

[32D.

(a) A hazardous chemical includes any substance which meets the definition of health hazard adopted by the United States Occupational Safety and Health Administration and published in the Federal Register on November 25, 1983, as amended from time to time, unless the Commissioner objects to an amendment.

(b) If the Commissioner objects to an amendment, the Commissioner shall publish and make public the reasons for such objection and shall afford all interested parties an opportunity to be heard.

(c) At the conclusion of a hearing, the Commissioner shall publish and make public a decision, which shall be final.]

32A.

(A) FOR THE PURPOSE OF §§ 32A THROUGH 32H OF THIS SUBTITLE AND 29 C.F.R. 1910.1200 THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

~~(B) "ASSISTANT SECRETARY", "DIRECTOR", AND "OSHA" MEAN THE COMMISSIONER OF LABOR AND INDUSTRY OR THE COMMISSIONER'S DESIGNATED REPRESENTATIVE.~~

~~(B)~~ (B) (1) "EMPLOYEE" MEANS A FORMER EMPLOYEE OR AN EMPLOYEE AS DEFINED IN § 29 OF THIS SUBTITLE WHEN THE EMPLOYEE MAY BE EXPOSED TO HAZARDOUS CHEMICALS UNDER NORMAL OPERATING CONDITIONS OR FORESEEABLE EMERGENCIES.

(2) "EMPLOYEE" INCLUDES:

(I) PRODUCTION WORKERS;

(II) LINE SUPERVISORS;

(III) VOLUNTEER FIRE, AMBULANCE, AND RESCUE COMPANY MEMBERS AND FORMER MEMBERS; AND

(IV) OPERATING AND MAINTENANCE PERSONNEL.

~~(D)~~ (C) (1) "EMPLOYER" MEANS EMPLOYER AS DEFINED IN § 29 OF THIS SUBTITLE.

(2) "EMPLOYER" INCLUDES A VOLUNTEER FIRE, AMBULANCE, OR RESCUE COMPANY.

(3) "EMPLOYER" DOES NOT INCLUDE A FARMER WHO:

(I) UTILIZES HAZARDOUS CHEMICALS IN FARMING; AND

(II) COMPLIES WITH THE APPLICABLE REQUIREMENTS OF THE FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT.