

HOUSE BILL 547

K3

3lr2407

By: **Delegates Serafini, Afzali, Krebs, McComas, W. Miller, Myers, Smigiel, and Stocksdale**

Introduced and read first time: January 30, 2013

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Occupational Safety and Health Act – Chemical Information List –**
3 **Exemption**

4 FOR the purpose of exempting certain hazardous chemicals from the requirement that
5 an employer compile and maintain a certain chemical information list for
6 certain hazardous chemicals; and generally relating to the chemical information
7 list employers are required to keep under the Maryland Occupational Safety
8 and Health Act.

9 BY repealing and reenacting, with amendments,
10 Article – Labor and Employment
11 Section 5–405
12 Annotated Code of Maryland
13 (2008 Replacement Volume and 2012 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article – Labor and Employment**

17 5–405.

18 (a) This section does not apply to:

19 (1) a consumer product or foodstuff that is:

20 [(1)] (I) packaged for distribution to and intended for use by the
21 general public; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 ~~[(2)]~~ **(II)** handled unopened or stored unopened in a retail
2 establishment, including its storeroom or warehouse; **OR**

3 **(2) A HAZARDOUS CHEMICAL THAT IS NOT SUBJECT TO TITLE III**
4 **OF THE FEDERAL SUPERFUND AMENDMENTS AND REAUTHORIZATION ACT OF**
5 **1986, INCLUDING ALL SUBSEQUENT AMENDMENTS.**

6 (b) (1) To comply with the requirements of 29 C.F.R. 1910.1200(e)(1)(i) for
7 a list of hazardous chemicals, each employer shall compile and maintain a chemical
8 information list for each hazardous chemical that is formulated, handled,
9 manufactured, packaged, processed, reacted, repackaged, stored, or transferred in the
10 workplace of the employer.

11 (2) Within 30 days after a hazardous chemical is introduced into the
12 workplace of an employer, the employer shall add the hazardous chemical to the
13 chemical information list. The employer need not place the hazardous chemical
14 alphabetically on the chemical information list until the employer next revises the list
15 as required under paragraph (3) of this subsection.

16 (3) Every 2 years, an employer shall revise the chemical information
17 list.

18 (c) For each hazardous chemical on a chemical information list, the list shall:

19 (1) contain its chemical and common names; and

20 (2) identify each work area where the hazardous chemical is found.

21 (d) Each compilation of a chemical information list and each revision under
22 subsection (b) of this section shall list the hazardous chemicals on the list in
23 alphabetical order according to common name.

24 (e) Each employer shall keep, for at least 40 years, each chemical
25 information list that the employer compiles or revises.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2013.