



County Technical Assistance Service
INSTITUTE *for* PUBLIC SERVICE

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Hazardous Chemical Right-to-Know Law

Dear Reader:

The following document was created from the CTAS website (ctas.tennessee.edu). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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Hazardous Chemical Right-to-Know Law

Reference Number: CTAS-543

Purpose and Scope. Federal regulations and state law require employers, including counties, to provide their employees with information concerning any hazardous chemicals the employee might contact in the course of employment. Tennessee's "Hazardous Chemical Right-to-Know-Law" is found in T.C.A. § 50-3-2001 *et seq.* The intent of this law is to ensure that information about hazardous chemicals is available to employees, emergency personnel, and the public. The law covers local governments as well as industries that use hazardous chemicals, including manufacturers of the chemicals.

Notice Requirements. The Tennessee Commissioner of Labor and Workforce Development is required to maintain a list of regulated hazardous chemicals that is to be available for public inspection. T.C.A. § 50-3-2006. If county department heads have a question as to whether or not a material is hazardous, they may check the Department of Labor (DOL) list. If the material in question is on the DOL list, the county is then obligated to request a material safety data sheet (MSDS) from the manufacturer and to keep it for review by employees. T.C.A. § 50-3-2008.

Additionally, nonmanufacturing employers, including county governments, must compile a list of hazardous chemicals normally used or stored in the workplace in excess of 55 gallons or 500 pounds. This workplace chemical list must be filed with the commissioner of Labor and Workforce Development and, with some exceptions, with the county health department, and must be maintained by the county for at least 30 years. T.C.A. § 50-3-2015. Furthermore, the employer must file a copy of the workplace chemical list with the fire department serving the workplace, including the name and telephone number of a knowledgeable representative of the employer and, upon written request, a copy of the MSDS for any chemical in the workplace; this information is to be confidential except in an emergency involving the threat of human life. The employer must permit on-site inspections by the fire department and must install signs outside any buildings that contain a Class A or B explosive, poison gas, water-reactive flammable solid, or radioactive material. T.C.A. § 50-3-2014.

Labeling Requirements. Existing labeling on containers of hazardous chemicals is not to be removed or defaced. If the nonmanufacturing employer transfers a hazardous chemical from the original container to another container, the label information must also be transferred. Employees shall not be required to work with a hazardous chemical from an unlabeled container unless the employee places the chemical in a portable container for immediate use. T.C.A. § 50-3-2009.

Training Requirements. Every nonmanufacturing employer must provide an education and training program for its employees who use or handle hazardous chemicals. Additional training must be provided any time a new hazardous chemical is introduced into the workplace or whenever new, significant information is received. The training program must conform to the regulations of the commissioner of labor and workforce development, but at a minimum must include the following: information on interpreting labels and MSDSs as well as the location of these in the workplace, operations where hazardous chemical are present, physical and health dangers of these chemicals, protective measures, frequency of training, and general safety instructions. The employer must keep a record of training dates and provide annual refresher courses. T.C.A. § 50-3-2010.

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