

Subpart I—Trade Secret Hazardous Chemical

- 47.81 Provisions for withholding trade secrets.
- 47.82 Disclosure of information to MSHA.
- 47.83 Disclosure in a medical emergency.
- 47.84 Non-emergency disclosure.
- 47.85 Confidentiality agreement and remedies.
- 47.86 Denial of a written request for disclosure.
- 47.87 Review of denial.

Subpart J—Exemptions

- 47.91 Exemptions from the HazCom standard.
- 47.92 Exemptions from labeling.

AUTHORITY: 30 U.S.C. 811, 825.

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

EFFECTIVE DATE NOTE: At 67 FR 42382, June 21, 2002, part 47 was transferred to subchapter G and redesignated as part 42 and a new part 47 was added, effective Sept. 23, 2002.

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 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 March 21, 2003.

Subpart B—Definitions

§ 47.11 Definitions of terms used in this part.

The definitions in Table 47.11 apply in this part as follows:

TABLE 47.11—DEFINITIONS

Term	Definition for purposes of HazCom
Access	The right to examine and copy records.
Article	A manufactured item, other than a fluid or particle, that— (1) Is formed to a specific shape or design during manufacture, and (2) Has end-use functions dependent on its shape or design.
Chemical	Any element, chemical compound, or mixture of these.
Chemical name	(1) The scientific designation of a chemical in accordance with the nomenclature system of either the International Union of Pure and Applied Chemistry (IUPAC) or the Chemical Abstracts Service (CAS), or (2) A name that will clearly identify the chemical for the purpose of conducting a hazard evaluation.
Common name	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.