



News Release

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MSHA clarifies that OSHA's hazard communication standard meets requirements of MSHA's HazCom standard

ARLINGTON, Va. – The U.S. Department of Labor's Mine Safety and Health Administration today issued guidance to the mining industry to clarify that mine operators who meet the Occupational Safety and Health Administration's hazard communication standard will be in compliance with MSHA's hazard communication standard. The guidance, in a program policy letter, reflects MSHA's understanding that many mine operators are meeting OSHA's HazCom standard.

OSHA recently published an update to its Hazard Communication Standard, incorporating the United Nations' Globally Harmonized System of Classification and Labeling of Chemicals. Major changes to OSHA's HazCom standard include a new system of classifying types and degrees of hazards, changes to labeling requirements and changes to the Safety Data Sheet, formerly called the Material Safety Data Sheet.

"MSHA policy being issued today clarifies that compliance with OSHA's HazCom rule meets the requirements of MSHA's HazCom rule," said Joseph A. Main, assistant secretary of labor for mine safety and health. "We recognize that many mines already receive safety data sheets and labels for hazardous chemicals that are developed in accordance with OSHA's revised standard. We also recognize that mine operators may be required to develop safety data sheets and labels compliant with OSHA's standard in order to transport, import or export hazardous chemicals because of the transition to the global classification and labeling system.

"This compatibility is a win-win: it reduces the burden of maintaining two separate systems for identifying hazardous chemicals and communication of hazards while providing at least the same protections to miners as MSHA's existing HazCom standard. A single system will also promote consistency with other industries and federal agencies with respect to identification and communication of hazards," said Main.

Title 30, Part 47 of the Code of Federal Regulations requires mine operators to develop, implement, and maintain a written HazCom program. Operators must identify chemicals, make a hazard determination, ensure that containers of hazardous chemicals have labels, have and make available a data sheet 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.

While OSHA's HazCom standard is compatible with MSHA's, some aspects of OSHA's hazard classification may not be compatible with other existing MSHA standards, such as storage requirements for hazardous chemicals. Mine operators must comply with all existing MSHA standards concerning hazardous chemicals.

Under MSHA's HazCom standard, operators are required to train miners on the contents of the mine's HazCom program. Operators must describe in their written HazCom programs the HazCom practices in place at the mine, including practices for hazard determination, labels, and safety data sheets. For this reason, if operators choose to

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incorporate OSHA's updated HazCom rule, they also must update their written HazCom programs and conduct miner training on the new system.

Read the Program Policy Letter: <http://www.msha.gov/regs/complian/ppls/2013/PPL13-IV-01.pdf>

See the PowerPoint Presentation:

http://www.msha.gov/872013Stakeholder/HazCom%20Stakeholder%20Breifing%20Aug%207%202013_FINAL.pdf

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