to which, in the employer's knowledge, employee exposure is not significantly greater than that of the consumer in foreseeable consumer uses of the product;

(2) An article which is formed to a specific shape or design during manufacture and has end use function dependent in whole or in part upon its shape or design during end use and does not release or otherwise result in exposure to a hazardous chemical under normal conditions of use; or

(3) A hazardous chemical being transported or temporarily stored in a sealed or totally enclosed container and which is transported in accordance with requirements of the United States Department of Transportation.

(c) Except as provided in subsections (d) through (g) of this section and § 32M of this subtitle, §§ 32A through [32N] 32-O of this subtitle do not apply to analytical, educational, or research and development laboratories.

(h) Sections 32A through [32N] 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; or

(2) Any landfill in the State.

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

32C.

In §§ 32A through [32N] 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