



Date: May 10, 2013

To: Mike Horowitz, Sr. Safety Engineer, I.H., Cal/OSHA Research and Standards Unit

From: The California State Association of Occupational Health Nurses (CSAOHN)

Regarding: Globally Harmonized System (GHS) Update to Section 5194, Hazard Communication

Dear Mr. Horowitz:

The California State Association of Occupational Health Nurses, a state affiliate of the American Association of Occupational Health Nurses (AAOHN) is dedicated to advancing the health, safety, and productivity of all workplaces in California. We wish to informally comment on the draft language to amend Section 5194, Hazard Communication.

Use of source lists to define a health hazard

We agree with the proposed amendment to maintain the use of the Director's list and other lists as currently required by California regulation and as written in the draft for Section 5194, subsection (d) 4. These lists provide a reliable safety net to ensure that potential hazards are communicated to workers, employers, and medical personnel.

Inclusion of single positive study conducted in accordance with established scientific principles

We agree with the suggested language that adds evidence of statistically significant health effects and evidence based on at least one positive study conducted in accordance with established scientific principles be added to the standard.

Use of mixture percentages for classification

Health effects should be used as criteria, not mixture percentages, especially at the levels in the federal program of 1% and 0.1%. Potent compounds, for example, can have serious health effects at extremely low levels. Methods for detection and measurement of chemicals have vastly improved and the current federal standard is not in keeping with current technology. California needs to remain a leader in this area.

We agree with Cal/OSHA's concerns that the Safety Data Sheet (SDS) preparer has broader discretion to classify chemicals under the federal system than under current California standards. Several expert toxicologists gave eloquent testimony at the meeting regarding the issues of defining and classifying health hazards and how that would lead to the creation of the SDS—or not.

CSAOHN applauds the efforts of the Division to ensure that California's adoption of the 2012 Hazard Communication Standard (CFR 1910.1200) does not undermine the quality of our state's existing hazard communication standard, while adopting those aspects of the 2012 Hazard Communication Standard (CFR 1910.1200) that will promote the goals and aims of the World Health Organization and Federal Occupational Health and Safety (OSHA) efforts for global harmonization. CSAOHN agrees with the Key Guiding Principle of the harmonization process that 'Protection will not be reduced'. Thank you again for your efforts and we look forward to participating in further discussions and formal review.

Sincerely,

A handwritten signature in black ink that reads "Mary Hale". The signature is written in a cursive, flowing style.

Mary Hale, MSN, NP, COHN-S
President of the California State Association of Occupational Health Nurses (CSAOHN)
310-825-6771

cc: Cal/OSHA Chief Ellen Widess
Deborah Gold
Steve Smith