

## **PART 35**

# **Workplace Hazardous Materials Information Systems**

**Previous Regulation(s): MR52/88R**

### **Summary of requirements:**

- **Application** – applies to every workplace where a controlled product is used, stored, produced or handled. Exceptions outlined in Section 35.1(2) and 35.1(3) of this Part of the Regulation.

### **Requirements:**

- **Training** – workers who work with or near a controlled product or perform work involving the manufacture of a controlled product must receive training on supplier labels, material safety data sheets, procedure for storing, using and handling the controlled product, the procedures to be followed if there are fugitive emissions and the procedures to be followed in case of an emergency.

### **Labelling Requirements:**

- **Supplier label required** on containers of controlled products
  - **Workplace label for employer-produced products required**
  - **Workplace label for decanted products required** (unless it is a portable container that is filled directly from a container that has a supplier label on it and all of the controlled products is required for immediate use exclusively by the worker who filled the portable container.
  - **Requirements for products contained or transferred in piping systems or vessels:** employer to ensure the safe use, storage and handling of the controlled product through a combination of worker education and the use of colour coding, labels, placards or any other method of identification.
  - **Placard identifiers** – where the controlled product is not in a container or is in any form intended for export, the employer may fulfill the labeling requirements by posting a placard in a conspicuous place at the location where the controlled product is stored.
- **Controlled Products in Laboratory**
    - **Supplier label not required for laboratory chemicals** – if the controlled product originates from a laboratory supply house, is intended for use in a laboratory, is packaged in a container in a quantity of less than 10 kg, and the container is appropriately labeled.

- **Material Safety Data Sheets (MSDS's)**
  - **Supplier material safety data sheets** – must be obtained for controlled products unless the supplier is exempted. MSDS cannot be older than 3 years.
  - **Employer material safety data sheets** – required where a controlled product or a fugitive emission that contains a controlled product is produced at a workplace.
  - **Accessibility of MSDS's** – must be readily accessible to workers who may be exposed to the product and to the committee or representative.
  - **Deletions from material safety data sheets** – an employer may file a claim with the commission to exempt specific information from the material safety data sheets as the information is deemed to be confidential business information. This does not include hazard information.
  - **Duty to disclose information** – an employer who manufactures a controlled product must give (on request) the source of toxicological data used in preparing a MSDS to a safety and health officer, the committee/representative/worker.
  - **Information confidential** – if officials working under the authority of the Hazardous Products Act (Canada) obtain information from the commission under the Hazardous Material Information Review Act the official must keep the information confidential and must not disclose it.
  - **Information to medical professional** – information, including confidential business information exempted from disclosure must be provided to a medical professional for the purpose of making a medical diagnosis or treating a worker in an emergency.

#### **Hazardous Waste**

- **Data sheet for hazardous waste** – if hazardous waste that contains a controlled product is produced, stored, handled or disposed of in the workplace, a material safety data sheet must be prepared .
- **Placard to identify hazardous waste that is not in a container** – must be of a size and in locations so that the information is conspicuous and clearly legible to workers.
- **Hazardous waste sale or disposal** – material safety data sheets regarding each controlled product in the hazardous waste and the hazardous waste or container must have a label applied to it.
- **Material safety data sheets** – must be kept for at least 30 years after the sheet was received from the supplier or produced at the workplace.

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*Note: This is high-level summary.  
Please refer to the Regulation for more detailed requirements.*