance of the Safety and Security Coordinator.

- D. *Hazardous chemical or material* means any chemical which is a physical hazard or a health hazard.
- E. *Physical hazard* means a chemical for which there is scientifically valid evidence that it is a combustible liquid, a compressed gas, explosive, flammable, an organic peroxide, and oxidizer, pyrophoric, unstable (reactive) or water-reactive.
- F. *Health hazard* means a chemical or material for which there is statistically significant evidence based on at least one (1) study conducted in accordance with established principals that acute or chronic health effects may occur in exposed employees.

IV. IMPLEMENTATION

LCPS shall maintain an affective “Hazard Communication (HC) Program” in accordance with current New Mexico Occupational Health and Safety Act regulation 29 CFR 1910.1200.

- A. The Superintendent of Schools shall designate the LCPS Safety and Security Coordinator and the LCPS Physical Plant Department Safety Officer as having the prime responsibility for the administration of the HC Program and the enforcement of Policy and Regulation EBAB. These individuals shall be designated as the school district’s HC Program Coordinators.
- B. All school district personnel shall fully participate in the school district’s HC program as it may apply to their work area and work responsibility.
- C. The school district’s HC Program shall consist of five (5) basic components:
 - 1. Inventory and audit of all hazardous chemicals and materials with which school district employees and students will or may come into contact.
 - 2. Labels and labeling of hazardous chemicals and materials containers.
 - 3. MSDS maintenance, distribution, availability, and locations.
 - 4. Personnel and student training and information, both general and specific.
 - 5. A written “Hazard Communication Program” (LCPS EBAB-R).
- D. The written “Hazard Communication Program” for the school district administration building with its associated inventory list, records, materials, etc., shall be maintained by the Safety and Security Coordinator and Lead Custodian assigned to the administration building. All records shall be located in the custodian's closet in the administration building. Personnel may review the program, MSDS sheets, and chemical listings at these locations.
- E. Each school district school building and district/department building shall conduct its own inventory and audit of hazardous chemicals and materials and comply with the above five (5) basic components.

- F. The Hazard Communication Inspection Form (EBAB-E1) shall be filled out by the principal of each school building and district/department building director, clearly designating who shall be responsible for maintaining the program and designating where the MSDS sheets and chemical listings are located within that building.

V. MATERIAL, INVENTORY, AUDITS

- A. An initial inventory of all chemicals and materials shall be conducted in all work areas and facilities of each school district building and school. The school principal or director shall designate a staff member to oversee the initial inventory.
- B. An annual audit of all chemicals and materials shall be conducted thereafter. The school principal or director shall designate a staff member to oversee the audit.
- C. All hazardous chemicals classified as Flammable, Corrosive, Toxic, Reactive, and Keep out of Reach of Children shall be identified and listed on the inventory. The listing shall include, but not be limited to, the following information:
1. The name of the chemical.
 2. Identification of manufacturer or supplier.
 3. Location(s) where the chemical or material is used and stored.
- D. All newly introduced hazardous chemicals or materials shall be added to the listing as necessary and appropriate.

VI. STORAGE AND DISPOSAL

- A. All hazardous chemicals and materials shall be stored in full compliance with all warning labels and manufacturers' instructions.
- B. Disposal of laboratory chemicals at all school district building and schools shall be coordinated through the Assistant Director of the Physical Plant Department or the HC Program Coordinators

VII. MATERIAL SAFETY DATA SHEETS (MSDS)

- A. An MSDS and index shall be created for all required chemicals and materials used at each school site (within the building and on the grounds) and at all other school district sites.
- B. There shall be a current, master MSDS file and index of all required chemicals and hazardous materials used in each school building and all other school sites, which shall be located in the building's front office with designated school staff, and at in the custodian's closet with designated custodial staff. The MSDS file and index shall be created and updated by a staff member designed by the school principal or building director.
- C. An MSDS with associated index of all required chemicals and materials used in a

specific work area or for a specific work assignment in any school or school district building shall be available to all school district and non-school district personnel during any period of work at that facility, at these locations:

1. The front office
 2. The custodian's closet
 3. Other areas as identified through building inspections or surveys
 4. The site where the specific work assignment using that chemical and/or material is being carried out.
- D. The original inventory listing and audits shall be used in each school and school district building to insure that there is an MSDS as required for each hazardous chemical/material at that site and that all containers are properly labeled and stored.
- E. In the event an MSDS is not available, or should a new chemical be introduced for use without a required MSDS, the school principal or building director shall be promptly notified. The principal/director or his/her designee shall contact the HC Program Coordinator and insure that the necessary and appropriate MSDS are immediately created and delivered to their appropriate sites, as designed in this regulation. (NOTE: All necessary MSDS sheets can be found on the internet by searching the name of the product [i.e., "409 Cleaner MSDS"]).

VIII. LABELS AND LABELING

- A. All hazardous chemicals on hand or received shall have a label that specifies at least:
1. The chemical name
 2. Any specific warning or other hazard information
 3. Identification of the manufacturer or supplier.
- B. A hazardous chemical label shall not be removed from its container, nor shall such a label be defaced.
- C. Should it become necessary for a new label to be placed on a hazardous chemical or material container for any reason (for example, to replace an existing label that is damaged or otherwise unreadable), such a label shall display the information noted in Item VIII. A. above.
- D. All containers of hazardous chemicals shall be received, and the label assured to be affixed on each, by whomever receives such chemical in their area.
- E. It shall be the responsibility of school district staff at each school or other school district building or the HC Program Coordinator to ensure that all secondary containers are properly labeled with a duplicate of the manufacturer's label or a

department's label as noted in Items V. A. and C. above.

- F. Any solutions that are mixed or created at any school district site shall also be labeled in accordance with Item VIII. A. above. Any mixing or creating of solutions shall be done in strict compliance with labeling instructions and/or MSDS sheets

IX. INFORMATION AND TRAINING

- A. All school district employees shall be informed of the "Hazard Communication Program/Right to Know Law" at the time of their initial employment with the school district.
- B. All school district employees shall be given a training booklet about hazardous chemicals and materials. The Safety and Security Coordinator shall be responsible for providing these booklets to school principals and department directors to issue to all staff. Each staff member shall read and sign the booklet and return it to the Safety and Security Coordinator, affirming that the employee has attended a training session, has received written material (if applicable), has understood the school district's policy on Hazard Communication, and has received any applicable technical or specific training relative to hazardous chemicals or materials.
- C. Students who work with chemicals in a school laboratory shall be given training by a classroom/laboratory teacher who is duly qualified to provide such training. The training shall be conducted as outlined in Item D. below.
- D. General program information and training shall be accomplished via lecture, photo slides, movie, video, literature, or any combination thereof as deemed appropriate by the HC program coordinator for each school or school district building, as designated by the school principal or building/department director. Or a principal or director may request that the Safety and Security Coordinator conduct the training.

The training shall include, but may not be limited to, the following:

1. The school district's policy and regulation on hazard communication (EBAB and EBAB-R).
2. The name, title, and contact information for the person designated by the school principal or director at each school or other school district building who is responsible for the hazard communication program at that site.
3. Information relating to hazardous chemicals labels and placards, those used specifically by the school site and/or department building and placards.
4. A description of the MSDS and how to read all sections.
5. The location and availability of the written hazard communication program, MSDS master sheets and their locations, and the chemical listing of all hazardous chemicals/materials in the school or school district building.
6. Definition of hazardous chemicals or materials:

- a. Hazardous chemicals and materials identification
 - b. Health hazard specifics and affects
 - c. Physical hazard affects
7. Steps that school district personnel/students can take to lessen or prevent exposure to hazardous chemicals or materials, i.e., knowledge of chemicals, storage, posting, personal protective equipment, appropriate chemical loads, warnings, eye wash and safety showers, training, etc.
 8. Methods and observation techniques used to determine the presence or release of hazardous chemicals or materials in a work area, i.e., flame or fire, smell or odor, fumes, etching, color, irritation, etc.
 9. Emergency procedures to be followed in the event there is exposure to a hazardous chemical.
 10. Notice of hazardous chemicals or materials that are in an individual's work area.
- E. School district employees and/or students may, on occasion, be required to perform tasks requiring the use of hazardous chemicals or materials, and/or to work in associated hazardous locations. Prior to starting any such work, each employee and student shall be given information about the chemicals, materials, and/or exposure associated with such activity. Such information shall include:
1. Specific hazards that may be associated with the chemical or material being used.
 2. Protective and other safety measures to be taken before, during, and after the use of said chemical or material.
 3. Measures the school district is taking to lessen or prevent hazards; i.e., ventilation, respirators, storage, safety watch personnel, postings and barriers, fire extinguishers, other personal protective equipment, etc.
 4. Review of the chemical or material, MSDS, or other technical information applicable to the work.
 5. A review of emergency procedures to be taken.
- F. Informing Contractors
1. It shall be the responsibility of the LCPS Construction Projects Manager or the LCPS Physical Plant Department Assistant Director to provide contractors who perform work on any school district property information about the following:
 - a. Any hazardous chemicals or materials to which the contractors and/or their employees may be exposed while on the job site.

- b. Precautions and controls to be taken to lessen or prevent possible exposure to said chemicals or materials by use of appropriate protective measures.
 - c. Any materials which contain or may contain asbestos.
- 2. The Construction Projects Manager or Assistant Director of the Physical Plant Department shall also be responsible for contacting each and all contractors before work is started, to gather and disseminate any information concerning chemical hazards that the contractor may be bringing onto the worksite.
 - 3. It shall be the responsibility of any school district administrator initiating a work or construction contract to notify the Construction Projects Manager or Assistant Director of the Physical Plant Department of such contract, name of contractor, starting date, and type of work to be performed.

X. PROGRAM MAINTENANCE

- A. Purchasing/MSDS supply: A boiler plate statement shall be affixed to all school district purchase orders upon request in order to obtain applicable MSDS sheets on all required chemicals or materials. For example: “Suppliers must furnish to LCPS a complete and accurate “Material Safety Data Sheet applicable to any item on this purchase request.”
- B. Other supplied chemicals or materials: No chemical or material requiring an MSDS shall be introduced into any school or other school district building or property, nor any work area of the school district, by petty cash purchase, supplier sample, or other means without the knowledge and consent of the Hazard Communication Program Coordinator, principal, or department director; and shall not be introduced under any circumstances without the appropriate MSDS information as specified above.

History: Formerly Procedure 542, Revised 08.22.95. Revised 2.21.08; revised 10.20.09

Legal Reference: New Mexico Occupational Health and Safety Act regulation 29 CFR 1910.1200



Associate Superintendent for Operations

October 20, 2009

Date Approved