

RESOLUTION 85-2019

**RESOLUTION APPROVING THE BOROUGH OF WOODBURY HEIGHTS
HAZARD COMMUNICATION PLAN**

WHEREAS, the Occupational Safety and Health Administration (OSHA) Hazard Communication Standard (HCS) 29 CFR 1910.1200, the NJPEOSH Hazard Communication Standard N.J.A.C. 12:100-7, and the New Jersey Worker and Community Right to Know Act N.J.S.A. 34:5A-1 call for the development of a hazard communication program when employees may be exposed to any chemical in the workplace under normal conditions of use or in a foreseeable emergency; and

WHEREAS, the purpose of the Borough of Woodbury Heights Hazard Communication Plan is to establish a program and procedures for the safe use of hazardous chemical substances in compliance with the requirements of the aforementioned occupational chemical safety regulations.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Woodbury Heights, with the Mayor concurring, that the Borough does hereby approve and authorize the Borough of Woodbury Heights Hazard Communication Plan

BOROUGH OF WOODBURY HEIGHTS



WILLIAM C. PACKER, MAYOR

ATTEST:


JANET PIZZI, CLERK/ADMINISTRATOR

The foregoing Resolution was duly adopted by the Borough Council of the Borough of Woodbury Heights at a Regular Meeting held on the 17TH day of July, 2019.


JANET PIZZI, CLERK/ADMINISTRATOR

HAZARD COMMUNICATION PLAN

General Industry Standard 29 CFR 1910.1053

Prepared for:

BOROUGH OF WOODBURY HEIGHTS

Reviewed by (print name):

Ryan Wells

Signature:



Date:

7/23/19

HAZARD COMMUNICATION PLAN

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HAZARD COMMUNICATION PLAN

PURPOSE

The purpose of this plan is to establish a program and procedures for the safe use of hazardous chemical substances at Borough of Woodbury Heights.

The Occupational Safety and Health Administration (OSHA) Hazard Communication Standard (HCS) 29 CFR 1910.1200, the NJPEOSH Hazard Communication Standard N.J.A.C. 12:100-7, and the New Jersey Worker and Community Right to Know Act N.J.S.A. 34:5A-1 call for the development of a hazard communication program when employees may be exposed to any chemical in the workplace under normal conditions of use or in a foreseeable emergency. This program has been developed to comply with the requirements of the above occupational chemical safety regulations.

RESPONSIBILITIES

The Hazard Communication Coordinator is:

NAME: Ryan T. Wells
TITLE: PPWM
PHONE NUMBER: 856-848-2832

The Hazard Communication Coordinator is responsible for administering the hazard communication program including:

- Reviewing the potential hazards and safe use of chemicals.
- Maintaining an inventory of all hazardous chemicals and a Central File of Safety Data Sheets.
- Obtaining Hazardous Substance Fact Sheets from N.J. Department of Health.
- Ensuring that all containers are labeled, tagged or marked properly.
- Ensuring initial and refresher training for employees and maintaining training records.
- Properly selecting and caring for personal protective equipment.
- Directing the cleanup and disposal operations of the spill control team.
- Identifying hazardous chemicals used in non-routine tasks and assessing their risks.
- Informing outside contractors who are performing work on public property about potential hazards.

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- Reviewing the effectiveness of the hazard communication program and making sure that the program satisfies the requirements of all applicable federal, state or local hazard communication requirements.

When purchasing chemicals, the Employer is responsible for:

- Contacting chemical manufacturers and/or distributors to obtain Safety Data Sheets and secondary labels for hazardous chemicals used or stored in the workplace.
- Reviewing incoming hazardous chemicals to verify correct labeling.
- Holding hazardous chemicals in the receiving area until receipt of the Safety Data Sheet for the product.

Employees are responsible for the following aspects of the Hazard Communication program:

- Identifying hazards before starting a job.
- Reading container labels and Safety Data Sheets.
- Notifying the supervisor of torn, damaged or illegible labels or unlabeled containers.
- Using controls and/or personal protective equipment provided by their Employer to minimize exposure.
- Following the Employer's instructions and warnings pertaining to chemical handling and usage.
- Properly caring for personal protective equipment, including proper use, routine care and cleaning, storage, and replacement.
- Knowing and understanding the consequences associated with not following Employer's policy concerning the safe handling and use of chemicals.
- Participating in training.

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CHEMICAL INVENTORY

Along with this program is a list of hazardous chemicals used, produced and / or stored Borough of Woodbury Heights. Copies of the facility's Right to Know Survey are available in the Central File which is located at the Municipal Building, 500 Elm Avenue, Woodbury Heights, NJ 08097.

Each facility that uses or stores hazardous chemicals will maintain a facility chemical inventory and relevant Safety Data Sheets and Hazardous Substance Fact Sheets at the facility. Facility chemical inventories must be readily available to employees while on duty.

Inventories will contain the product name or identifier that is referenced on the appropriate Safety Data Sheet and Hazardous Substance Fact Sheet, the location or work area where the chemical is used, the personal protective equipment needed, and precautions for each chemical product. This list will be updated annually and whenever a new chemical is introduced to the workplace.

LABELS AND OTHER FORMS OF WARNING

Each container of hazardous chemicals received from the chemical manufacturer or distributor will be labeled with the following information:

- Product name or identifier
- Signal word
- Hazard statement(s)
- Pictogram(s)
- Precautionary statement(s)
- Name, address and telephone number of the chemical manufacturer, importer or other responsible party

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Borough of Woodbury Heights uses the Globally Harmonized System (GHS) labeling system for secondary containers. When a chemical is transferred from the original container to a portable or secondary container, the container will be labeled, tagged or marked with a GHS label containing the following information:

- Product name or identifier
- Signal word
- Hazard statement(s)
- Pictogram(s)
- Precautionary statement(s)

Portable containers into which hazardous chemicals are transferred from labeled containers, and that are intended for the immediate use of the employee who performs the transfer do not require a label. If the portable container will be used by more than one employee or used over the course of more than one shift, the container must be labeled. Food and beverage containers should never be used for chemical storage.

Signs, placards, or other such written materials may be used in lieu of affixing labels to individual, stationary process containers as long as the alternative method identifies the containers to which it is applicable and conveys the information required for workplace labeling.

Where an area may have a hazardous chemical in the atmosphere (e.g., where extensive welding occurs), the entire area will be labeled with a warning placard.

Workplace labels or other forms of warning will be legible, in English and prominently displayed on the container or readily available in the work area throughout each work shift. If employees speak languages other than English, the information in the other language(s) may be added to the material presented as long as the information is presented in English as well.

SAFETY DATA SHEETS AND HAZARDOUS SUBSTANCE FACTS SHEETS

A Safety Data Sheets (SDS) will be obtained and maintained for each hazardous chemical in the workplace. When available, a Hazardous Substance Facts Sheet (HSFS) will also be obtained and provided. SDS and HSFs for each hazardous chemical will be readily accessible during each work shift to employees when they are in their work areas.

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SDS will be obtained from the chemical manufacturer or distributor. The name on the SDS will be the same as that listed on the chemical inventory list. SDS for chemicals produced by Borough of Woodbury Heights will be developed and provided by the Hazard Communication Coordinator.

Borough of Woodbury Heights will maintain the "NJ-RTK Central File" of all original SDS.

SDS and HSFS for new products or updated SDS for existing products will be obtained by the Hazard Communication Coordinator to update the Central File.

If problems arise in obtaining an SDS from the chemical manufacturer or distributor, a phone call will be made to request an SDS and to verify that the SDS has been sent. The phone call will be logged, and a letter will be sent the same day. The Borough Administrator will maintain a written record of all efforts to obtain SDS.

EMPLOYEE INFORMATION AND TRAINING

In addition to the training that 29 CFR 1910.1200 requires employers to provide (hereinafter referred to as "initial training"), employers shall provide refresher training to all employees every two years at no cost to employees and during working hours. Refresher training is to be an abbreviated version of initial training.

In addition to the information that 29 CFR 1910.1200 requires employees to receive, initial and refresher training shall address:

- The location and availability of the written hazard communication program, the list(s) of hazardous chemicals, hazardous substance fact sheets, the Right to Know survey, and the Right to Know hazardous substance list.
- The applicable provisions of the Worker and Community Right to Know Act, N.J.S.A. 34:5A-1 et seq.
- An explanation of the Right to Know survey, labeling, hazardous substance fact sheets, the Right to Know hazardous substance list, the Right to Know poster, and how employees can obtain these documents and use appropriate hazard information from these sources.
- Distribution of a copy of the Right to Know brochure.
- An employer shall have a technically qualified person conduct initial and refresher training.

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- Employers shall establish and maintain records of initial and refresher training that include the following information:
 - The dates of the training sessions.
 - The contents or a summary of the training sessions.
 - The names and qualifications of persons conducting the training.
 - The names and job titles of all persons attending the training sessions.
- Employers shall maintain training records for the duration of each employee's employment.
- Employers shall ensure that all training records required to be maintained by this subchapter are available, upon request, for examination and copying, to employees, employee representatives, and representatives of the Departments of Labor and Workforce Development and Health.
- Employers shall ensure the provision of initial and refresher training using material that is appropriate in content and vocabulary to the educational level, literacy, and language of the employees receiving training.

NON-ROUTINE TASKS

The Hazard Communication Coordinator and the immediate supervisor of an employee performing a non-routine task, such as cleaning machinery and other process equipment, is responsible for ensuring that adequate training has been provided to the employee on any hazards associated with the non-routine task. Employees share in this responsibility by ensuring that their immediate supervisor knows that the non-routine task will be performed.

Special work permits may be required for the performance of certain non-routine tasks, such as entry to confined spaces, breaking and opening piping systems, and welding and burning.

CONTRACTORS

Prior to beginning work, the Hazard Communication Coordinator will inform contractors with employees working on entity's property of any hazardous chemicals that the contractors' employees may be exposed to while performing their work. The Safety Coordinator will also inform contractors of engineering or work practice control measures to be employed by the contractor, personal protective equipment to be worn by the contractors' employees, and any other precautionary measures that need to be taken to protect their employees during the workplace's normal operating conditions and in foreseeable emergencies.

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The Hazard Communication Coordinator will advise contractors that they must comply with all OSHA standards while working on Borough of Woodbury Heights property. Appropriate controls will be established with the contractor to ensure that Borough of Woodbury Heights employees are not exposed to safety, and health hazards from work being performed by the contractor and that Borough of Woodbury Heights operations do not expose contractors' employees to hazards.

The Hazard Communication Coordinator will inform contractors of the workplace labeling system and the availability and location of SDS and HSFS for any chemical to which contractors' employees may be exposed to while performing their work.

RECORDKEEPING

Records pertaining to the hazard communication program will be maintained by the Hazard Communication Coordinator. The Coordinator will ensure the following records:

- Chemical inventory list
- Hazardous material reviews
- Copies of phone call logs and letters requesting SDS/HSFS
- Employee training records
- Medical and exposure records (29 CFR 1910.20)
- Warnings issued to employees for not following the Hazard Communication program

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APPENDIX A: EMPLOYEE ACKNOWLEDGE FORM

I acknowledge that I have received a copy of Hazard Communication and Employee Right to Know Program on (date) _____. I have also been given an opportunity to review the Central File, including the chemical inventory and Safety Data Sheets and Hazardous Substance Fact Sheets.

I have been given the opportunity to ask questions about the Hazard Communication and Employee Right to Know Program and the Central File. I understand that if I have questions or concerns at any time about the Program or Central File, I may consult my immediate supervisor or my supervisor's manager.

I have read and understood the contents of this and will act in accordance with these policies and procedures as presented in the Hazard Communication and Employee Right to Know Program.

Employee Name (Print): _____

Employee Signature: _____ Date: _____

Supervisor Name (Print): _____

Supervisor Signature: _____ Date: _____

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APPENDIX B: RIGHT TO KNOW BROCHURE

The following three agencies work together to implement the Worker and Community Right to Know (RTK) Act:

**New Jersey Department of Health
ECHA**
PO Box 368
Trenton, NJ 08629-0368
(609) 984-2200
www.nj.gov/health/echa

Enforces all provisions of the RTK Act in public workplaces and RTK labeling in private workplaces. The Program includes Hazardous Substance Fact Sheets, the RTK brochure, and other materials to increase awareness of hazardous chemicals and help employees comply with the RTK Act. Printed materials are available upon request. Many are translated into Spanish.

**New Jersey Department of Environmental Protection
Division of Local Environmental Management and
Solid Waste**
MC 28-032, PO Box 400,
Trenton, NJ 08625-0400
(609) 292-0734
www.nj.gov/dep/enr/localenv/management

Enforces the community provisions of the RTK Act in the private sector (except for labeling). The Department is also responsible for implementing Title III (Emergency Planning and Community Right to Know) of the Federal Superfund Amendments and Reauthorization Act (SARA), which establishes requirements for industry regarding emergency planning and reporting of hazardous chemicals.

**New Jersey Department of Labor and
Workforce Development
Office of Public Employees Occupational Safety
and Health**
PO Box 356
Trenton, NJ 08629-0356
(609) 292-7039
www.nj.gov/labor/officeofpublicemployees

Enforces RTK laws for private employers and investigates complaints by public employees who suspect they are being discriminated against for exercising their rights under the RTK Act.

HOW TO OBTAIN INFORMATION LOCALLY

You can obtain copies of the Right to Know Survey, Community Right to Know Survey, and Hazardous Substance Fact Sheets from your designated Right to Know county agency listed below:

Atlantic.....	(609) 845-5971	Ext. 4576
Bergen.....	(801) 334-2785	
Burlington.....	(609) 235-5568	
Camden.....	(856) 374-6049	
Cape May.....	(609) 469-6642	
Cumberland.....	(610) 227-7662	Ext. 7199
Essex.....	(973) 497-9401	
Gloucester.....	(856) 216-4101	
Hudson.....	(201) 223-1133	
Hunterdon.....	(908) 788-1691	
Mercer.....	(609) 293-7165	
Middlesex.....	(732) 816-7128	
Morris.....	(973) 431-7456	Ext. 6301
Morris.....	(973) 231-5492	
Ocean.....	(732) 341-9700	Ext. 7471
Passaic.....	(973) 223-3261	
Salmon.....	(856) 335-7810	Ext. 8456
Somerset.....	(908) 231-7500	
Sussex.....	(973) 573-0370	
Union.....	(908) 854-9739	
Warren.....	(908) 475-7000	

**YOU HAVE A
RIGHT TO KNOW
ABOUT HAZARDOUS
SUBSTANCES
IN YOUR
WORKPLACE AND
COMMUNITY.
USE IT.**

YOU HAVE THE RIGHT TO KNOW



**ABOUT HAZARDOUS SUBSTANCES IN
YOUR WORKPLACE AND COMMUNITY**



Paul D. Murphy, Governor
Susan M. Clancy, Lt. Governor

Sheryl M. Zboron, M.D., M.P.H.
Superintendent
Public Health Services
Division of Epidemiology, Environmental and
Occupational Health
Consumer, Environmental and
Occupational Health Services
ECHA

THE RIGHT TO KNOW ACT

The New Jersey Worker and Community Right to Know Act requires public and private employers to provide information about hazardous substances at their workplaces. The Act:

- ☐ informs public employees about chemical hazards at their workplace so they can work safely with these hazardous substances;
- ☐ helps firefighters, police, and other emergency responders adequately plan for and respond to incidents such as fires, explosions or spills;
- ☐ provides data for monitoring and tracking hazardous substances in the workplace and the environment.

HOW THE ACT CAN PROTECT YOU AND YOUR FAMILY

Hazardous substances may be present at your workplace and at other workplaces in your community, or may be released into the environment. They may also be carried home in your family on your work clothes.

Hazardous substances can cause irritation to the eyes, skin, and respiratory tract. Exposure to hazardous substances has been linked to health problems such as cancer, birth defects, and heart, lung and kidney diseases. These diseases may develop many years after exposure. As a public employee, you can obtain information about hazardous substances that may harm you or your family from documents in your workplace's Right to Know (RTK) central file.

Knowing about hazardous substances and how they harm you can help you obtain the proper diagnosis and treatment if you should become sick. More importantly, awareness about hazardous substances and your potential exposure to them can help you make important decisions about your employment.

HOW THE ACT WORKS

Employers covered by the Act must complete surveys listing the names and amounts of hazardous chemicals stored and used at their workplaces.

Right to Know Surveys are completed by public agencies and sent to the New Jersey Department of Health (NJDOH).

Community Right to Know Surveys are completed by private employers and sent to the New Jersey Department of Environmental Protection (NJDEP).

Copies of these surveys are available online to local fire and police departments, designated Right to Know county agencies (county health departments), and local emergency planning committees.

Public employees are required to label containers according to the New Jersey Right to Know Act and FEOSHAP, and maintain a RTK Central File that contains information about hazardous substances at their facilities. Private employers are required to label containers according to OSHA and the New Jersey Right to Know Act.

HOW PUBLIC EMPLOYERS COMPLY WITH THE RIGHT TO KNOW ACT

Public employers have the responsibility to assist workers in learning about the hazards of the products they work with. The employer must:

- ✓ Complete the Right to Know Survey
- ✓ Label Containers
- ✓ Create and Maintain a Right to Know Central File
- ✓ Post the Right to Know Poster

Public employees can obtain a copy of the survey by contacting their employer, the NJDOH, or the designated county agencies at the numbers listed in this brochure.

HOW TO USE YOUR WORKPLACE RIGHTS TO PROTECT YOUR HEALTH

The Right to Know Act gives employees certain rights and access to information about hazardous chemicals in their workplace. This information, kept in the RTK central file, informs workers about the health hazards of chemicals and ways to reduce or prevent their exposure to the chemical hazards. Learn to work safely with chemical hazards to protect your health and the health of your family members. To do so:

1. Work only with labeled containers.
2. Check your workplace RTK Survey to find out which products contain hazardous chemicals.
3. Read Material Safety Data Sheets and Hazardous Substance Fact Sheets about the health hazards of the hazardous chemicals in the products. These documents are kept in the RTK central file.

You do not have to work with a product if your employer has not given you the important information you requested in writing within five working days. Get the NJDOH for more information before you refuse to work with a product.

You can file a complaint against your employer for not complying with the RTK Act. Your name will be kept confidential.

This brochure is being distributed to you as part of your training about hazardous chemicals at the workplace under the FEOSHAP Hazard Communication Standard. For more information about training, contact:

Environmental, Occupational Health Assessment Program (ECHA), New Jersey Department of Health, PO Box 368, Trenton, NJ 08629-0368, (609) 984-1325, www.nj.gov/health/echa/ehastats