

5-406. SUBMISSION ON DOCUMENTS AND ROLE OF DEPARTMENT OF ENVIRONMENT.

(A) SUBMISSION OF DOCUMENTS.

(1) WITHIN 15 DAYS AFTER AN EMPLOYER PREPARES OR REVISES A CHEMICAL INFORMATION LIST, THE EMPLOYER SHALL SUBMIT A COPY OF THE LIST TO THE DEPARTMENT OF THE ENVIRONMENT.

(2) WITHIN 5 WORKING DAYS AFTER AN EMPLOYER RECEIVES A WRITTEN REQUEST FROM THE DEPARTMENT OF THE ENVIRONMENT FOR A COPY OF A MATERIAL SAFETY DATA SHEET, THE EMPLOYER SHALL SUBMIT TO THE DEPARTMENT A COPY OF THAT SHEET.

(B) DUTY TO REVIEW; NOTICE TO COMMISSIONER.

THE DEPARTMENT OF THE ENVIRONMENT SHALL:

(1) REVIEW, FOR COMPLETENESS AND SUFFICIENCY, EACH:

(I) CHEMICAL INFORMATION LIST THAT AN EMPLOYER SUBMITS UNDER SUBSECTION (A) OF THIS SECTION; AND

(II) MATERIAL SAFETY DATA SHEET THAT THE DEPARTMENT REQUESTS; AND

(2) GIVE THE COMMISSIONER NOTICE OF ANY NONCOMPLIANCE.

(C) ACCESS TO INFORMATION.

THE DEPARTMENT OF THE ENVIRONMENT SHALL PROVIDE ACCESS TO INFORMATION ON A CHEMICAL INFORMATION LIST ONLY TO:

(1) A PERSON WHO PROVIDES FIRE, AMBULANCE, OR RESCUE SERVICE FOR THE APPROPRIATE GEOGRAPHIC AREA;

(2) A NURSE, PHYSICIAN, OR PHYSICIAN ASSISTANT WHO IS TREATING AN INDIVIDUAL IN A MEDICAL EMERGENCY;

(3) A FORMER EMPLOYEE OF AN INACTIVE EMPLOYER;

(4) THE COMMISSIONER; AND

(5) AN INDEPENDENT CONTRACTOR OR EMPLOYER AS PROVIDED IN § 5-408 OF THIS SUBTITLE.

(D) CONFIDENTIALITY.

EXCEPT AS PROVIDED IN SUBSECTIONS (B) AND (C) OF THIS SECTION AND § 6-503 OF THE ENVIRONMENT ARTICLE, THE DEPARTMENT OF THE ENVIRONMENT: