

# Proposed Amendments to 105 CMR 670.000: *Right to Know*

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# Contents

- I. Background
- II. Proposed Amendments
- III. Next Steps
- IV. Questions



# I. Background

- M.G.L. c. 111F, § 2 charges DPH with certain responsibilities regarding the disclosure of hazardous substances by employers to employees and general public under 'Right to Know' provisions.
- These responsibilities include
  - Administering the Massachusetts Substance List
  - Disseminating information pertaining to toxic or hazardous substances
  - Granting waivers to the disclosure requirements contained in this chapter regarding research laboratories
  - Protection of manufacturer's trade secrets.

# I. Background (cont'd)

- Since the Massachusetts regulation was initially drafted in 1983, federal regulations under the Occupational Health and Safety Administration (OSHA) have also been promulgated that pertain to the registration of research laboratories, protection of manufacturers' trade secrets, and labeling regulations.
- These regulations, included under 29 CFR §1910.1200 and 29 CFR §1910.1450, render parts of the Massachusetts regulations **duplicative to federal standards**.

## II. Proposed Amendments

- Proposed amendments include:

1. Deleting sections of 670.015: Research Laboratories, which is duplicative of OSHA regulations at 29 CFR 1940.1450;
2. Deleting the procedure for trade secret applications in 105 CMR 670.020 (C).

-This section no longer needs to be codified as a regulation as it is duplicative of OSHA regulations at 29 CFR 1910.1200. Note that in the last 20 years, DPH has received less than 5 trade secret applications.

## II. Proposed Amendments

- Proposed amendments include:

### 3. Deleting 105 CMR 670.030: Containers Adequately Labeled Pursuant to Federal Law.

-This section duplicates language in the authorizing statute and describes redundant federal requirements;

### 4. Reorganizing substance lists appendices to ensure substances are listed in alphabetical order and values are corrected (no substantive changes are proposed).

### III. Next Steps

- Following this initial presentation, a public hearing and comment period will be held.
- Approval of the proposed amendments, along with a review of public comments, will be requested at a subsequent meeting of the Public Health Council.
- Following final approval, this regulation will be amended.

# Questions?

