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9-10-1984

# Rules Governing the Chemical Substance Identification Law, Sep. 1984

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Rules Governing the Chemical Substance  
Identification Law -- Effective 9-10-84

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## 1. Definitions

Unless the context otherwise requires, terms used in regulations, interpretations, forms or pronouncements issued by the director of the Bureau of Labor Standards shall be construed in the sense in which they are defined in the Chemical Substance Identification Law, 26 MRSA §§ 1709 through 1725, 1984 PL, c. 823, hereinafter referred to as the law.

## 2. Reporting Requirements

A. All employers subject to the provisions of the law shall file with the director a complete list of each substance for which the employer is required to maintain a material safety data sheet.

B. In addition to the employer's duty to file the list of substances with the director, the employer must provide copies of specific material safety data sheets, upon the director's request.

C. Employers shall annually update lists filed with the director.

## 3. Training Assistance Fund

A. There is established a segregated, non-lapsing Training Assistance Fund which shall be administered by the director in accordance with the law for the purpose of providing employers with assistance in developing and conducting training programs for employees, in the completion of material safety data sheets, and in carrying out the purposes of the law.

B. Each employer shall pay a fee annually to the director which shall be deposited in the Training Assistance Fund.

C. All employers subject to the provisions of the law shall submit a listing of applicable substances prior to December 31, 1984 to the director. The initial list submitted shall be a complete list of all applicable substances, subsequent lists must be submitted on an annual basis prior to July 1st of each year and may include only additions to and deletions from the initial list as appropriate.

## 4. Minimum Training Programs

A. Employers' training programs shall at a minimum meet the requirements of 26 MRSA § 1715, sub-§3. The minimum requirements of the law and regulations should in no way be interpreted as limiting safety information and training provided to only that information specifically cited.

B. In addition to the training program requirements contained in the law, each employer subject to the provisions of the law shall conduct annual refresher training for all employees using or coming into contact with any chemicals listed in Part C of this section. A description of the annual refresher training shall be included in the employers' written hazard communication program and records of refresher training shall be kept in accordance with the requirements of 26 MRSA § 1712. All training requirements stipulated in 26 MRSA § 1715 shall apply to refresher training.

C. Employers must provide annual refresher training in accordance with Part B of this section regarding each of the following substances:

2-Acetylaminofluorene  
Acrylonitrile  
Allylglycidyl ether (AGE)  
alpha-Naphthylamine  
4-Aminodiphenyl  
Asbestos  
Benzene  
Benzidine  
Beryllium and beryllium compounds  
beta-Naphthylamine  
beta-Propiolactone  
bis-Chloromethyl ether  
Boron trifluoride  
Butylamine-Skin  
tert-Butyl chromate (as CrO<sub>3</sub>)-Skin  
Cadmium dust

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Cadmium fume  
 Carbon disulfide  
 Carbon tetrachloride  
 Chlorine  
 Chlorine trifluoride  
 Chloroacetaldehyde  
 Chloroform (trichloromethane)  
 Chromic acid and chromates  
 Coal tar pitch volatiles  
 Coke oven emissions  
 Cotton dust  
 1,2-dibromo-3-chloropropane  
 3,3 - Dichlorobenzidine  
 4-dimethylaminoazobenzene  
 o-Dichlorobenzene  
 Dichloroethyl ether-Skin  
 1,1-Dichloro-1-nitroethane  
 Diglycidyl ether (DGE)  
 Ethyl mercaptan  
 Ethylene dibromide  
 Ethylene dichloride  
 Ethylene glycol dinitrate and/or Nitroglycerin-Skin  
 Ethyleneimine  
 Formaldehyde  
 Flouride as dust  
 Hydrogen chloride  
 Hydrogen fluoride  
 Hydrogen sulfide  
 Iodine  
 Inorganic arsenic  
 Lead and its inorganic compounds  
 Manganese  
 Mercury  
 Methyl Bromide-Skin  
 Methyl chloride  
 Methyl chloromethyl ether  
 Methyl mercaptan  
 Methyl styrene  
 Methylene bisphenyl isocyanate (MDI)  
 Methylene chloride  
 Monomethyl hydrazine-Skin  
 4- Nitrobiphenyl  
 Nitrogen dioxide  
 Nitroglycerin-Skin  
 N-Nitrosodimethylamine  
 Organo (alkyl) mercury  
 Silica dust  
 Styrene  
 Terphenyls  
 Tetrachloroethylene  
 Toluene  
 Toluene-2,4-diisocyanate  
 Trichloroethylene  
 Vanadium  
 Vinyl chloride

## 5. Cooperation with Other Agencies

A. All requests for information from other state agencies shall be subject to the same procedures used in the transfer of all information which is specifically exempt from the Freedom of Information Act and, therefore, subject to confidential treatment except as provided for in 26 MRSA § 1721.

B. All information must be requested through a written agreement specifying that the confidential nature of the information will be respected.

C. To enhance inter-agency cooperation and utilize the expertise available within state government a technical advisory group shall be appointed by the director of the Bureau of Labor Standards consisting of a representative of the Bureau of Health of the Department of Human Services, the State Fire Marshal's Office and the Safety Division of the Bureau of Labor Standards.

#### 6. Waiver Request Process

An employer or group of employers may request a waiver from any or all of the requirements of the law by forwarding to the director a written request for a waiver. The request must be specific regarding the reasons why strict compliance with the requirements of the law will not contribute to the health and safety of employees. The director shall conduct an investigation and respond to any request for a waiver within six months of receiving the request. If the director determines that a waiver is not appropriate the employer shall have thirty days following receipt of notice of the determination to request a public hearing through the petition for rulemaking process as provided for in the Administrative Procedure Act.

#### 7. Pipe Labelling Requirements

All pipes present in the workplace containing a hazardous chemical or chemicals shall be labeled, tagged or marked with the common or chemical name of the hazardous chemical or chemicals therein and appropriate hazard warnings in such a fashion that employees who may be exposed under normal conditions or in a foreseeable emergency may reasonable be expected to be aware of the presence of the chemical and its hazardous nature. Pipes coded with numbers, stripes or colors or clearly labeled "Contains Hazardous Substance" are acceptable provided that the employer's training program provides complete explanation of this type of coding or labeling, the posting requirements of the law are maintained, and annual refresher training regarding any codes is provided.

In work areas in which substantial lengths of exposed and accessible joined pipe or pipes are present it is recommended that hazard warnings be placed at each joint.

#### 8. Health Hazards (Reserved)

#### 9. Physical Hazards (Reserved)

AUTHORITY: 26 MRSa, c. 22, §§ 1709 et seq.