



## Hazardous Materials Management Policy

Effective Date: February 20, 2006

Approval: January 25, 2016

Maintenance of Policy: Facilities and Campus Operations, Department of Environmental Health & Safety/Risk Management

**PURPOSE:** This policy addresses the University of Dayton's (University) hazardous materials management. The University is committed to providing a safe and healthy environment conducive to learning and living to its students, faculty, staff and visitors while protecting the environment and maintaining compliance with local, state and federal environmental and health laws and regulations.

**SCOPE:** This policy applies to all persons including University faculty, staff, students, visitors and contractors who work with or around hazardous materials and to those areas of campus which may be affected by the presence of such materials. The management of hazardous materials through their acquisition, utilization, storage and disposal is critical.

### DEFINITIONS:

"Hazardous Materials" is any item or agent (biological, chemical, physical) which has the potential to cause harm to humans, animals or the environment, either by itself or through interaction with other factors. Hazardous materials are defined and regulated in the United States primarily by laws and regulations administered by the U.S. Environmental Protection Agency (EPA), the U.S. Occupational Safety and Health Administration (OSHA), the U.S. Department of Transportation (DOT), and the U.S. Nuclear Regulatory Commission (NRC). Each has its own definition of a hazardous material.

OSHA's definition includes any substance or chemical which is a "health hazard" or "physical hazard," including chemicals which are carcinogens, toxic agents, irritants, corrosives, sensitizers, agents which act on the hematopoietic system, agents which damage the lungs, skin, eyes or mucous membranes, chemicals which are combustible, explosive, flammable, oxidizers, pyrophorics, unstable-reactive or water-reactive and chemicals which in the course of normal handling, use, or storage may produce or release dusts, gases, fumes, vapors, mists or smoke which may have any of the previously mentioned characteristics. (Full definitions can be found at 29 Code of Federal Regulations (CFR) 1910.1200.)

### REFERENCE DOCUMENTS:

1. Hazardous Materials Management Program
2. Contractor Management Program
3. Asbestos Management Policy
4. Environmental Health and Safety Policy

### APPLICABLE REGULATIONS:

1. OSHA 29 CFR 1910.1200,
2. EPA 40 CFR 355,
3. DOT 49 CFR 100-180,
4. NRC 10 CFR 20

### POLICY HISTORY:

Approved as Amended:

January 25, 2016

Approved in Original Form:

February 20, 2006

## DEFINITIONS (continued):

EPA incorporates the OSHA definition and adds any item or chemical which can cause harm to people, plants or animals when released by spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping or disposing into the environment. (40 CFR 355 contains a list of over 350 hazardous and extremely hazardous substances.)

DOT defines a hazardous material as any item or chemical which, when being transported or moved, is a risk to public safety or the environment and is regulated as such under the Hazardous Materials Regulations (49 CFR 100-180), International Maritime Dangerous Goods Code, Dangerous Goods Regulations of the International Air Transport Association, Technical Instructions of the International Civil Aviation Organization, and the U.S. Air Force Joint Manual "Preparing Hazardous Materials for Military Air Shipments."

The NRC regulates items or chemicals which are "special nuclear source" or by-product materials or radioactive substances. (See 10 CFR 20).

"Hazardous waste" is waste that poses substantial or potential threats to public health or the environment. In the United States, the treatment, storage and disposal of hazardous waste is regulated under the Resource Conservation and Recovery Act (RCRA). Hazardous wastes are defined under RCRA in 40 CFR 261 where they are divided into two major categories: characteristic wastes and listed wastes.

## POLICY:

**I. Roles and Responsibilities:**

**A. Environmental Health & Safety/Risk Management (EHS/RM) shall coordinate and oversee the hazardous materials management program for the University.** This includes but is not limited to:

- Provide information, support and advice to individuals and departments on the management of hazardous materials.
- Assist researchers and departments in conducting risk assessments and evaluate any special certification requirements or needs before issuing certificates as required.
- Support departments and service areas with the maintenance of their inventory and oversee the hazardous materials registry.
- Organize and coordinate the hazardous waste management program in accordance with local, state and federal regulatory requirements.
- Maintain procedures to respond to hazardous material emergencies and coordinate response to spills and/or accidental releases of and exposures to hazardous materials.
- Maintain records of accidents and incidents and carry out and participate in investigations as required.
- Provide general training sessions on hazardous materials management.

## POLICY (continued):

- Initiate and participate in facility inspections, with particular attention to storage, handling and disposal of hazardous materials and make recommendations to the appropriate authority for corrective action.
- Represent the University to external compliance agencies and report to external compliance agencies as required.
- Monitor legislation concerning hazardous materials and the environment, and advise University administrators about its potential impact on University activities.

**B. Deans, Directors, Department Chairs, Heads of Academic and Research Units** have the primary responsibility for the health and safety of their staff and students. Responsible for:

- Communicating, promoting and enforcing this policy in areas under their control.
- Collaborating with faculty and staff to implement the Program into the function of the laboratory/technical area.
- Making budget arrangements for health and safety requirements and improvements.

**C. Supervisors/Principal Investigators who are responsible for the management of hazardous materials within their administrative, academic and departments are responsible to:**

- Ensure that engineering controls e.g. fume hoods, biological cabinets and containment or storage devices, emergency shut-offs and safety equipment are adequate, appropriate and in good working order and are used when required.
- Ensure that inventories of hazardous materials are up-to-date and available to EHS/RM.
- Provide and maintain all personal protective equipment required by personnel and ensure training has been provided in proper utilization.
- Report any incidents to EHS/RM that occur in the lab including injury, near miss or spills. Maintain the necessary material and equipment for spill response.
- Carry out inspections of laboratories, studios and workshops.
- Cooperate with requests from EHS/RM.
- Review grant applications to ensure that the space, facilities, engineering controls and procedures and support services are adequate and appropriate for the work to be carried out safely.
- Notify EHS/RM of any change in laboratory use and a formal commission/decommission be performed and signed off by EHS/RM.
- Coordinate adherence to DOT regulations for transportation of hazardous materials including on-campus transfers involving public roadways.

POLICY (continued):

**D. Visitors:**

- Entrance is restricted in areas containing potential or known hazards including, but not limited to, all research and teaching laboratories, maintenance shops, workshops, mechanical and electrical rooms, construction sites, studios and any area where hazardous materials are handled or stored. Laboratory Supervisors and/or Principal Investigators are specifically responsible for the safety of all employees and visitors in their work areas.
- Visitors to such areas must be continually supervised by University personnel who are trained and knowledgeable of the area's potential hazards. Visitors under 18 years of age (unless considered a University student), are not permitted in restricted access areas except with written consent from the Unit/Department Head and/or designated individual.

**E. Contractors**

- Contractors working on University premises shall carry out their work in conformity with the University policy and procedures and in accordance with all applicable laws and regulation.
- No contractor shall bring a controlled product onto University premises without providing the project coordinator or EHS/RM with a copy of the Safety Data Sheet (SDS) for that product.

The Contractor, including subcontractors, must review the attached policy and procedures for handling and disposing of hazardous materials and share this information with their supervisors and crew members working at the University.