

RESOLUTION NO. 420

RESOLUTION ADOPTING A HAZARD COMMUNICATION PROGRAM.

WHEREAS, the Town of Mount Carmel is responsible for providing a safe and healthful workplace for its employees; and

WHEREAS, the Tennessee Occupational Safety and Health Administration (TOSHA) Hazard Communication/Right to Know law is to provide employees with information regarding chemicals used in the workplace so as to minimize hazardous exposure to the chemicals and to provide information to any responding emergency personnel to assist in protecting the health, safety, and welfare of the Town citizens and employees; and

WHEREAS, the Mount Carmel Safety Committee has recommended adopting the attached Hazard Communication Program; and

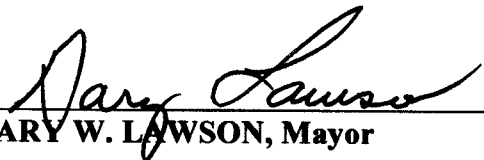
WHEREAS, to the extent that any other Resolution or Ordinance presently existing is conflicting in any way with the provisions the Hazard Communication Program, this Resolution supersedes any previously adopted policy; and

WHEREAS, the public health and welfare require it;

NOW, THEREFORE, BE IT RESOLVED that the attached, Exhibit A, the "Hazard Communication Program" is adopted by the Board of Mayor and Aldermen of the Town of Mount Carmel;

THIS Resolution shall become effective immediately, the public welfare demanding it.

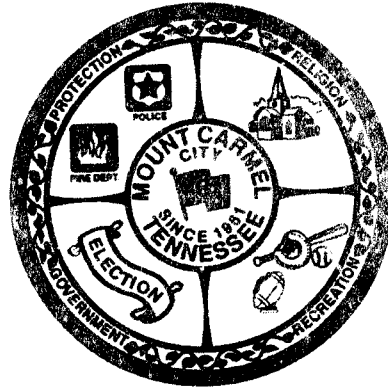
A D O P T E D this the 27th day of January, 2009.



GARY W. LAWSON, Mayor

ATTEST:

Marian Sandidge
MARIAN SANDIDGE, Recorder



APPROVED AS TO FORM:

Joel May
LAW OFFICES OF MAY & COUP

FIRST READING	AYES	NAYS	OTHER
Alderman William Blakely	✓		
Alderman Richard Gabriel	✓		
Alderman Tresa Mawk	✓		
Alderman Kathy Roberts	✓		
Vice-Mayor Thomas Wheeler	✓		
Alderman Carl Wolfe	✓		
Mayor Gary Lawson	✓		
TOTALS	7	0	0

PASSED FIRST READING January 27, 2009

Town Mount Carmel Hazard Communication Program

The Intention of the Tennessee Occupational Safety and Health Administration's (TOSHA) Hazard Communication/Right-To-Know law is to provide employees with information regarding chemicals used in the workplace so as to minimize hazardous exposure to the chemicals and to provide information to any responding emergency personnel to assist in protecting the health, safety, and welfare of the Town citizens and employees.

The TOSHA Hazard Communication/Right-To-Know law requires the employer to perform the following:

1. Post adequate notification informing the employees about their rights under this law.
2. Develop a chemical inventory of each of the hazardous materials used or stored in the workplace in excess of fifty-five (55) gallons or five hundred (500) pounds, submit this listing to the Tennessee Department of Labor, and maintain the listing for a period of thirty (30) years.
3. Develop a library of appropriate Material Safety Data Sheets (MSDS), which will always be accessible to the employee in each department.
4. Develop a written program, which addresses the labeling of containers, the training of employees as to the hazards of routine and non-routine tasks, and the maintaining and updating of the program.
5. Develop a program of communication with any applicable emergency response agencies relative to the hazardous chemicals and provide a description of their locations.

Written Hazard Communication Program

Adequate notification will be posted in each Department to inform the employees of their rights under the TOSHA Hazard Communication / Right-To Know law.

Each Town of Mount Carmel department head will assure that all hazardous chemicals in or leaving the workplace shall be properly labeled, tagged or marked in a manner which complies with the act and does not conflict with any other regulation pertaining to hazardous materials. Labels will:

1. Identify the hazardous chemical.
2. Provide the appropriate hazard warning.
3. Give the name of the manufacturer or responsible party.

Existing labels on containers of hazardous materials will not be removed or defaced. An employee will not be required to work with a hazardous chemical from an unlabeled container except when that employee places the material into a portable container and he/she immediately uses the substance.

Hazardous Materials Inventory

Every Town of Mount Carmel employee which purchases, uses, or otherwise handles hazardous chemicals in the workplace will be required to compile and submit an annually updated Hazardous Materials Inventory to the Department head. This inventory will be due in City Hall no later than January 1 of each calendar year. At the request of the department, the Safety Committee secretary will send out copies of previously submitted inventories so that a review may be made and inventories modified as necessary.

In addition to an inventory, each Town of Mount Carmel department, which purchases, uses, or otherwise handles hazardous chemicals in the workplace, will maintain a file of the appropriate MSDS of the chemicals or products used by employees of that respective department. If the chemical manufacturer or distributor upon delivery of the chemical does not provide MSDS sheets, the department will request a MSDS in writing from the manufacturer or distributor. If the MSDS is unavailable, the employee may refuse to work with the hazardous chemical.

Training

All employees will be provided training for the hazards in their workplace on an annual basis. Training will also be repeated when new hazards are introduced into the workplace.

It is the responsibility of each Town of Mount Carmel department to determine the training requirements for that individual department. Hazardous materials in Town are normally departmental specific. That is, in most cases hazardous materials purchased for use by a specific department are used exclusively by that department. Therefore, hazardous materials training will be the responsibility of the department initiating a purchase order for a hazardous material. The Town Safety Director can assist with training aids and provide guidelines for training specifics (e.g. "Train the trainer").

The Safety Committee will audit training compliance during annual Town inspections. Provisions have been made for documenting employee interviews to determine employee knowledge of the Town of Mount Carmel's Right-To-Know program.

Upon completion of the training, for each hazardous material in the work area, each worker should be able to:

- Know the chemical identity as well as the common name.
- Know the physical and/or health hazards.
- Know how to deal with an accidental fire.

- Know the symptoms to be expected in case of exposure.
- Know the first aid steps to take in case of exposure.
- Know the emergency procedures to take in the event of a spill.
- Know what protective equipment to wear and the proper way to wear it.
- Know the location of the written plan, which would provide additional information on hazardous materials, MSDS sheets and evaluation and emergency procedures.

Per OSHA requirements, employee training must be documented. Documentation is to be in the form of an employee sign-in sheet detailing employees trained and date of training. This documentation process must be repeated with every annual retraining session.

Firefighting Requirements

A copy of the hazardous chemicals inventory of the Town will be forwarded to Town of Mount Carmel Fire Department for inclusion in their pre-fire planning.

The chemical inventory will be an aid to firefighting by indicating the type of chemical, and quantity, stored in a particular location. The Fire Chief will provide an on-site tour of the facility.

The Fire Chief will be provided a copy of the written program as well as a copy of the emergency procedures.

Non-Employees

Contractors

The contractor's foreman or supervisor will be made aware of chemical hazards in the workplace that relates to the contractor's employees. The foreman or supervisor will be furnished a copy of the written program, and will be advised that all contractors' employees be trained as appropriate for their potential exposure.

Also, contractors and vendors who bring hazardous materials into the Town must notify the Town of the presence of these materials. Notification to the Safety Director of the presence of these hazardous chemicals should be made.

Visitors

Visitors will be made aware of the hazards associated with the workplace being visited. The visitor will be made aware of the written program and will be furnished a copy upon request. The visitor will be trained as appropriate for the potential exposure.

Visitors to highly hazardous workplaces will be held to a minimum length of time so as to reduce the chance of exposure to non-employees and thereby reduce potential liability to the Town Mount Carmel.

Employee Rights

Employees are not required to work with hazardous chemicals if not properly labeled. Employers must notify employees of areas of potential exposure. Employers may not retaliate against any employee for exercising rights under this act.

Event Reaction Procedure

When an emergency event involving hazardous materials occurs, the emergency coordinator in charge will take appropriate action to prevent health or safety hazards. The emergency action will take the basic form as follows:

1. The emergency coordinator will immediately employ corrective means, which are available to control the situation. An example of this approach would be the use of an oil dry compound or vermiculite to control a spill of a flammable solvent. The appropriate response will be employed in reference to a particular situation in accordance with procedures listed on the materials MSDS.
2. Coordinator will check material safety data sheets to determine the nature of the chemical involved.
3. The coordinator when confronted with an event will immediately notify the Safety Director and Department Head. The dispatcher will in turn notify other listed hazardous materials management agencies as directed by the Fire Chief or his designee. The coordinator will maintain continuous contact with Fire Chief or his designee.
4. The coordinator will take immediate steps to isolate the hazardous event and restrict movement of individuals into the danger area. Appropriate actions include:
 - Activating the building fire alarm system
 - Dispatching a complete security response to assist in building evacuation
 - Dispatching police vehicles to block streets within the exposure area.
 - Instructing personnel as to the need for use of personal protective equipment.

The specific action taken will be dictated by the situation.
5. Safety Director will advise the responding fire service agencies regarding specific hazards, life safety, reactivity of chemicals, need for P.P.E.s and other available data.

Emergency Notification Contacts

Safety Director, Fred Arnold
423-817-2990

Fire Chief, Chris Jones
423-817-2961

Police Chief, Jeff Jackson
423-817-2955

Mayor Gary Lawson
423-817-2957

Procedures for Hazardous/ Chemical Waste Collection

Any department generating a waste classified as hazardous by the Tennessee Department of Environment and Conservation, Division of Solid Waste will coordinate all hazardous waste pick-ups and be responsible for manifesting, labeling, and packaging of any hazardous waste shipped off-site.

Any material submitted for removal that does not have a UTC hazardous waste label attached will not be accepted for disposal. Label information will include:

- Generator's name
- Department
- Quantity
- Chemical constituents
- Hazard
- Date accumulation began

Plan Reviewed

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