

concerning hazardous substances; and generally relating to occupational safety and hazardous chemicals.

BY repealing and reenacting, with amendments,

Article 89 - Division of Labor and Industry
Section 32B
Annotated Code of Maryland
(1985 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 89 - Division of Labor and Industry

32B.

(a) Sections 32A through 32N of this subtitle apply to:

(1) Any employer who uses or stores any hazardous chemical in this State;

(2) Any person who imports or sells any hazardous chemical to any employer in this State; and

(3) Any manufacturer who produces, repackages, distributes, or sells any hazardous chemical in this State---; AND

(4) THE BUSINESS ESTABLISHMENT OF ANY PERSON PROVIDING COMMERCIAL OR RESIDENTIAL GARBAGE AND REFUSE PICKUP AND DISPOSAL SERVICE.

(b) Sections 32A through 32N of this subtitle do not apply to any hazardous chemical that is:

(1) A consumer product or foodstuff packaged for distribution to, and intended for use by, the general public. This includes any product used by an employer in the same physical form, concentration and manner as used by consumers, and 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.