

Identification of chemicals hazardous to health

All chemicals used at the place of work shall be identified and recorded in a register and shall be accessible to the officer of the Department of Occupational Safety and Health.

The register shall contain:

- A list of all chemicals used,
- A current CSDS for each chemicals, and
- The following information:
 - a) Average quantity used, produced or stored per month or per year for each chemical.
 - b) The process and work area where the chemical is used.
 - c) Name and address of supplier of each chemical.

Premissible exposure limit

The employer shall ensure that no person is exposed to any chemical hazardous to health above:

- The ceiling limit at any time; or
- Above the eight-hour time-weighted average airborne concentration. Specified for the chemicals in schedule I of the Regulation.

Assessment of risk to health

Assessment of risk to health shall be carried out by a registered assessor. The assessment shall contain the following informations:

- The potential risk to an employee as a result of exposure to chemical hazardous to health.
- The methods and procedure adopted in the use of chemicals hazardous to health.
- The nature of the hazard to health.
- The degree of exposure to such chemicals.
- The risk to health as a result of their usage and their release during the work processes.
- Measures and procedures required to control the exposure of an employee to chemicals hazardous to health.
- The measures, procedures and equipment necessary to control any accidental emission of a chemical hazardous to health as a result of leakage, spillage, process or equipment failure.
- The necessity for an employee exposure monitoring programme.
- The necessity for a health surveillance programme.
- The requirement for training and retraining of employees as required under regulation 22.

Action to control exposure

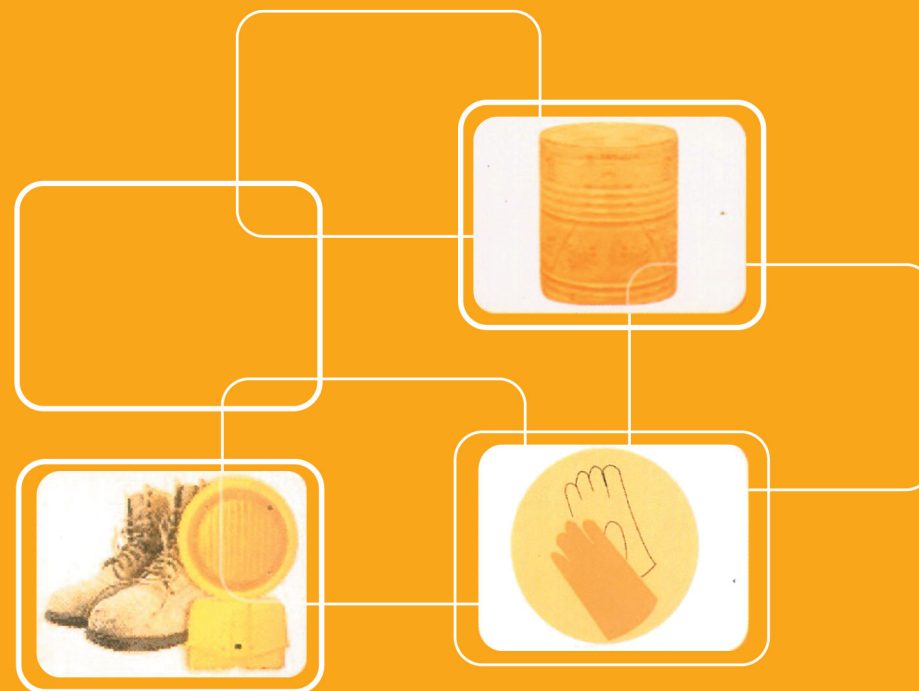
Within 1 (one) month of receiving the assessment report from the assessor, the employer shall take 3 action to control excessive exposure as recommended by the assessor. This may include changes in work processes, practices, procedures, or plant or engineering control equipment to reduce the exposure level to the lowest practicable level.

Labelling and relabelling

Every employer must ensure that all hazardous chemicals supplied or purchased are properly labelled and all containers in use at the place of work are properly labelled.



Occupational Safety and Health (Use and Standards of Exposure of Chemical Hazardous to Health) Regulation 2000



Introduction

The Occupational Safety and Health (Use and Standards of Exposure of Chemical Hazardous to Health) Regulation 2000 is the sixth of regulations made under the Occupational Safety and Health Act 1994(ACT514).

The purpose of the Regulations is to provide a legal framework for the employer to control hazardous "Industrial Chemical" with respect to their usage and to set workplace exposure standards so as to protect health of employees and other persons at the place of work. The Regulation clearly stipulate the responsibility of the employer (including the self-employed person), in respect of his employees and any other persons, so far as is practicable to protect their safety and health from being affected by chemicals hazardous to health.

The duties of the employer stipulated in the Regulations are:

- Identification of chemicals hazardous to health.
- Complying with the permissible exposure limits.
- Making chemical health risk assessment.
- Taking action to control hazardous exposure.
- Labeling and relabelling chemicals hazardous to health.
- Providing information, instructions and training.
- Monitoring employee exposure at the place of work.
- Conducting health surveillance.
- Posting of warning signs.
- Record keeping.

Application

These regulations shall apply to all places of work (which are within the jurisdiction of the Act) where chemicals hazardous to health are used, except chemicals that are:

- Defined radioactive materials under the Atomic Energy Licensing Act 1984
- Foodstuff.
- Hazardous to health solely by virtue of their explosive or flammable properties, or low temperature or a high pressure.
- Pharmaceutical products.

A chemical hazardous to health

A chemical hazardous to health is a chemical that:

- Is listed in schedule I, II and III of this Regulations.
- Possesses any of the properties categorised in part B of schedule I of the CPL Regulation (PU(A) 143-97)
- Come within the definition of "pesticide" under the Pesticides Act 1974.
- Is listed in the First Schedule of the Environment Quality (Schedule Wastes) Regulations, 1989.

Information, instruction and training

The employer shall provide information, instructions and training to all employees who may be exposed or are likely to be exposed to hazardous chemicals. From the information, instructions and training given, the employee should be able to know:

- The risk to health created by such exposure.
- The precaution that should be taken.

Monitoring of exposure at the place of work

Employer shall ensure the monitoring of employee's exposure to chemicals hazardous to health is conducted by registered hygiene technician when:

- A health risk assessment indicate that monitoring is required, or
- Monitoring is required to ensure the maintenance of adequate control exposure.

Health surveillance

The employer shall carry out a health surveillance programme when assessment indicate that health surveillance is necessary for the protection of employees exposed or likely to be exposed to chemicals hazardous to health.

Removal due to medical reasons

The employer shall not permit an employee to be engaged in and shall remove him from any hazardous work if,

- The employee has a detected medical condition that places him at increased risk of impairment to health from exposure to hazardous chemical.
- The employee becomes pregnant.
- The employee is breast feeding her new born child.

Warning sign

When a hazardous chemical is used in any manner that is affecting the health of any person who may be in that area or who may be or is likely to be at risk by the hazardous chemical, the employer shall ensure that:

- Warning signs are posted at a conspicuous location at every entrance of the area, to warn the person or persons entering the area of the hazards.
- Other relevant information are given to persons who may be or likely to be at risk of being affected by the hazardous chemical.

Penalty

Any person who contravenes any provision of these regulations shall be guilty of an offence and, on conviction, be liable to a fine not exceeding RM10,000 (Ten thousand ringgit) or both and in the case of continuing offence, to a fine not exceeding RM1,000 (One thousand ringgit) for each day or part of a day during which the offence continues after conviction.