

Hazard Communication Rulemaking and Policy Updates

Rules Advisory Committee Meeting

March 5, 2026 / 2:00 - 5:00 p.m.

Meeting via Zoom

Attendees

Brian Williams	Michael Cattaneo	Sovann Chin
Dave McLaughlin	Nicole Helms	Stacey Cooper
Jay Cross	Nicole Mann	Stephen Lund
Jennifer Stewart	Renee Stapleton	Tim Icalia
Kate Ryan	Robert Snyder	T. Kunkle
M. Rawlins	Sarah Rew	Todd Raska

Agenda

- Welcome
- Introductions and Shared Agreements
- Background and Rulemaking Summary
- Draft Rule Language Review
- Fiscal Impact Information
- Next Steps

Welcome, Introductions, and Shared Agreements

Dave McLaughlin is the Oregon OSHA technical specialist for this rulemaking.

Shared agreements include the following list:

- Respect for each other and the process
- Create space for everyone to participate by limiting comments to two minutes
- Mute your mic when not speaking
- Focus comments on your original ideas; avoid commenting or judging other participant contributions
- Participate through the following list:
 - Use chat for comments
 - Raise your hand using the icon

- Use reactions respectfully
- Please do not use chat to talk with other participants
- Meeting is being recorded, chat will be memorialized
- Focus comments on the definitions and language
- Clarifications on comments may be sought by OSHA representatives when appropriate
- Some questions posed today may be addressed during the meeting and can also be addressed after the meeting to Dave McLaughlin

Background

- Federal OSHA's publication of errors on October 9, 2024, and a note that more corrections were to come, prompted the division to halt the rulemaking process. Now that final corrections have been published by Federal OSHA, Oregon OSHA intends to re-propose adoption of the revised and corrected federal standards.
- Oregon OSHA is required to do this rulemaking to be “at least as effective as” Federal OSHA. Oregon OSHA is adopting identical to the federal standards and making adjustments to its own rules to align with the federal standard changes. Oregon OSHA is re-engaging in the Hazard Communication rulemaking as Federal OSHA published its final set of corrections to their standard on January 8, 2026, January 15, 2026, and February 13, 2026 in the Federal Register. Oregon OSHA has six months to adopt the rules.
- The final standard was originally published on May 20, 2024, and the division had proposed adoption of that standard on September 24, 2024. Most changes are related to the appendices, which generally have more of an effect on manufacturers rather than employers. There has been an update to Revision 7 of the GHS including updated precautionary statements and hazard classifications that were not a part of Revision 3 that Oregon OSHA adopted in 2012. There is also additional language on trade secrets, primarily for manufacturers.

Rulemaking summary

Changes and additions to the draft rule document are shown in red type and were reviewed in this meeting. Discussion highlights are below that had additional comments or questions.

- New definitions of “bulk shipment”, “combustible dust”, “gas”, “liquid”, “physician or other licensed health care professional (PLHCP)” were added.
- Oregon OSHA: “Pyrophoric gas” has been moved to be included in “flammable gas.”

- Question to this group: Oregon OSHA: Should “pyrophoric gas” still be included under the definition for “Hazardous chemical”? Do we want to create an OAR specifically for this definition to provide additional clarity?
- Comment: Member: It is important that it is clear that the definition of “gas” includes pyrophoric gas.
- Answer: Oregon OSHA: Pyrophoric gas is part of the Appendix B.2 Flammable Gases.
- Comment: Member: I suggest leaving it as is because it is covered in a few sections.
- Comment: Member: There is a section (d)(1) on hazard classification stating that if an employer disagreed with the classification from the manufacturer, then they can make their own determination. Is there something here that makes it clear if you were going to do that, that there are processes employers are required to follow?
 - Answer: Oregon OSHA: That section has moved. If the employer is classifying chemicals, the employer has to use appendices A and B to go through the same process that the manufacturer did.
- Comment: Oregon OSHA: Distributors of the chemical also need to include the SDS information with the chemical.
- Comment: There was a question on section (f)(11) Label Updates about if labeled containers that businesses had before the requirements still need to be relabeled. The new section clarifies that it is the employer’s choice to relabel existing containers.
- Comment: Oregon OSHA: under (g) Safety data sheets, the numbering of section items (i)-(xvi) did not change.
- Comment: Oregon OSHA: Under (i) Trade secrets, most changes in the red text came from the appendix on trade secrets. Some language has also been moved from the rule text into the appendix.
- Question: Member: Can we no longer use NFPA/HMIS on secondary container labeling? Or can it only be used as a supplement?
- Answer: Oregon OSHA: GHS uses its own label system that does not point to or reflect the NFPA/HMIS diamond. NFPA/HMIS can be used in addition and as a supplement to rule requirements on secondary labeling. Primary container labels have to include all of the labeling requirements. For secondary container labeling, the employer can either use a copy of the primary label or they can use an alternative as long as employees understand how to read and use the labels, understand the hazards, and where to get additional information if needed. This

is regarding changes to primary labeling, not secondary. Employers need to make sure it is in employee training materials since the two systems are different.

- Question for this group to think about: Do the dates that federal OSHA has make sense for Oregon's rulemaking as it applies to businesses? There could be a section added as an OAR that would add for clarity the definitions that were previously deleted. The goal is to have this rulemaking proposed by the end of March 2026.
- In the pipe labeling section, British spelling has been updated to American spelling.
- In OAR section, there is the same question as in 1910.1200, on if we want to maintain the definition of pyrophoric gas in the definition list of the OAR.
- Question: Member: Is the document including agriculture changes also publicly available? It looks like the rule is saying that the employer is complying as long as they are following the manufacturer.
- Answer: Oregon OSHA: Yes, it is in the text of changes PDF, currently page 354 of page 373. If employer does their own evaluation, the rule points them back to the 1910 standard to follow. The points where most are going to apply to employers on these changes are updates to the SDS and label information. Employers need to make sure employees understand all of that.

Fiscal Impact Statement

- Fiscal Impact Statements (FIS) includes cost estimates and considerations that are received from Oregon stakeholders and members of the rule advisory group (RAG) convened by Oregon OSHA during this rulemaking process. This is the least expensive cost to comply with the standard, not considering more expensive methods because it is an employer's preference. This has been updated to reflect Oregon wages but does not reflect updated federal wages.
- The data show the 10th percentile and the 90th percentile and we have applied a loading weight to that, which includes benefits, other payroll taxes and expenses, potentially other positions that may support that are not directly called out. There are ranges for the potential costs.

Next steps

Email feedback on the Fiscal Impact Statement to [Dave McLaughlin](#) by March 17, 2026.

The division plans to propose at the end of March 2026. After the proposal there will be an open public comment period for about one month. There are several chances to provide public comment.

The big pieces for feedback are if the draft fiscal impact statement contains enough information and if the additional definitions should be included in an OAR.