

Regulatory Updates
Compiled for the Pine Chemicals Association
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UPCOMING CONFERENCES

-ASSP Safety Conference and Expo, 8/7-9/2024, Denver CO

-NSC Fall Safety Conference and Expo, 9/13-19/2024, Orlando FL

-PCA 2024 International Conference, 10/13-15/2024, Helsinki Finland

SAFETY

OSHA HazCom Standard Updated with GHS Revision 7 - “OSHA published a Final Rule on May 20 to revise the Hazard Communication Standard (HCS), aligning it primarily with the 7th Revised Edition of the *Globally Harmonized System for Classifying and Labeling Chemicals* or *GHS*. The Final Rule is effective July 19, 2024. For workplaces subject to the OSHA HazCom regulations—i.e., chemical manufacturers, importers, distributors, and employers— notable regulation changes relate to hazard classifications, container labels, Safety Data Sheet (SDS) requirements, and more. . . Revisions and additions to the OSHA HCS in 29 CFR 1910.1200 to align it with (primarily) the 7th Edition GHS include changes to:

- Codify existing OSHA interpretations on labeling very small containers.
- Update rules for GHS labels on bulk chemical shipments.
- Add one new hazard class (desensitized explosives) and three new hazard categories.
- Provide relief related to *updating* hazard labels for containers "released for shipment."
- Revise rules for trade secrets on Safety Data Sheets (SDS).
- Move the definition of "combustible dust" to the definitions section.
- Fix inconsistencies and clarify rules for GHS and DOT labeling for shippers.

[Read the Final Rule.](#)” (Lion Technology, Inc., 5/21/2024.)

Update on OSHA’s Emergency Response Rulemaking – This article lists some concerning aspects of this proposed rule. Read the full article [here](#). “On February 5, 2024, OSHA revealed its [Notice of Proposed Rulemaking for a new Emergency Response Standard](#), initiating a public comment period. As we previously reported, the rulemaking is designed to update OSHA’s existing Fire Brigades Standard and to expand safety and health requirements related to emergency responders – both public and private. Although OSHA extended the deadline by which comments must be filed from May 6 to June 21, that day is approaching fast, especially given the length, technical nature, and complexity of the proposed rule.” (OSHA Defense Report, Beeta B. Lashkari and Eric J. Conn, 5/24/2024.)

Webinar Recording: OSHA’s New Worker Walkaround Rule – “OSHA’s new final Worker Walkaround Rule amends its existing regulation at 29 CFR § 1903.8(c) in two material ways: Changing the bias against third-party employee representative participation in OSHA inspections by changing existing language to allow non-employee third parties to act as employee representatives during OSHA inspections; and expanding the types of third parties permitted to represent employees during OSHA inspections by changing existing language limiting such representatives to credentialed certified industrial hygienists or professional safety engineers, to now permitting any third-party representative who has ‘relevant knowledge, skills, or experience with hazards or conditions in the workplace or similar workplaces, or language skills.’” Here are links to [a copy of the slides](#) and a [recording of the webinar](#). (OSHA Defense Project, 5/31/2024.)

ENVIRONMENT

EPA Announces New Resource Portal and Reporting Tool Improvements Before CDR Reporting Begins on June 1, 2024 - “The Chemical Data Reporting (CDR) rule

requires manufacturers (including importers) to report data to the U.S. Environmental Protection Agency every four years. The 2024 submission period will begin June 1, 2024, and end September 30, 2024. On May 16, 2024, EPA announced the creation of [CDR GuideME](#), a new resource portal, and improvements to the reporting tool to make the reporting process easier. Data that must be reported include information concerning the manufacturing, processing, and use of such chemicals, unless exempt from this requirement under the CDR rule. The reporting requirements cover chemicals listed on the Toxic Substances Control Act (TSCA) Chemical Substance Inventory if manufactured (including imported) above an applicable regulatory threshold. For the 2024 submission period, manufacturers (including importers) are subject to the reporting requirements based on manufacturing (including importing) activities conducted during the calendar years 2020-2023.” Read the full article [here](#). (Lexology, Bergeson & Campbell PC - Lynn L. Bergeson and Carla N. Hutton, 5/17/2024.)

Help Sheet for Hazardous Substances Facility Response Plans (FRP) – See the [help sheet](#) from Lion Technology, Inc. regarding the new regulation on this topic.

Send your suggestions and comments to ehs@pinechemicals.org

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