MSHA's HazCom Standard and GHS

Insights

8.13.13

MSHA issued a new Program Policy Letter on August 13, 2013, clarifying that mine operators that comply with OSHA's HazCom Standard are also in compliance with MSHA's HazCom Standards, found at Part 47. Part 47 requires that mine operators identify chemicals, make a hazard determination, ensure that containers of hazardous chemicals have labels, have and make available a Material Safety Data Sheet (MSDS) for each hazardous chemical used or produced at the mine, and instruct miners on the physical and health hazards of the chemicals in the miners' work area, protective measures, and contents of the HazCom program.

MSHA will now allow operators to comply with OSHA's recently published update to its HazCom Standard (29 C.F.R. § 1910.1200), which incorporates the United Nations' Globally Harmonized System of Classification and Labeling of Chemicals (GHS). Changes to OSHA's HazCom Standard included a new system of classifying types and degrees of hazards, changes to labeling requirements, and changes to the Safety Data Sheet.

What does this mean for mine operators?
Compatability. Many mine operators have already implemented the GHS for transporting, importing, or exporting hazardous chemicals. Now, these mine operators can maintain a single system for identifying hazardous chemicals and communicating hazards.

Does this mean that mine operators do not need to comply with the requirements found at Part 47?
No. MSHA still requires mine operators to comply with all aspects of Part 47. Certain aspects of OSHA's hazard classification may not be compatible with existing MSHA standards, such as storage requirements for hazardous chemicals. Additionally, mine operators that choose to incorporate OSHA's updated HazCom rule must also update their written HazCom programs and conduct miner training on the new system.

Where can I get additional information?
MSHA has provided a PowerPoint Presentation to help mine operators understand the changes. MSHA also has a Compliance Guide for its HazCom Standards, which contains common questions and answers regarding compliance with Part 47. MSHA also maintains a Single Source Page regarding its HazCom Standard.