employer shall ensure that labels on incoming containers of hazardous chemicals are not removed or defaced.

(g) For analytical, educational, or research and development laboratories, an employer shall provide any information relating to hazardous chemicals for which material safety data sheets are not available to employees, designated representatives, or persons providing health care to employees.

(h) Sections 32A through 32–O of this subtitle do not apply to:

(1) Any railroad that is subject to the Federal Railroad Safety Act of 1970 and the jurisdiction of the Federal Railroad Administration;

(2) Any landfill in the State; or

(3) Any person who:

(i) Is engaged in the business of providing commercial or residential garbage and refuse pickup and disposal service while actually engaging in the pickup and disposal of garbage and refuse; and

(ii) Does not provide pickup and disposal service of controlled hazardous waste substances.

(i) The criminal penalty provisions of § 41(c) of this subtitle do not apply to §§ 32A through 32–O, inclusive, of this subtitle.]

[32C.

In §§ 32A through 32–O of this subtitle, "hazardous chemical" means any chemical for which there is scientifically valid evidence that it is:

(1) Except a mixture having components with flash points of 200 degrees Fahrenheit, or higher, the total volume of which make up 99 percent or more of the total volume of the mixture, a combustible liquid, meaning a liquid which has a flash point at or above 100 degrees Fahrenheit;

(2) A compressed gas, meaning:

(i) A gas or a mixture of gases having, in a container, an absolute pressure exceeding 40 PSI at 70 degrees Fahrenheit;

(ii) A gas or a mixture of gases having, in a container, an absolute pressure exceeding 104 PSI at 130 degrees Fahrenheit, regardless of the pressure at 70 degrees Fahrenheit; or

(iii) A liquid having a vapor pressure exceeding 40 PSI at 100 degrees Fahrenheit, as determined by ASTM D–323–72;

(3) An explosive, meaning a chemical which causes a sudden, almost instantaneous release of pressure, gas, and heat when subjected to sudden shock, pressure, or high temperature;