

INCOMPLETE SAMPLE DOCUMENT

OFFICIAL MEXICAN STANDARD NOM-005-STPS-1998, RELATIVE TO SAFETY AND HYGIENE CONDITIONS FOR HANDLING, TRANSPORTING, AND STORING HAZARDOUS CHEMICAL SUBSTANCES IN THE WORKPLACE.

(Translation by MexRegs from the *Official Journal of the Federation*, February 2, 1999)¹

In the margin, a seal with the National Coat of Arms reading: United Mexican States.- Ministry of Labor and Social Security.

OFFICIAL MEXICAN STANDARD NOM-005-STPS-1998, RELATIVE TO SAFETY AND HYGIENE CONDITIONS FOR HANDLING, TRANSPORTING, AND STORING HAZARDOUS CHEMICAL SUBSTANCES IN THE WORKPLACE.

JOSE ANTONIO GONZALEZ FERNANDEZ, Secretary of Labor and Social Security, pursuant to Article 16 and Article 40, paragraphs I and XI of the of the Federal Public Administration Act; Article 512, Article 523 paragraph I, Article 524 and Article 527, last paragraph, of the Federal Labor Law; Article 3, paragraph XI, Article 38, paragraph II, Article 40, paragraph VII, Article 41, Articles 43 through 47 and 52 of the Federal Law on Metrology and Standardization; Articles 3, 4 and 29 of the Federal Regulations on Safety, Hygiene and the Workplace Environment; and Article 3, Article 5 and Article 20, paragraphs I, XV and XVIII, of the Internal Regulations of the Ministry Labor and Social Security, and

WHEREAS

On December 3, 1993, Official Mexican Standard NOM-005-STPS-1993 relative to workplace safety conditions for storing, transporting and handling flammable or combustible substances was published in the **Official Journal of the Federation**;

The agency which I oversee, pursuant to Transitory Article Four, paragraph one, of the Federal Regulations on Safety, Hygiene and the Workplace Environment, published in the **Official Journal of the Federation** on January 21, 1997, has deemed it necessary to make various modifications to the aforementioned Official Mexican Standard, the purpose of which is to adapt it to the provisions established in aforementioned regulatory law;

On January 27, 1998, in fulfillment of the provisions of Article 46, paragraph I, of the Federal Law on Metrology and Standardization, the Ministry of Labor and Social Security submitted the proposed modification of this Official Mexican Standard to the National Advisory Committee on Normalization of Safety, Hygiene and the Workplace Environment, and on that same date said Committee deemed it appropriate and resolved that it should be published in the **Official Journal of the Federation**;

In order to comply with the guidelines contained in the Agreement on the Deregulation of Entrepreneurial Activity, published in the **Official Journal of the Federation** on November 24, 1995, the Ministry of Commerce and Industrial Development submitted the proposed modifications to this Standard to the Council on Economic Deregulation and requested its opinion, and based on said opinion, the applicable adaptations were made, for which reason said agency resolved in favor of the modifications contained in this Standard.

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On May 15, 1998, in compliance with the Committee's Resolution and with the provisions of Article 47, paragraph I, of the Federal Law on Metrology and Standardization, the proposed modification of this Official Mexican Standard was published in the **Official Journal of the Federation** in order for concerned parties to submit their comments to the National Advisory Committee on Normalization of Safety, Hygiene and the Workplace Environment within 60 calendar days following said publication;

After having received comments from two submitters, the aforementioned National Advisory Committee on Normalization proceeded to study them and issued a timely resolution thereon, and this agency published the respective responses in the **Official Journal of the Federation** on October 22, 1998, in fulfillment of the dispositions of Article 47, paragraph III, of the Federal Law on Metrology and Standardization.

In light of the preceding considerations and inasmuch as the National Advisory Committee on Normalization of Safety, Hygiene and the Workplace Environment granted the respective approval, the following is hereby issued: Official Mexican Standard NOM-005-STPS-1998, safety and hygiene conditions for handling, transporting, and storing hazardous chemical substances in the workplace.

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1. Objective

To establish safety and hygiene conditions for handling, transporting, and storing explosive hazardous chemical substances, to provide for and protect the health of workers and avoid damages to the workplace.

2. Scope

This Standard is in force throughout the nation's territory and applies to all workplaces where hazardous chemical substances are handled, transported or stored.

3. References

For the correct construction of this Standard, consult the following Official Mexican Standards currently in force:

NOM-004-STPS-1994, relative to protection systems and safety devices for and on machinery, equipment, and accessories in the workplace.

NOM-010-STPS-1993, relative to safety and hygiene conditions in workplaces where chemical substances capable of polluting the work environment are produced, stored or handled.

NOM-017-STPS-1993, relative to personal protection equipment for workers at workplaces.

NOM-026-STPS-1993, safety, and colors and their application.

NOM-027-STPS-1993, safety and hygiene signs and warnings.

NOM-028-STPS-1993, color safety code for the identification of fluids conducted in pipes.

NOM-114-STPS-1994, system for identifying and reporting risks posed by chemical substances in workplaces.

4. Definitions

For the purpose of this Standard the following definitions are hereby set forth:

- a) **hazardous activity:** a set of tasks related to work processes that creates unsafe conditions and overexposure to chemical agents capable of harming the health of workers or damaging the workplace.
- b) **explosive atmosphere:** an area in the workplace in which the ambient concentration of hazardous chemical substances is between 20% of the lower flammability limit and the upper flammability limit.
- c) **unbreathable atmosphere:** an area of the workplace in which [the air] has either a deficient amount of oxygen (less than 19.5%) or excess oxygen (more than 23.5%).
- d) **Labor authority:** the proper administrative units of the Ministry of Labor and Social Security that carry out workplace safety and hygiene inspections, and the corresponding units of the states and the Federal District that support them.

- e) **workplace:** any place, regardless of its name, in which production or commercialization activities are carried out or services are provided or in which persons subject to a labor relationship work.
- f) **confined space:** a place sufficiently large that is set up in such a way that a person may perform a given task in it, that has limited or restricted means for entering or exiting it, that is not designed to be continuously occupied by a person, and in which specific tasks are occasionally performed.
- g) **medical examination of new employees:** examination performed and determined by a doctor to ascertain the worker's physical and mental condition and determine if he may be safely exposed to the hazardous chemical substances present in the workplace.
- h) **specific medical examination:** examination performed by a doctor, the content of which is determined by the relevant literature. It is performed when a change is suspected in a worker's health, in order to conduct an exhaustive medical evaluation regarding the hazardous chemical substances to which the worker is exposed in the workplace and to recommend corrective actions to the employer.
- I) **periodic medical examination:** examination conducted and determined by a doctor in order to monitor the health of a worker exposed to hazardous chemical substances present in the workplace.
- j) **primary explosives:** materials that can easily be detonated, whether by heat, sparks, fire, or friction, for which reason they are used as initiators and are usually unstable.
- k) **secondary explosives:** materials requiring a primary explosive or detonating agent for the detonation to begin.
- l) **instability:** a characteristic of chemical substances whose state of equilibrium changes when energy is applied to them, due to their physical and chemical properties.
- m) **fire-resistant material:** non-combustible materials that, when exposed to fire, do not transmit it or generate smoke or toxic fumes or fail structurally for a period of at least two hours.
- n) **powder depot:** a location used for storing explosive substances.
- o) **safe procedure:** orderly and logical sequence of activities for carrying out a task in a way that minimizes the risks to which a worker is exposed.
- p) **potential risk:** the likelihood that a hazardous chemical substance will harm the health of the workers or damage the workplace.
- q) **combustible substances:** substances in a solid or liquid state with a flash point higher than 37.8°C.
- r) **corrosive substances:** substances in a solid, liquid or gaseous state that destroy or irreversibly alter live tissue due to chemical action at the site of contact.
- s) **explosive substances:** substances in a solid, liquid or gaseous state that react suddenly to an increase in temperature or pressure on a portion of their mass, generating high temperatures and pressure on the surrounding environment.
- t) **flammable substances:** substances in a solid, liquid or gaseous state with a flash point lower than or equal to 37.8°C and that ignite easily and burn quickly, and generally violently.

- u) **irritating substances:** substances in a solid, liquid or gaseous state that cause irreversible inflammation to live tissue due to chemical action at the site of contact.
- v) **hazardous chemical substances:** substances that, because of their physical and chemical properties when handled, transported, stored or processed, may be flammable, explosive, toxic, reactive, radioactive, corrosive or that may cause a harmful biological action, and that may affect the health of persons exposed to them or damage facilities and equipment.
- w) **reactive substances:** substances that are capable of releasing energy.
- x) **toxic substances:** substances in a solid, liquid or gaseous state that if absorbed even in relatively small quantities may cause structural or functional anomalies that are lethal or harmful to a worker's health.
- y) **ventilation:** the system of air injection and extraction, by either natural or artificial means, through which the ambient air conditions in the workplace may be modified in terms of pollutant concentration, temperature and humidity.

5. Employer obligations

5.1 To show the Labor authorities, whenever so requested, the documents that this Standard requires employers to prepare.

5.2 To prepare and keep up-to-date, in terms of the changes in processes or hazardous chemical substances present in the workplace, a study to analyze the potential risks posed by hazardous chemical substances, in accordance with the terms of section 7.1.

5.3 To prepare and keep up-to-date the procedures manuals for safely handling, transporting and storing hazardous chemical substances, which must include the identification of containers.

5.4 To have, on the basis of the results of the potential risk analysis, a sufficient number of showers, eye washes, neutralizers and inhibitors in the risk areas so as to deal with emergencies.

5.5 On the basis of the results of the potential risk analysis, wherever the work activity makes the depositing of hazardous chemical substances on a worker's skin or clothes a health risk, there must a sufficient number of employee showers, dressing rooms and lockers and, as applicable, a clothes cleaning service must be provided.

5.6 To have, on the basis of the results of the potential risk analysis, a first-aid manual defining medication and treatment materials required in the workplace and the procedures for responding to medical emergencies; the reference guide included at the end of this Standard may be used for reference.

5.7 To provide the medication and treatment materials necessary for giving first aid, pursuant to section 5.6.

5.8 To assign and train personnel to give first aid.

5.9 To provide personal protection equipment, in accordance with the potential risk analysis and the provisions of NOM-017-STPS-1993.

5.10 To have facilities, equipment or materials for containing hazardous chemical substances, to prevent runoff or dispersion in the event of liquid spills or gas leaks.

5.11 To draft a written description of operations and hazardous activities in confined spaces involving

j) pencil and paper.

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