

WAC 296-901-14014 (Cont.)

- (e) Wholesale distributors must also provide safety data sheets to employers or other distributors upon request; and
 - (f) Chemical manufacturers, importers, and distributors need not provide safety data sheets to retail distributors that have informed them that the retail distributor does not sell the product to commercial accounts or open the sealed container to use it in their own workplaces.
- (7) The employer must maintain in the workplace copies of the required safety data sheets for each hazardous chemical, and must ensure that they are readily accessible during each work shift to employees when they are in their work area(s). (Electronic access and other alternatives to maintaining paper copies of the safety data sheets are permitted as long as no barriers to immediate employee access in each workplace are created by such options.)
- (8) Where employees must travel between workplaces during a workshift, 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 must ensure that employees can immediately obtain the required information in an emergency.
- (9) Safety data sheets may be kept in any form, including operating procedures, and may be designed to cover groups of hazardous chemicals in a work area where it may be more appropriate to address the hazards of a process rather than individual hazardous chemicals. However, the employer must ensure that in all cases the required information is provided for each hazardous chemical, and is readily accessible during each work shift to employees when they are in their work area(s).
- (10) Safety data sheets must also be made readily available, upon request, to designated representatives, and the department in accordance with the requirements of WAC 296-901-14010.
- (11) The department of labor and industries will translate certain chemical hazard communication documents upon receipt of written or verbal request (within available resources) to employers or the public, a translation into Cambodian, Chinese, Korean, Spanish, or Vietnamese of any of the following:
- An employer's written Chemical Hazard Communication Program;
 - A material safety data sheet; or
 - Written materials prepared by the department to inform employees of their rights described in this rule, regarding chemical hazard communication.

Note: Written request for translations must be directed to:

*Department of Labor and Industries
Right-To-Know Program
P.O. Box 44610
Olympia, WA 98504-4610*

[Statutory Authority: RCW 49.17.010, .040, .050, and .060. 13-06-050 (Order 12-26), § 296-901-14014, filed 03/05/13, effective 04/15/13.]

WAC 296-901-14016 Employee information and training.

- (1) Employers must 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 chemical 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 safety data sheets.

WAC 296-901-14016 (Cont.)

- (2) *Information.* Employees must be informed of:
- (a) The requirements of this section;
 - (b) Any operations in their work area where hazardous chemicals are present; and
 - (c) The location and availability of the written hazard communication program, including the required list(s) of hazardous chemicals, and safety data sheets required by this section.
- (3) *Training.* Employee training must include at least:
- (a) 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.);
 - (b) The physical, health, simple asphyxiation, combustible dust, and pyrophoric gas hazards, as well as hazards not otherwise classified, of the chemicals in the work area;
 - (c) 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; and
 - (d) The details of the hazard communication program developed by the employer, including an explanation of the labels received on shipped containers and the workplace labeling system used by their employer; the safety data sheet, including the order of information and how employees can obtain and use the appropriate hazard information.

Note: You must make the written Chemical Hazard Communication Program available, upon request, to employees, their designated representatives, the department, and NIOSH, in accordance with the requirements of chapter 296-802 WAC, Employee medical and exposure records.

[Statutory Authority: RCW 49.17.010, .040, .050, and .060. 13-06-050 (Order 12-26), § 296-901-14016, filed 03/05/13, effective 04/15/13.]

WAC 296-901-14018 Trade secrets.

- (1) The chemical manufacturer, importer, or employer may withhold the specific chemical identity, including the chemical name, other specific identification of a hazardous chemical, or the exact percentage (concentration) of the substance in a mixture, from the safety data sheet, provided that:
- (a) The claim that the information withheld is a trade secret can be supported;
 - (b) Information contained in the safety data sheet concerning the properties and effects of the hazardous chemical is disclosed;
 - (c) The safety data sheet indicates that the specific chemical identity and/or percentage of composition is being withheld as a trade secret; and
 - (d) The specific chemical identity and percentage is made available to health professionals, employees, and designated representatives in accordance with the applicable provisions of this section.