Mine Safety and Health Admin., Labor

aware that may be created by the performance of the contractor’s work at the mine.

PART 47—HAZARD COMMUNICATION (HazCom)

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SOURCE: 67 FR 42383, June 21, 2002, unless otherwise noted.

Subpart A—Purpose, Scope, Applicability, and Initial Miner Training

§ 47.1 Purpose of a HazCom standard; applicability.

The purpose of this part is to reduce injuries and illnesses by ensuring that each operator—

(a) Identifies the chemicals at the mine,
(b) Determines which chemicals are hazardous,
(c) Establishes a HazCom program, and
(d) Informs each miner who can be exposed, and other on-site operators whose miners can be exposed, about chemical hazards and appropriate protective measures.

(e) As of September 23, 2002, all mines employing six or more miners are required to comply with this part.

(f) As of March 21, 2003, all mines employing five or fewer miners are required to comply with this part.

§ 47.2 Operators and chemicals covered; initial miner training.

(a) This part applies to any operator producing or using a hazardous chemical to which a miner can be exposed under normal conditions of use or in a foreseeable emergency. (Subpart J of this part lists exemptions from coverage.)

(b) Operators of mines which employ six or more miners must instruct each miner with information about the physical and health hazards of chemicals in the miner’s work area, the protective measures a miner can take against these hazards, and the contents of the mine’s HazCom program by September 23, 2002. Operators of mines that employ five or fewer miners must instruct each miner with information
§47.11 Definitions of terms used in this part.
The definitions in Table 47.11 apply in this part as follows:

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition for purposes of HazCom</th>
</tr>
</thead>
<tbody>
<tr>
<td>Access</td>
<td>The right to examine and copy records.</td>
</tr>
<tr>
<td>Article</td>
<td>A manufactured item, other than a fluid or particle, that—</td>
</tr>
<tr>
<td>Chemical</td>
<td>(1) Is formed to a specific shape or design during manufacture, and</td>
</tr>
<tr>
<td>Chemical name</td>
<td>(2) Has end-use functions dependent on its shape or design.</td>
</tr>
<tr>
<td>Common name</td>
<td>Any designation or identification (such as a code name, code number, trade name, brand name, or generic name) used to identify a chemical other than by its chemical name.</td>
</tr>
<tr>
<td>Consumer product</td>
<td>A product or component of a product that is packaged, labeled, and distributed in the same form and concentration as it is sold for use by the general public.</td>
</tr>
<tr>
<td>Container</td>
<td>(1) Any bag, barrel, bottle, box, can, cylinder, drum, reaction vessel, storage tank, or the like.</td>
</tr>
<tr>
<td>Cosmetics and drugs</td>
<td>(2) The following are not considered to be containers for the purpose of compliance with this part:</td>
</tr>
<tr>
<td>CPSC</td>
<td>(i) Pipes or piping systems;</td>
</tr>
<tr>
<td>Designated representative</td>
<td>(ii) Conveyors; and</td>
</tr>
<tr>
<td>Exposed</td>
<td>(iii) Engines, fuel tanks, or other operating systems or parts in a vehicle.</td>
</tr>
<tr>
<td>Hazard warning</td>
<td>(1) Cosmetics are any article applied to the human body for cleansing, beautifying, promoting attractiveness, or altering appearance.</td>
</tr>
<tr>
<td>Hazardous chemical</td>
<td>(2) Drugs are any article used to affect the structure or any function of the body of humans or other animals.</td>
</tr>
<tr>
<td>Health hazard</td>
<td>A chemical for which there is statistically significant evidence that it can cause acute or chronic health effects in exposed persons. Health hazard includes chemicals which—</td>
</tr>
<tr>
<td>Health professional</td>
<td>A physician, physician’s assistant, nurse, emergency medical technician, or other person qualified to provide medical or occupational health services.</td>
</tr>
<tr>
<td>Identity</td>
<td>A chemical’s common name or chemical name.</td>
</tr>
<tr>
<td>Label</td>
<td>Any written, printed, or graphic material displayed on or affixed to a container to identify its contents and convey other relevant information.</td>
</tr>
<tr>
<td>Material safety data sheet (MSDS)</td>
<td>Written or printed material concerning a hazardous chemical which—</td>
</tr>
</tbody>
</table>