

AGENDA 28

Discuss and take appropriate action concerning adoption of county-wide Hazardous Communication Policy.

Moved: **Commissioner Boatright**

Seconded: **Judge Doerfler**

Motion: To approve adoption of revised Williamson County Hazard Communication Act (THCA) of 1993.

Vote: Motion carried 5 – 0

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approved 5.23.00
John C. Daugherty

**Williamson County
Hazard Communication Program Policy
Under Revised Texas Hazard Communication Act (THCA) of 1993**

PURPOSE: This program has been prepared to comply with the requirements of the Texas Department of Health to insure that information is available for safe use, handling and storage of hazardous chemicals, guidelines on identification of chemical hazards and the preparation and proper use of container labels, placards and other types of warning devices.

A. WORKPLACE CHEMICAL LIST

I. For the purpose of worker right-to-know, this County will make sure that applicable departments shall compile and maintain a workplace chemical list that contains the following information for each hazardous chemical normally present in the workplace facility in excess of 55 gallons or 500 pounds or in excess of an amount that the Texas Hazard Communications Board determines by the rule of certain highly toxic or dangerous chemicals:

A. the identity used on the MSDS and container label; and

B. the location of the facility in which the hazardous chemical is normally present.

II. The applicable departments shall update the workplace chemical list as necessary, but at least on an annual basis. Each workplace chemical list shall be dated and signed by the person responsible for compiling the information.

III. A workplace chemical list shall be prepared for each facility of the applicable department and must be readily available to employees. All employees shall be made aware of the workplace chemical list before working with or in a work area containing hazardous chemicals.

IV. The applicable department shall maintain a workplace chemical list for at least 30 years. The department shall also send complete records to the Texas Hazard Communication Director if the department ceases to operate.

B. MATERIAL SAFETY DATA SHEETS (MSDS)

I. A chemical manufacturer or distributor shall provide appropriate MSDS to departments with each initial shipment and with the first shipment after an MSDS is updated.

II. MSDS for all hazardous chemicals used by this County department's facilities shall be maintained in an MSDS book at the facility where the chemical is used. MSDS shall be made available to all employees.

III. As new chemicals are brought into the workplace, their MSDS shall be added to the existing MSDS book at the facility they are brought to. This is to ensure that a complete MSDS is on hand for each chemical an employee may be exposed to at that facility. If the applicable department does not receive a current MSDS on a chemical brought into the workplace, then a request shall be made to the chemical manufacturer or distributor in a timely manner to obtain a current MSDS.

IV. A copy of an MSDS maintained by the departments shall be provided to the Texas Hazard Communications Director upon request.

C. CONTAINER LABELING

I. All chemicals on site shall be stored in their original or approved containers with a proper label attached, except small quantities for immediate use. Any container not properly labeled shall be made aware to the immediate supervisor for proper labeling or disposal.

II. Employees may dispense chemicals from their original containers only in small quantities intended for immediate use. Any chemical left after work in a temporary container must be returned to the original container or to the immediate supervisor for proper handling.

III. The department head will insure that each container is labeled with the identity of the hazardous chemical contained, any appropriate physical and health hazards, and the manufacturer's name and address.

D. EMPLOYEE TRAINING

I. Training shall be furnished on an as-needed basis to all Williamson County employees who use or handle hazardous chemicals; new or newly assigned employees to be briefed prior to working with, or who are assigned to a work area containing hazardous chemicals.

II. The level of training will be of the basic and general nature. One individual in the applicable department shall be designated responsible for administering training for all department employees.

III. Training will be provided through various means:

- A. Oral Briefing**
- B. Hands-on Instruction**
- C. Audio-visual Presentation**
- D. Written Tests**

IV. Elements contained in the training program may include:

- A. Verbal presentation by trainer to include the purpose and applicability of the THCA.**
- B. Examples of Material Safety Data Sheets (MSDS) to be reviewed with explanation of use, interpretation, and how to obtain. Actual MSDS Book may be shown to employees and information provided on location of books at the various facilities.**
- C. Sample of a "Workplace Chemical List" to be shown, and information on its' purpose and availability provided.**
- D. Information regarding chemical container "labeling" responsibility furnished. Examples of labels may be shown to employees.**
- E. Information to be provided with reference to utilizing MSDS and manufacturing labeling for "specific" information on Personal Protective Equipment (PPE), First Aid treatment to exposures, and general safety instruction on handling, clean-up, and disposal of chemical spills.**
- F. Employees to be advised of their responsibility for working safely with hazardous chemicals, using required PPE, and knowing the location of Workplace Chemical List, and MSDS book.**
- G. Employee rights under the THCA to be notified. Employees to be given a copy of "Notice to Employee" form at briefing and advised of location of notices posted in facilities.**

V. Records are to be kept on all THCA Training and shall include:

- A. Date of Training**
 - B. List and signatures of trainees**
 - C. Topics covered**
 - D. Materials handed out**
 - E. Name of trainer**
-

E. PERSONNEL PROTECTIVE EQUIPMENT (PPE)

- I. Employees are required to wear proper PPE when handling hazardous chemicals when there is a potential for overexposure.
- II. The department head will be responsible for insuring proper equipment is available and worn when there is a potential for employees to be overexposed.

F. EMERGENCY RESPONSE

- I. Any incident of overexposure or spill of hazardous chemicals shall be reported to the immediate supervisor.
- II. The immediate supervisor shall be responsible for insuring that proper emergency response actions are taken in spill or leak situations.

G. GENERAL CONTRACTOR/SUBCONTRACTOR RESPONSIBILITIES

- I. When employees of a contractor/subcontractor may be exposed to a hazardous chemical while working on a County work site, this County shall provide access to the MSDS for hazardous chemicals being used at the work site. The department facility workplace chemical list shall be made available to employees of a contractor/subcontractor while working at a County facility.
- II. It shall be the responsibility of all contractor/subcontractors who bring hazardous chemicals onto county property to provide appropriate MSDS to the County at the work site.
- III. When exposure to a hazardous chemical is expected, each contractor/subcontractor shall be responsible for the appropriate training of their employees.

H. POSTING

The County departments shall post information for employees at the department facilities on the hazard communication standard. This information may be found on the department facilities' employee bulletin boards.

I. TIER-TWO FORM

I. For the purpose of community right-to-know, this County shall compile and maintain a tier two form that contains information on hazardous chemicals present in any facility in quantities that meet or exceed thresholds determined by the EPA in 40 CFR Part 370, or at any other reporting thresholds as determined by the Texas Hazard Communications board for certain highly toxic or extremely hazardous substances.

II. Each tier two form shall be filed annually with the appropriate fee according to the procedures specified by the Texas Hazard Communications board. The County shall furnish a copy of each tier two form to the Local Emergency Planning committee and to each fire department having jurisdiction over the department's facilities.

III. The County shall file the tier two form with the Texas Department of Health not later than the 90th day after the date the department has a reportable addition, at the appropriate threshold, of a previously unreported hazardous chemical or extremely hazardous substance. The County shall furnish a copy of the additional tier two form to the Local Emergency Planning committee and to each fire department having jurisdiction over the department's facilities.

Loss Control Coordinator
Revised 2000

NOTICE TO EMPLOYEES

The Texas Hazard Communication Act (revised 1993), codified as Chapter 502 of the Texas Health and Safety Code, requires public employers to provide employees with specific information on the hazards of chemicals to which employees may be exposed in the workplace. As required by law, your employer must provide you with certain information and training. A brief summary of the law follows.

HAZARDOUS CHEMICALS

Hazardous chemicals are any products or materials that present any physical or health hazards when used, unless they are exempted under the law. Some examples of more commonly used hazardous chemicals are fuels, cleaning products, solvents, many types of oils, compressed gases, many types of paints, pesticides, herbicides, refrigerants, laboratory chemicals, cement, welding rods, etc.

WORKPLACE CHEMICAL LIST

Employers must develop a list of hazardous chemicals used or stored in the workplace in excess of 55 gallons or 500 pounds. This list shall be updated by the employer as necessary, but at least annually, and be made readily available for employees and their representatives on request.

EMPLOYEE EDUCATION PROGRAM

Employers shall provide training to newly assigned employees before the employees work in a work area containing a hazardous chemical. Covered employees shall receive training from the employer on the hazards of the chemicals and on measures they can take to protect themselves from those hazards. This training shall be repeated as needed, but at least whenever new hazards are introduced into the workplace or new information is received on the chemicals which are already present.

MATERIAL SAFETY DATA SHEETS

Employees who may be exposed to hazardous chemicals shall be informed of the exposure by the employer and shall have ready access to the most current material safety data sheets (MSDSs), which detail physical and health hazards and other pertinent information on those chemicals.

LABELS

Employees shall not be required to work with hazardous chemicals from unlabeled containers, except portable containers for immediate use, the contents of which are known to the user.

EMPLOYEE RIGHTS

Employees have rights to:

- X access copies of MSDSs
- X information on their chemical exposures
- X receive training on chemical hazards
- X receive appropriate protective equipment
- X file complaints, assist inspectors, or testify against their employer

Employees may not be discharged or discriminated against in any manner for the exercise of any rights provided by this Act. A waiver of employee rights is void; an employer's request for such a waiver is a violation of the Act. Employees may file complaints with the Texas Department of Health at the toll free number provided below.

EMPLOYERS MAY BE SUBJECT TO ADMINISTRATIVE PENALTIES AND CIVIL OR CRIMINAL FINES RANGING FROM \$50 TO \$100,000 FOR EACH VIOLATION OF THIS ACT.

Further information may be obtained from:

Texas Department of Health
Toxic Substances Control Division
Hazard Communication Branch
1100 West 49th Street
Austin, Texas 78756

1-800-452-2791
(512) 834-6603
Fax: (512) 834-6644



TDH

Texas Department of Health

Approved 4/99

Williamson County
Hazard Communication Program
Department Survey

Please provide yes/no answers to the following questions concerning Hazardous Communication and forward survey to Kim Hyatt, Health and Safety Specialist, County Benefits Department.

1. Is your department aware of the Texas Hazard Communication Act? _____

1b. If so, is your department in compliance with the Act? _____

2. Do you have any hazardous chemicals present in your department? _____

2b. If so, do you have any of the following hazardous chemical categories?

Fuels _____ Cleaning Products _____ Solvents _____

Oil Based Products _____ Compressed Gases _____

Paints _____ Pesticides _____ Copy Toner _____

Laboratory Chemicals _____ Others _____

3. Do you have a work place chemical list of all hazardous chemicals in your department in excess of either 55 gallons or 500 pounds? _____

4. Do you have up-to-date Material Safety Data Sheets (MSDSs) for all hazardous chemicals present in your department? _____

5. Does your department have a means of providing outside contractors with a complete list of chemical products, hazards, and precautions? _____

6. Do you have written procedures on how you will inform your employees of the chemical hazards associated with each hazardous chemical they work with?

Hazard Communication Act Survey continued

7. Have you developed a employee information and training program that includes the following? _____

- _____ The specific hazards of chemicals in the work area.
- _____ The protection measures that are being used to protect against these specific hazards.
- _____ Guidelines on how to read and interpret information on labels and MSDSs.

8. Is your Hazcom Program, including MSDSs, readily accessible to all employees in your department? _____

9. Have you trained all employees on hazard communication? _____

10. Have you met labeling requirements on all hazardous chemicals in your department? _____

11. Do you have procedures in place to ensure all incoming hazardous chemicals are received with proper labels and MSDS sheets? _____

AGENDA 29

Consider making any appointments to the Salary Grievance committee.

Moved: **Judge Doerfler**

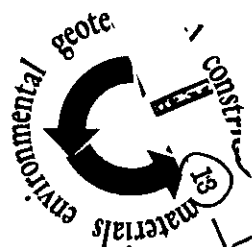
Seconded: **Commissioner Boatright**

Motion: To notify David Carlin of 1756 Forsman Road, Round Rock, Texas 78664, that his name has been drawn for appointment to the Salary Grievance Committee and determine if he is willing to serve as a member.

Vote: Motion carried 5 – 0

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RECORDERS MEMORANDUM
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 clearly legible for satisfactory recordation.



Kohutek
 Engineering & Testing, Inc.

CONSULTING ENGINEER

David Carlin

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4809 Williams Drive • Georgetown, Texas • 78628-2006 • 512-930-5832 • [fax] 512-930-852
 — 254-628-1190 • Killeen Area • [fax] 254-628-8943 —

AGENDA 30**Comments from commissioners.**

Commissioner Heiligenstein was not prepared to make a full report on the Round Rock Health Clinic but plans to add an item to an agenda soon for full coverage. He advised the clinic now has experienced billing personnel on staff.

The closing of St. David's southern Williamson County facility should help the Round Rock Health Clinic to break even financially.

Commissioner Heiligenstein, representatives of the Round Rock Health Clinic, County Auditor, Julie Lyon Wolf, Board member David Carlin, C.P.A. Royce Phillips, two (2) directors and internal auditor Beth Barton met earlier this morning. Hopefully a follow-up meeting will disclose what the county investment has accomplished and if any further county investment will be required.

Work on some of the older billings is being conducted with help from Williamson County Auditor, NHIC and State Health Department.

Commissioner Boatright discussed the Water Visionary Committee and the possible role of Williamson County as mediator concerning water and property rights issues.

Commissioner Hays advised the Ft. Hood band will perform and Senator Kay Bailey Hutchison will dedicate the Jarrell Memorial Park at 11 o'clock a.m. on Saturday, May 27, 2000 Congress-man Ron Paul is also expected to attend.

Commissioner Limmer discussed the Denton County jail concept in which one (1) deputy controls 48 prisoners in a dormitory type facility. The building cost per foot is \$114.00.

Commissioner Limmer discussed the source of approximately \$40,000.00 for completion of two rooms of the Williamson County Annex in Taylor to accommodate approximately 24 members of the Williamson County Sheriff's Department.

Information Services Director Paul Klehn reported meeting with various department heads and minor problems with payroll software.

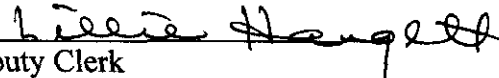
First Assistant County Attorney Dale Rye advised County Attorney Gene Taylor is home from the hospital, progressing well and expected back to work soon.

COMMISSIONERS COURT ADJOURNED AT 11:26 A.M. ON TUESDAY, MAY 23, 2000

THE FOREGOING MINUTES recorded on Minutes Pages 1 through 200, inclusive had at a Special Session of Commissioners Court of Williamson County, Texas, having been read are hereby approved this the 30th day of May, 2000.

John C. Doerfler, County Judge

ATTEST: Nancy Rister, Clerk County Court & Ex-officio Clerk,
Commissioners Court, Williamson County, Texas

By: 
Deputy Clerk