

Regulatory Updates
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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 Hazard Communication Guide to New Rule – “Effective July 19, OSHA has revised the Hazard Communication Standard (HCS) to better align it with the Globally Harmonized System or GHS. HCS updates in effect . . . include new and adjusted hazard classes and categories, container labels, Safety Data Sheet requirements, and more. Click [here](#) to see a guide which includes deadlines for compliance.” (Lion Technology Inc., 7/19/2024.)

Lithium-Ion Battery Safety Heavily Featured at 2024 NFPA Conference – “The National Fire Protection Association (NFPA), a nonprofit organization that seeks to eliminate injuries and deaths caused by fire hazards, heavily emphasized lithium-ion battery safety at its 2024 annual conference, featuring educational sessions and workshops focused on the fire risks associated with lithium-ion batteries. [According to the NFPA](#), while lithium-ion batteries ‘provide an effective and efficient source of power, the likelihood of them overheating, catching on fire, and even leading to explosions increases when they are damaged or improperly used, charged, or stored.’ Specific emphasis was placed on lithium-ion batteries found in e-bikes and other micro-mobility devices at the NFPA conference. According to the NFPA, the New York Fire Department reported more than 130 fires started by e-bikes or e-scooters—up from just 13 in 2019—which led to five deaths.” Read the full article [here](#). (Lexology, Morrison & Foerster LLP - Erin M. Bosman, et al., 7/3/2024.)

Designed to Fail: Key Lessons from an Acetic Acid Release [Video] – There are lessons for our industry since this incident isn’t unique to any specific chemical.

On July 27, 2021, three contractors removed an actuator from an acetic acid reactor. The contractors inadvertently removed nuts that held a pressure-retaining valve cover in place. The workers used a pry bar to try to remove the coupler from the valve stem, and the forces from the pry bar and the process fluid pressure inside the plug valve caused the unfastened valve cover and plug to eject from the plug valve body. Roughly 164,000 pounds of a 61.7% acetic acid mixture at 238 °F rapidly released from the open plug valve. Two of the contract workers died from fatal chemical burns and inhalation. The other contract worker, and 28 other workers, sought medical treatment.

Read the full article and view the video from the Chemical Safety Board [here](#). (Lion Technology Inc., 7/15/2024.)

National and Local Emphasis Programs [Webinar Recording] - “On Thursday, July 18, 2024, [a webinar was presented] about National and Local Emphasis Programs. Employers expect OSHA to show up after reporting a serious incident or when employees complain about certain types of hazards, but the agency has been focused now, more than ever it seems, on proactive enforcement methods. As part of this strategy, OSHA has launched a series of new National Emphasis Programs (NEP) targeting heat illness, silica, and the warehousing industry,

while also announcing a number of new Regional and Local Emphasis Programs (REP and LEP) across the country. Employers in the covered industries should take note because their establishments can be selected for an inspection under these programs even if they have an exemplary safety record, have not been subjected to any complaints, and have not recently reported a serious incident. Understanding these enforcement priorities is vital for companies to better prepare for potential regulatory inspections.” Click [here](#) for copy of the slides and to view the video. (OSHA Defense Report, Aaron Gelb, et al., 7/22/2024.)

What to Do When It's Too Hot for PPE? - Click [here](#) to read an article on this subject that is all too familiar. The article includes NIOSH recommendations. (Lion Technology Inc., 7/18/2024.)

Analysis of OSHA’s Proposed Heat Illness Prevention Rule – “On July 2, 2024, OSHA revealed an unofficial version of its [Notice of Proposed Rulemaking \(NPRM\) for an Indoor and Outdoor Heat Illness Prevention Rule](#). For unknown reasons, OSHA has not yet published the official NPRM in the Federal Register, but it is expected any day. Interested stakeholders will have a 120-day period to submit public comments to OSHA after the NPRM is published, which will make comments due likely sometime in December 2024. . . This Alert provides a detailed summary of what is in OSHA’s proposed Indoor and Outdoor Heat Illness Prevention Rule and how to ensure your industry’s interest are represented during the final phase of OSHA’s Heat Illness Rulemaking.” Read the full article [here](#). (OSHA Defense Report, 7/30/2024.)

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Final Rule Alert: Third RCRA e-Manifest Rule - US EPA is prepared to release the third of three rules to implement the electronic Hazardous Waste Manifest (e-Manifest) system for tracking the transportation of hazardous waste shipments. Dubbed “the Third Rule” by EPA, the Rule revises the RCRA regulations for documenting the movement of hazardous waste within, into, and out of the United States. . . Notably, the Final Rule requires large and small quantity generators to create online accounts in the RCRAInfo Portal (RCRAInfo.EPA.gov) to access completed manifests. This differs from what EPA proposed in April 2022. Read the full article [here](#). (Lion Technology Inc., 7/8/2024.)

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