



Department of Defense

INSTRUCTION

NUMBER 6050.05

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Incorporating Change 1, August 25, 2008

USD(AT&L)

SUBJECT: DoD Hazard Communication (HAZCOM) Program

- References:
- (a) DoD Instruction 6050.5, "DoD Hazard Communication Program," October 29, 1990 (hereby canceled)
 - (b) Title 29, Code of Federal Regulations, Part 1910.1200, "Hazard Communication," current edition
 - (c) Title 29, Code of Federal Regulations, Part 1910.120, "Hazardous Waste Operations and Emergency Response," current edition
 - (d) Title 29, Code of Federal Regulations, Part 1910.1450, "Occupational Exposure to Hazardous Chemicals in Laboratories," current edition
 - (e) through (ad), see Enclosure 1

1. REISSUANCE AND PURPOSE

This Instruction:

1.1. Reissues Reference (a) to implement the HAZCOM requirements of References (b) through (d).

1.2. Adds the DoD Hazardous Chemical Warning Labeling System requirements.

1.3. Cancels DoD 6050.5-H, DoD 6050.5-G-1, DoD 6050.5-W, DoD 6050.5-M, DoD 6050.5-L, and DoD 6050.5-LR (References (e) through (j)).

1.4. Implements the Hazardous Materials Process Controls and Information Management (HMPC&IM) (Reference (k)) requirements relevant to product hazard data in accordance with DoD Business Enterprise Architecture (BEA) and Section 2222 of 10 United States Code (USC) (References (l) and (m)).

1.5. Authorizes other publications to provide specific information on the HAZCOM program.

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2. APPLICABILITY AND SCOPE

This Instruction applies to:

2.1. The Office of the Secretary of Defense, the Military Departments, the Chairman of the Joint Chiefs of Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities in the Department of Defense (hereafter referred to collectively as the “DoD Components”).

2.2. DoD operations, activities, and installations worldwide including contractor employees employed at DoD-owned or operated facilities; Government-owned, contractor-operated facilities; and non-DoD activities operating on DoD installations.

3. DEFINITIONS

Terms used in this Instruction are defined in Enclosure 2.

4. POLICY

It is DoD policy to protect DoD personnel from accidental death, injury, or occupational illness per DoD Directive 4715.1E (Reference (r)).

5. RESPONSIBILITIES

5.1. The Deputy Under Secretary of Defense for Installations and Environment, (DUSD(I&E)), under the authority, direction, and control of the Under Secretary of Defense for Acquisition, Technology, and Logistics, shall:

5.1.1. Provide policy, advocacy, and oversight of the DoD HAZCOM program.

5.1.2. Conduct annual management reviews of the DoD Components’ HAZCOM programs per paragraph 5.1.6.3. of Reference (r).

5.1.3. Establish and administer a configuration control process for the HMPC&IM requirements (Reference (k)).

5.2. The Heads of the DoD Components shall:

5.2.1. Establish and maintain, in accordance with References (b) and (d), a HAZCOM program that conforms to the requirements of this Instruction and develop implementing guidance.

5.2.2. Designate a HAZCOM office of primary responsibility (OPR) for policy and guidance, and report changes in OPR to Headquarters, Defense Logistics Agency (DLA).

5.2.3. Designate a responsible office as the focal point (hereafter referred to as the DoD Component's HAZCOM official) for obtaining, reviewing, entering, and providing information to the Hazardous Materials Data Management System (hereafter referred to as "data management system") and for representing the DoD Component in the HMPC&IM configuration control process (Reference (k)).

5.2.4. In addition to the procedures in paragraph 6, implement procedures to:

5.2.4.1. Ensure purchase requests for applicable supply items include a requirement for contracting activities to obtain manufacturer/supplier Material Safety Data Sheets (MSDSs) and Reference (b) compliant hazard warning labels, per Military Standard 129, Federal Standard 313, and Defense Federal Acquisition Regulations Supplement (DFARS) Clause 252.223-7001 (References (s), (t), and (u)).

5.2.4.2. Assess HAZCOM program during annual workplace visits per DoD Instruction 6055.1 (Reference (v)).

5.2.4.3. Ensure that any proprietary formulary or trade secret information in an MSDS is protected and used only as a management tool for exposure and mishap prevention, health hazard education, and medical diagnosis and treatment of exposed personnel per Reference (b) and DoD Directive 5400.7 (Reference (w)).

5.2.4.4. Ensure the MSDS is included in the data management system prior to use.

5.2.4.5. Ensure the MSDS is attached to the uniform hazardous waste manifest when hazardous material is treated as a hazardous waste.

5.2.5. Implement training program procedures for health hazard education per paragraph 6.5.

5.2.6. Require contracts for the purchase of hazardous materials include a notice that the MSDSs are to be forwarded to the designated office of the contracting activity responsible for forwarding the MSDSs to the DoD Component's HAZCOM official.

5.2.7. Ensure that multi-employer workplaces address the requirements of Reference (b) in their HAZCOM programs.

5.2.8. Ensure that MSDS and label information is forwarded to the DoD Component's HAZCOM official.

5.3. The Director, DLA, as the lead DoD Component and administrator for the data management system, shall:

5.3.1. Establish and operate the data management system for the storage and retrieval of data to:

5.3.1.1. Make MSDS, transportation, disposal, and label information accessible by national item identification number, local item identification number, trade name and/or part number, MSDS serial number, hazard characteristic code, hazardous ingredient(s), and manufacturer/distributor commercial and government entity code.

5.3.1.2. Be open-ended to allow for expansion as required by future safety, health, environmental, or transportation legislation or regulation.

5.3.1.3. Permanently retain MSDS records.

5.3.1.4. Provide the system capability to allow users to meet labeling requirements in Enclosure 2.

5.3.2. Implement and sustain the capability to store and use regulatory reference data and product hazard data per HMPC&IM requirements (Reference (k)).

5.3.3. Receive and process hazardous materials information from the DoD Components' HAZCOM official, the General Services Administration (GSA), and other Federal Agencies.

5.3.4. Make product hazard data immediately accessible to users of hazardous materials when quality control is complete and records are released. However, the DoD Components retain the option of specifying requirements for supplemental distribution of data for disconnected operations on at least a semiannual basis.

5.3.5. Issue guidance to the DoD Components, as required, to establish, operate, and improve the data management system.

5.3.6. Negotiate agreements with Federal agencies establishing OPRs and focal points and for interaction with the data management system.

5.3.7. Negotiate agreements with industry to exchange hazardous material data. These agreements should provide a technical means for industry to provide hazardous material data requirements to the data management system in a specific format such as MSDS images and the comprehensive set of individual product hazard data elements (Reference (k)).

6. PROCEDURES

The HAZCOM program applies to hazardous materials as defined in this Instruction. The program procedures consist of six major elements: written plans, hazard determination, MSDSs, labeling, training, and the data management system.

6.1. Written Plans

6.1.1. All DoD workplaces using or producing hazardous materials shall have a written HAZCOM plan to include:

6.1.1.1. A list of hazardous chemicals present in each workplace per Reference (b).

6.1.1.2. Procedures for preserving inventories as employee exposure records per 29 CFR 1910.1020 (Reference (x)).

6.1.2. All DoD workplaces with laboratories as defined in Reference (d) shall develop a written chemical hygiene plan per Reference (d).

6.1.3. These plans shall be readily available to all affected personnel and include any installation unique procedures about the local purchase of hazardous materials.

6.1.4. The HAZCOM plan shall ensure that contractors bringing hazardous materials on to DoD installations shall:

6.1.4.1. Provide sufficient time for local personnel to receive and review the information, and then ensure the safety and health of Government personnel is properly coordinated.

6.1.4.2. Provide copies of MSDSs and labels of the hazardous materials to the contracting officer, who shall forward these documents to the proper environmental, safety, and health officials at least 5 working days before the hazardous materials are brought on to the installation.

6.2. Hazard Determination

6.2.1. Until a health hazard assessment is conducted per DoD Instruction 6055.5 (Reference (y)), downstream users including DoD Components may rely on the hazard determination of the supplier or manufacturer of the purchased materials.

6.2.2. For DoD manufactured materials, the activity controlling the formulation shall make the hazard determination and produce the initial MSDS and provide updates per Reference (b). When novel hazardous materials (e.g., nanomaterials) are listed as an ingredient on the MSDS, regardless of quantity, refer to American National Standards Institute Standard Z400.1-2003 (Reference (z)).

6.2.2.1. The DoD activity producing the material shall include hazard determination procedures in their written program, and ensure their personnel are trained on the hazards.

6.2.2.2. If the material is transferred to any other organizations, the producing organization shall provide an MSDS with the shipment and transmit the MSDS to the DoD Component HAZCOM official.

6.3. MSDSs

6.3.1. MSDSs shall be readily accessible to all workers while in their work area, when workers are required to use hazardous materials or when workers are at risk of exposure to hazardous materials.

6.3.2. Occupational health and safety personnel shall be available, upon request, to explain MSDSs to supervisors and affected workers, and to assist in HAZCOM training.

6.3.3. The controlling DoD Component shall supply the MSDS to subsequent users and to the DoD Component HAZCOM official for entry into the data management system.

6.3.3.1. Classified MSDSs shall be maintained and used by the DoD Components, but shall not be entered in the data management system.

6.3.3.2. Unclassified versions of these MSDSs (adequate for transportation, spill response, and emergency medical treatment) along with an emergency telephone number shall be entered in the system.

6.3.4. For nationally stock-listed and locally purchased nonstandard stock hazardous materials, MSDSs shall be contractually required and obtained by the responsible contracting officer.

6.3.4.1. For locally purchased chemicals, the purchaser/contracting officer shall ensure an environmental, safety, and health review of the MSDSs and labels for adequacy before contract award/purchase.

6.3.4.2. The installation point of contact (POC) shall then forward the MSDS and label to the DoD Component's HAZCOM official for processing.

6.3.5. For foreign manufactured products used outside the continental United States, contracts should require that MSDS equivalent information be translated into English as follows:

6.3.5.1. Translated MSDSs that contain all information required in Reference (b) shall be handled as MSDSs.

6.3.5.2. DoD Component environmental, safety and health POCs shall locally determine translation requirements for foreign MSDSs and determine the adequacy of any translated MSDS.

6.3.5.3. MSDSs translated by other than the chemical manufacturer shall be forwarded to their installation MSDS focal point as technical data sheets and not MSDSs for entry into the data management system.

6.3.6. DoD Components shall implement procedures to provide hazardous material information to foreign national workers.

6.4. Labeling

6.4.1. All hazardous materials used by the DoD Components shall be appropriately labeled per References (b) and (d). For chemicals in 29 CFR, subpart Z (Reference (aa)), use the substance specific standards.

6.4.2. Commercial suppliers shall be required to label all hazardous materials with Hazard Communication Standard (HCS)-compliant labels per Reference (b) and Military Standard 129 (Reference (s)).

6.4.3. The DoD hazardous material warning labeling system (~~Enclosure 2~~) (*Enclosure 3*) provides standardized hazard warning information to DoD personnel when manufacturers' labels cannot be used.

6.4.4. The commercial or manufacturer's HAZCOM label is the preferred method for marking hazardous materials, including laboratory chemicals, within the Department of Defense and shall not be removed from the product or defaced. The DoD hazardous material warning labels generated by the data management system, or equivalent, provide a means of labeling hazardous materials when:

6.4.4.1. The commercial HAZCOM label is missing, damaged, obscured, illegible, or otherwise does not convey the information required by Reference (b).

6.4.4.2. The DoD Component is the manufacturer of the hazardous material and is therefore responsible for generating the HAZCOM label (specific ingredients, composition, or properties may be protected for national security reasons).

6.4.4.3. The hazardous material, excluding laboratory chemicals regulated under Reference (d), is repackaged or placed into a container that is not labeled with a HAZCOM label.

6.4.4.4. The manufacturer's label is in a language other than English on products locally purchased in a host nation.

6.4.5. The DoD Components shall not develop or use other workplaces' hazardous material warning labels. Navy ships are the exception, which may use alternate HCS-compliant labeling (for example, tags or markings) for repackaging or breakdown containers or unlabeled containers aboard ship.

6.5. Training

6.5.1. Workers shall be trained at the time of initial assignment, whenever a new hazardous material is introduced into the work area, and whenever potential exposure to a hazardous material exists due to another employer in a nearby work area per References (b) and (d).

6.5.2. Training programs shall meet the requirements outlined in References (b) and (d). Commercial off-the-shelf training or programs developed by the DoD Components may be used if they meet these requirements.

6.5.3. Records of individual training shall be maintained.

6.6. Data Management System. The DoD Components shall implement procedures to provide MSDS data to the data management system to include the following:

6.6.1. Receive all MSDSs and related type information for hazardous materials obtained by the DoD Components' procuring activities as specified by DFARS subpart 223.3, DFARS Clause 252.223-7001, and Federal Acquisition Regulation 52.223-3 (References (ab), (u), and (ac)).

6.6.2. Review MSDSs and labels as received to ensure that data are complete, reasonable, legible, and in conformance with the requirements of Reference (b). Laboratory verification of technical elements is not required.

6.6.2.1. Add missing data elements and check obvious or suspected errors with the originator.

6.6.2.2. Return incomplete or inadequate MSDSs and labels to the supplier for correction.

6.6.3. Submit data to the data management system through the media (hard copy or electronically) appropriate to the technological capabilities and/or availabilities of the DoD Component's system.


7. RELEASABILITY. UNLIMITED. This Instruction is approved for public release. Copies may be obtained through the Internet from the DoD Issuances Web Site at <http://www.dtic.mil/whs/directives>.

87. INFORMATION REQUIREMENTS

The information requirements prescribed herein, including the establishment and operation of the ~~DLA database~~ *data management system*, are assigned Report Control Symbol DD-AT&L(AR) 1486 in accordance with DoD 8910.1-M (Reference (ad)).

98. EFFECTIVE DATE

This Instruction is effective immediately.



Kenneth Krieg
Under Secretary of Defense for Acquisition,
Technology, and Logistics

Enclosures – 3

- E1. References, continued
- E2. Definitions
- E3. DoD Hazardous Material Warning Labeling System

E1. ENCLOSURE 1

REFERENCES, continued

- (e) DoD 6050.5-H, “Department of Defense Hazardous Chemical Warning Labeling System,” June 1, 1989 (Change 1, December 11, 1989), authorized by this Instruction (hereby canceled)
- (f) DoD 6050.5-G-1, “Department of Defense Federal Hazard Communication, Training Program – Trainer’s Guide,” April 1988 (hereby canceled)
- (g) DoD 6050.5-W, “Department of Defense Federal Hazard Communication, Training Program – Student’s Workbook,” April 1988 (Change 1, April 10, 1991) (hereby canceled)
- (h) DoD 6050.5-M, “DoD Hazardous Materials Information System Procedures,” July 2, 1981 (hereby canceled)
- (i) DoD 6050.5-L, “DoD Hazardous Materials Information System Hazardous Item Listing,” April 2002 (hereby canceled)
- (j) DoD 6050.5-LR, “DoD Hazardous Materials Information System Hazardous Item Listing,” April 2002 (hereby canceled)
- (k) Hazardous Materials Process Controls and Information Management (HMPC&IM) Requirements Document (Version 4.0, ODUSD(I&E), 19 July 2006)¹
- (l) DoD Business Enterprise Architecture (BEA)²
- (m) Section 2222 of title 10, United States Code
- (n) Chapter 103 of title 42, United States Code
- (o) Title 49, Code of Federal Regulations, Part 172.101, “Purpose and use of hazardous materials table,” current edition
- (p) Title 40, Code of Federal Regulations, Part 261.3, “Definition of hazardous waste,” current edition
- (q) Title 49, Code of Federal Regulations, Part 171.8, “Definitions and abbreviations,” current edition
- (r) DoD Directive 4715.1E, “Environment, Safety, and Occupational Health (ESOH),” March 19, 2005
- (s) Military Standard 129 “Military Marking for Shipment and Storage,” October 29, 2004³
- (t) Federal Standard 313, “Material Safety Data, Transportation Data, and Disposal Data for Hazardous Materials Furnished to Government Activities,” current edition⁴
- (u) DFARS Clause 252.223-7001, “Hazard Warning Labels,” current edition⁵
- (v) DoD Instruction 6055.1, “DoD Safety and Occupational Health (SOH) Program,” August 19, 1998

¹ Available at <http://www.acq.osd.mil/ie/bei/index.htm>
http://www.acq.osd.mil/ie/download/HMPC_IMR/hmpcimr_toc.shtml

² Available at http://www.dod.mil/dbt/products/architecture/BEA_3_1_March_2006/iwp/default.htm
http://www.defenselink.mil/dbt/products/2007_BEA_ETP/bea_4_1.html

³ Available at <http://www.dla.mil/J-6/DLMSO/eLibrary/Manuals/milstds.asp>

⁴ Available at <http://frwebgate4.access.gpo.gov/cgi-bin/waisgate.cgi?WAISdocID=32479422312+0+0+0&WAIAction=retrieve>
http://www.qs100.net/collections/dod_ds69.htm

⁵ Available at <http://www.acq.osd.mil/dpap/dars/dfars/html/current/252223.htm#252.223-7001>

- (w) DoD Directive 5400.7, "DoD Freedom of Information Act (FOIA) Program," October 28, 2005
- (x) Title 29, Code of Federal Regulations, Part 1910.1020, "Access to Employee Exposure and Medical Records," current edition
- (y) DoD Instruction 6055.5, "Industrial Hygiene and Occupational Health," January 10, 1989 (Change 1, May 6, 1996)
- (z) American National Standards Institute, Standard Z400.1-2003, "Hazardous Industrial Chemicals - Material Safety Data Sheets - Preparation," current edition⁶
- (aa) Title 29, Code of Federal Regulations, Part 1910, Subpart Z, "Toxic and Hazardous Substances"
- (ab) Defense FAR Supplement, Subpart 223.3, Hazardous Material Identification and Material Safety Data," current edition⁷
- (ac) Federal Acquisition Regulation, Part 52.223-3 of the FAR, "Hazardous Material Identification and Material Safety Data," current edition⁸
- (ad) DoD 8910.1-M, "DoD Procedures for Management of Information Requirements," June 30, 1998

⁶ Copies may be purchased at <http://webstore.ansi.org/ansidocstore/default.asp>

⁷ Available at <http://www.acq.osd.mil/dpap/dars/dfars/html/current/252223.htm#252.223-7001>

⁸ Available at <http://farsite.hill.af.mil/vffara.htm>

E2. ENCLOSURE 2

DEFINITIONS

E2.1. Hazardous Chemical. Any chemical that is a physical hazard or health hazard as defined in Reference (b), and is not exempted from the requirements of Reference (b).

E2.2. Hazardous Material. Any substance designated or listed under paragraphs E2.2.1 through E2.2.4. Exposure to any of these substances may result in adverse affects on the health or safety of employees:

E2.2.1. Any substance defined under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) in Chapter 103 of 42 USC (Reference (n)).

E2.2.2. Any biological agent and other disease-causing agent which after release into the environment and upon exposure, ingestion, inhalation, or assimilation into any person, either directly from the environment or indirectly by ingestion through food chains, will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions (including malfunctions in reproduction) or physical deformations in such persons or their offspring.

E2.2.3. Any substance listed by the U.S. Department of Transportation as hazardous materials under 49 CFR 172.101 and appendices (Reference (o)).

E2.2.4. Hazardous waste herein defined as:

E2.2.4.1. A waste or combination of wastes as defined in 40 CFR 261.3 (Reference (p)).

E2.2.4.2. Those substances defined as hazardous wastes in 49 CFR 171.8 (Reference (q)).

E2.3. Hazardous Waste Operation. Any operation conducted within the scope of Reference (c).

E2.4 Hazardous Waste Site. Any facility or location within the scope of Reference (c) at which hazardous waste operations take place.

E2.5. Health Hazard. A chemical, mixture of chemicals or a pathogen for which there is statistically significant evidence based on at least one study conducted in accordance with established scientific principles that acute or chronic health effects may occur in exposed employees. The term “health hazard” includes chemicals which are carcinogens, toxic or highly toxic agents, reproductive toxins, irritants, corrosives, sensitizers, hepatotoxins, nephrotoxins, neurotoxins, agents which act on the hematopoietic system, and agents which damage the lungs, skin, eyes, or mucous membranes. It also includes stress due to temperature extremes. Further definition of the terms used above can be found in appendix A to Reference (b). Note: This definition of “health hazard” from Reference (c) does not include the physical hazards such as noise, heat/cold, barometric pressure, and musculoskeletal.

E3. ENCLOSURE 3

DoD HAZARDOUS MATERIAL WARNING LABELING SYSTEM

E3.1. DoD labeling shall be based on the information provided on the manufacturers' MSDS and label per the methodology described in paragraph 6.4 of this Instruction. The DoD label and data descriptors shall be used, as applicable, to meet the Occupational Safety and Health Administration (OSHA) labeling requirements within the DoD for hazardous materials manufactured by the Department of Defense. If required, specific ingredients, composition, or properties may be protected for national security reasons. Labels for items with protected information shall contain unclassified information adequate to identify hazards and protect personnel, including name and address of DoD activity responsible for developing the MSDS and DoD label. Copies of classified label information shall be provided to the appropriate DoD Component's HAZCOM official.

E3.2. The DoD label can vary in color and size. Color DoD labels may be used. The size of the DoD label may be locally varied to fit the size and shape of the container being labeled. Local reproduction of labels is authorized.

E3.3. For efficient and consistent use of labels generated by the data management system, the DLA shall maintain the system capability to allow the Military Services, DLA, GSA, and other organizations to develop a database of HCS-compliant labeling information for all hazardous materials in the data management system. New fields shall be added to the data system, as required, to store DoD labeling information.

E3.4. The data elements are contained in the Hazard Warning Labeling section of the DoD automated data system, which may be used to generate DoD Hazardous Material Warning Labels if the appropriate data has been entered into the system.

E3.5. In addition to the OSHA HAZCOM Label or DoD Hazardous Material Warning Label, other labels may be attached or affixed to the hazardous material to aid in the identification, storage, handling, transport, or disposal of the hazardous material. Examples of such labels include: inventory barcode labels, shipping labels, and hazard identification labels (such as the National Fire Protection Association label, the Canadian Workplace Hazardous Information System label, or the Global Harmonized System of Classification and Labeling of Chemicals). The use of such labels is authorized, provided:

E3.5.1. The label is not used as a replacement for, or instead of, the OSHA HAZCOM Label or DoD Hazardous Material Warning Label;

E3.5.2. The label does not obscure any information found on the OSHA HAZCOM Label or DoD Hazardous Material Warning Label; and

E3.5.3. The information on the label does not conflict with the information found on the OSHA HAZCOM Label or DoD Hazardous Material Warning Label.