

#2

# TOOLKIT

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## The Executive's Guide to Safety Data Sheets

When a coil coater sells a finished product or an "article" to a service center or OEM, a safety data sheet (*Note Safety Data Sheets, SDS, were formerly known as Material Safety Data Sheets, or MSDS*) is generally no longer required. That's because finished products and "articles" do not present a hazardous exposure to employees and are exempt from coverage under the Hazard Communication Standard (HCS). Nonetheless, purchasing managers and other OEMs typically expect to receive the SDS and routinely ask for them. When coil coaters and service centers do not supply them, and there is insufficient information about why an SDS is not provided, there may be confusion. This Tool Kit is intended to help you determine whether your product is an article or a hazardous chemical, and to explain why finished products or articles are exempt from the HCS.

The Occupational Safety and Health Administration (OSHA) promulgated the HCS, also known as the "Right to Know" rule, to ensure that the potential hazards of all chemicals produced or imported into the U.S. are evaluated and that information concerning their hazards is communicated to employers and employees (29 CFR 1910.1200). The standard applies to all chemicals that are known to be present in the workplace in such a manner that employees may be exposed to them under normal conditions of use or in a foreseeable emergency.

OSHA requires there be a "downstream flow" of information. Chemical manufacturers or importers must assess the hazards of chemicals and obtain or develop an SDS for each hazardous chemical they produce or import. They must alert the distributors with their initial shipment (and with the first shipment each time an SDS is updated.)

Distributors must then transmit this information to their employers, who in turn must provide information to their employees about each hazardous chemical to which they are exposed. Additionally, appropriate protective measures must be taken, such as a hazard communication program, labels and other forms of warning, safety data sheets, and information and training. Employers are required to have an SDS in the workplace for each hazardous chemical that they use.

By way of example, paint companies must obtain or develop an SDS for all hazardous chemicals that are in their products. When the paint companies ship product to the coil coater, they must send all relevant SDSs to the coater. If the coater, in turn, ships that product (in this case, paint) to another company, the coater must pass the SDS downstream to the next company; however, if the coater sells a finished product, such as a coated coil "article" (a coil), the paint companies' SDS is no longer applicable or relevant. During the coater's curing process, the hazardous chemicals in the previously wet paint (listed individually on the paint company's SDS to the coater) evaporate or become different components that are not extractable from the surface of the coating. Consequently, no chemicals remain to be released into the workplace.

The HCS specifically provides that the SDS requirement does not apply to an "article," currently defined in 29 CFR 1910.1200(c) as:

*"a manufactured item other than a fluid or particle: (i) which is formed to a specific shape or design during manufacture; (ii) which has end use function(s) dependent in whole or in part upon its shape or design during end use; and (iii) which under normal conditions of use does not release more than very small quantities, e.g., minute or trace amounts of a hazardous chemical...and does not pose a physical hazard of health risk to employees."*

This Tool Kit is part of a series of educational aids developed by the members of the National Coil Coating Association. NCCA is a trade association of coil coaters and suppliers of raw materials and equipment used in the coil coating process. The association concentrates its efforts on providing educational resources and assisting its members in providing superior products and services to their customers. NCCA Tool Kits are informational tools and should not be used as substitutes for instructions from individual manufacturers. Always consult with individual manufacturers for specific instructions regarding their products and equipment.

In evaluating an article, one must consider whether exposure to that article presents any sort of health risk. The term “risk” as opposed to “hazard” is used, since the hazard is an inherent property of the chemical and exists no matter the quantity of exposure. To be exempted as an article, exposure must not pose a risk to employee health. A coil of coated steel or aluminum sold to an OEM would fit this definition of an article. There is no post-finishing involved.

Hazard evaluations must be made on a case-by-case basis since it is the manufacturer who is most familiar with a product’s composition, its intended uses, and the potential downstream exposures. Manufacturers or importers must do their best to anticipate the uses of their products and determine whether downstream employees can be exposed to a hazardous chemical. If such an exposure does occur, or has the potential to occur, then the product could not be considered as an article. If the finished product does not potentially release chemicals during normal operating conditions, it would be considered an article and would be exempt from the requirement for an SDS.

For further assistance or information, contact the Office of Health Compliance Assistance at 202.693.2190 or log onto <http://www.ilpi.com/SDS/osha>.