Regulatory Ramblings
by Mike Kocak, PMA Regulatory Division Manager

**OSHA**

Hazard Communication resources available to help employers comply with new training and labeling requirements

Two new compliance assistance resources are available for employers to assist them in meeting the requirements of OSHA’s revised Hazard Communication Standard. A new fact sheet (PDF) discusses the training topics that employers must cover for the initial Dec. 1, 2013 deadline. By this date, employers must train workers on the new label elements and safety data sheet format. In addition, a new OSHA brief (PDF) explains the new labeling elements, identifies what goes on a label, and describes what pictograms are and how to use them. The brief also provides manufacturers, importers, distributors and other employers with a step-by-step guide to create a label that meets the requirements of the revised standard. The deadline for adopting the new labels and pictograms is June 1, 2015.

**OSHA’s General Industry and Construction Digests spell out summary of OSHA standards (available free)**

OSHA’s General Industry Digest and Construction Industry Digest summarize safety and health standards to help employers, supervisors, workers, health and safety committee members, and safety and health personnel learn about OSHA standards in the workplace. The two digests contain summaries of OSHA standards that are frequently cited or cover particular hazardous situations in general industry and construction. The General Industry Digest includes updated information on revisions to General Industry standards since the digest was last published in 2001. A Spanish-language version of the Construction Industry Digest (PDF) is also available.

OSHA reminds employers to post injury/illness summaries.

OSHA is reminding employers to post OSHA’s Form 300A, which summarizes the total number of job-related injuries and illnesses that occurred during 2012 and were logged on OSHA Form 300, Log of Work-Related Injuries and Illnesses. The summary must be posted between Feb. 1 and April 30, 2013, and should be displayed in a common area where notices to employees are usually posted.

Employers with 10 or fewer employees and employers in less hazardous industries are normally exempt from federal OSHA injury and illness record keeping and posting requirements. Read the news release for more information on record keeping requirements.

**Foundry fined proposed $56,880 for noise hazards**

January 31, 2013

OSHA has cited COL-Pump Co., Inc., with 10 health and safety violations, including two willful, for failing to monitor workers’ exposure to noise hazards above 85 decibels at the Columbiana foundry in Columbiana, Ohio, a city of about 6,300 residents.

Proposed fines total $56,880, according to the Norwalk Reflector. OSHA initiated an inspection on Sept. 14, after receiving a complaint that alleged the lack of an effective hearing protection program.

The two willful violations involved failing to establish a baseline audiogram within six months of an employees’ first exposure to noise above the action level of 85 decibels and to provide annual audiograms to workers exposed to noise levels at or above allowable levels.

**EPA ISSUES**

Tier II information was due March 1st!!

Have you filed your Tier II Report? On March 1st of every year, facilities covered by EPCRA must submit an emergency and haz-
arduous chemical inventory form to the Local Emergency Planning Committee (LEPC), the State Emergency Response Committee (SERC), and the local fire department.

REACHING ISSUES

Presentations of webinar on “How to bring your registration dossier in compliance with REACH - Tips and hints, part 2” now online

The webinar gave feedback and tips to registrants on how to submit information on chemicals in the technical dossier to ECHA in compliance with REACH. It took place on Monday 28 January 2013.

ECHA recommends MOCA for authorization (Please refer to page 1 for more information)

The recommended chemicals are classified as carcinogenic or toxic to reproduction and are used in applications where there is potential for worker exposure.

Helsinki, 17 January 2013 – This is the fourth ECHA recommendation of substances for authorisation from the Candidate List. The 10 new substances have been prioritised based on their hazard properties, volumes used, and use related potential for exposure to humans. In its recommendation, the Agency took into account the comments received during public consultation last summer and the opinion of the Member State Committee from December 2012, which is supporting ECHA’s recommendation. For each substance recommended for inclusion in Annex XIV, a deadline (the sunset date) is suggested after which companies will only be able to use it within the EU if an authorisation has been granted.

The final decision on the inclusion of the substances in Annex XIV (the authorisation list) and on their sunset dates will be taken by the European Commission in collaboration with Member States and the European Parliament.

The authorisation regime is one of the core mechanisms of REACH for the protection of human health and the environment. Making these 10 substances of very high concern (SVHCs) subject to authorisation ensures that their risks are properly controlled and that the substances are progressively replaced with suitable alternative substances or technologies.

The 10 substances (listed only MOCA’s entry due to space considerations, MK), including examples of their uses in the scope of authorisation, are:

Further information

<table>
<thead>
<tr>
<th>#</th>
<th>Substance name and SVHC property</th>
<th>Uses in the scope of authorisation (examples)</th>
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<tbody>
<tr>
<td>10</td>
<td>2,2’-dichloro-4,4’-methylenedianiline (MOCA) (carcinogenic)</td>
<td>Curing agent in resins and in the production of polymer articles</td>
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</tbody>
</table>

Link to the fourth recommendation
Member State Committee’s opinion
An overview of the authorisation process under REACH

ECHA / REACH References:
ECHA Dissemination database – Registered substances:
ECHA Candidate list of Substances of Very High Concern:
http://www.echa.europa.eu/web/guest/candidate-list-table
REACH-IT:
ECHA Evaluation decisions:
http://www.echa.europa.eu/web/guest/regulations/reach/evaluation requests-for-furtherinformation/evaluation-decisions
ECHA Evaluation webpages:
http://www.echa.europa.eu/regulations/reach/evaluation
ECHA Recommendation for inclusion in the Authorization List:
ECHA Enforcement webpage:

REACH Q&A: REACH and Polymers

Q: What is considered a polymer under REACH?
A: A polymer is a substance that consists of molecules that are characterized by the sequence of one or more types of monomer units. These molecules must be distributed over a range of molecular weights.

REACH (Article 3(5)) states that a polymer is defined as a substance meeting the following criteria: • Over 50 percent of the weight for that substance consists of polymer molecules (see definition below); and,
• The amount of polymer molecules presenting the same molecular weight must be less than 50 weight percent of the substance.

Q: Are polymers required to be registered under REACH?
A: Technically, no, polymers are not required to be registered under REACH. However, the monomers that make up the polymer are required to be registered.

Q: Can a monomer be considered an intermediate under REACH and therefore not be required to be registered?
A: Technically, yes, a monomer is an intermediate. However, the REACH Regulation Article 6 clearly states that monomers are not to be registered as intermediates, so full registration obligations would apply. Article 6(2) of the REACH Regulation states “for monomers that are used as onsite isolated intermediates or transported isolated intermediates, Articles 17 and 18 shall not apply.” Article 6(3) then goes on to say “Any manufacturer or importer of a polymer shall submit a registration to the Agency for the monomer substance(s) or any other substance(s), that have not already been registered by an actor

Continued on next page
up the supply chain..."

Q: What if there is unreacted monomer left over, does that require an additional registration?
A: No, the reacted monomer and unreacted monomer can be covered under the same registration as long as both tonnages are added together.

Q: Are there exemptions from registration if the monomer was already registered in the supply chain?
A: Yes, if a monomer substance has already been registered by an actor up the supply chain (as long as the specific uses of that substance are covered by that registration) then there would be no need to register that monomer again. The exemption applies for a re-imported monomer as well, as long as it has already been registered for the specific uses by an actor in the supply chain.

Q: Is there any help out there for the polymers industry?
A: Yes, the REACH for Polymers project was funded by the European polymer industry and it created the REACH Toolkit. This is an interactive piece of software that can help the polymer industry through the entire REACH process.

References:
ECHA Guidance for monomers and polymers:


REACH Toolkit: http://mercurio.caso.pt/reach/howitworks

Update on Canada’s Chemicals Management
Canadian law requires scientific information on any new chemical substances to be submitted for assessment before using the substances in Canada. However, many substances were in existence and in use prior to the enactment of these laws. To address these “existing” substances, the Canadian Environmental Protection Act, 1999 (CEPA, 1999), mandated that all substances on the Domestic Substances List (DSL) be categorized to determine which of these substances presented the greatest potential for exposure or were persistent, bioaccumulative and inherently toxic. These substances required additional assessments / research /control measures. This led to the formation of the Chemicals Management Plan (CMP) under which chemicals are assessed and managed using multiple tools. While the first phase of the CMP, the “Challenge to Industry,” continues, the next phase of the CMP was announced in October 2011 and also continues with substance evaluations/assessments, product safety improvements, research of substances that affect human hormone function and/or the environment, etc. Although there is a focus on those substances identified as part of the “Challenge” or as part of the second phase of the CMP, chemical management for Canada extends beyond just those substances.

References
Full text of all notices can be found in the appropriate edition of the Canada Gazette: http://canadagazette.gc.ca/rppr/p1/index-eng.html
Additional information about the Chemicals Management Plan can also be found on the Government of Canada’s Chemical Substances website: http://www.chemicalsubstanceschimiques.gc.ca/index-eng.php

...and finally…Noise levels reach 124 dBA at ice hockey games

(how does this apply to polyurethane? well it doesn’t, but anyone sitting next to me at one of my son’s hockey games is exposed to more noise than this…)

Occupational and recreational noise exposures were evaluated at two sporting arenas hosting collegiate hockey games (Venue 1) and semi-professional hockey (Venue 2), according to the article, “Occupational and Recreational Noise Exposure from Indoor Arena Hockey Games,” published in Volume 10, Issue 1, 2013, in the Journal of Occupational and Environmental Hygiene.

A total of 54 personal noise dosimetry samples were taken over the course of seven home hockey games: 15 workers and 9 fans at Venue 1, and 19 workers and 11 fans at Venue 2.

None of the sampled workers were overexposed to noise based on OSHA criteria.

However, 40% and 57% of workers at Venue 1 and 33% and 91% of fans at Venue 2 were overexposed based on ACGIH noise exposure criteria.

Noise exposures for fans were significantly different between venues, but worker noise exposures between venues were not significantly different. In addition, extensive area noise monitoring was conducted at each venue to further characterize the stadium noise on a location-by-location basis.

Mean equivalent sound pressure levels ranged from 81 to 96 dBA at Venue 1 and from 85 to 97 dBA at Venue 2. Mean noise peak levels ranged from 105 to 124 dBA at Venue 1, and from 110 to 117 dBA at Venue 2.

These data reflect the potential for overexposure at indoor hockey events and are useful in characterizing occupational noise exposure of indoor arena support staff and may also provide a foundation for future noise control research in indoor sports arenas.