



Company Name
Address: XXXXXXX
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Good Afternoon,

Acme Company recently received 2 Serious violations from an LNI compliance visit on the following date. The violations were for not having an emergency eyewash or goggles for mixing over the counter bleach. I do appreciate the commitment and time of LNI compliance officers to protect our employees, however I do not agree with the citations which were issued.

The first violation was WAC 296-800-15030 for not ensuring employees who work with and are exposed to corrosive, strong irritant, or toxic chemicals are provided an emergency eyewash when mixing over the counter bleach.

I would like to point out that based on LNI's own Hazardous Communication Standard WAC 296-800-170 there are exemptions to what is deemed hazardous. If retail products are used in the same manner and frequency used by consumers, and can be termed "consumer products", including things such as: correction fluid, glass cleaner, and dishwashing liquids then my understanding they are exempt. Furthermore, the example given below the WAC standard gives an example of a janitor and consumer who uses bleach. The janitor would have to have an MSDS due to the fact he is using the over the counter product above and beyond the household limits. Our employees would fall under the definition of consumers under this example. They have very limited exposure to bleach and use it the same way a consumer uses it.

Another example of this is found on OSHA's website. OSHA MSDS workplace interpretation from Gary Bird M.D. asks specifically if stores are responsible for "materials that can be purchased on the grocery store shelf." Federal OSHA states that 1910.1200 (b) (6) (ii) exempts consumer products under Consumer Product Safety Act (15 USC 2051)

Our second violation was the result of not having proper safety goggles under WAC 296-800-16050. However, if Bleach is a consumer product and is being used in a household manner, shouldn't the second violation be removed?

Sincerely,

ERNwest Loss Control Manager