

5206.1500 DEFINITIONS.

Subpart 1. **Scope.** The terms used in parts 5206.1300 to 5206.1900 have the meanings given them in this part.

Subp. 2. **Data sheet.** "Data sheet" means a document such as a material safety data sheet (OSHA Form 20), operation standard, or placard which contains information required by Minnesota Statutes, section 182.653, subdivisions 4b and 4e regarding the physical, chemical, and hazardous properties of a substance or mixture and is used by an employer to communicate to an employee the information required under Minnesota Statutes, section 182.653, subdivisions 4b and 4e.

Subp. 3. **Employee.** "Employee" means any person suffered or permitted to work by an employer including any person acting directly or indirectly in the interest of or as a representative of an employer. It includes any child employed in accordance with Minnesota Statutes, chapter 181A.

Subp. 4. **Handler.** "Handler" means any person who handles, mixes, or applies hazardous substances.

Subp. 5. **Harmful physical agent.** "Harmful physical agent" means a physical agent determined by the commissioner as part of the standard for that agent to present a significant risk to worker health or safety or imminent danger of death or serious physical harm to an employee.

Subp. 6. **Hazardous substance.** "Hazardous substance" means a chemical or substance, or mixture of chemicals or substances, which:

A. is regulated by the Federal Occupational Safety and Health Administration under Code of Federal Regulations, title 29, part 1910, subpart Z;

B. is a pesticide used in agricultural operations registered with the United States Environmental Protection Agency (EPA) under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), section 3;

C. is either toxic or highly toxic; an irritant; corrosive; a strong oxidizer; a strong sensitizer; combustible; either flammable or extremely flammable; dangerously reactive; pyrophoric; pressure-generating; a compressed gas; a carcinogen; a teratogen; a mutagen; a reproductive toxic agent; or that otherwise, according to generally accepted documented medical or scientific evidence, may cause substantial acute or chronic personal injury or illness during or as a direct result of any customary or reasonably foreseeable accidental or intentional exposure to the chemical or substance; or

D. is determined by the commissioner as part of the standard for the chemical or substance or mixture of chemicals and substances to present a significant risk to worker

health and safety or imminent danger of death or serious physical harm to an employee as a result of foreseeable use, handling, accidental spill, exposure, or contamination.

Subp. 7. **Nonhandler.** "Nonhandler" means any person who does not handle, use, or apply a hazardous substance but is exposed to hazardous substances such as in field work.

Subp. 8. **Incidental farm worker.** "Incidental farm worker" means any person who is not a handler of hazardous substances and is employed for not more than five days.

Subp. 9. **Routinely exposed.** "Routinely exposed" means a reasonable potential for exposure exists during the normal course of assigned work. It includes the exposure of an employee to a hazardous substance when assigned to work in a field where a hazardous substance has been applied to that field within the last 30 days. It does not include a simple walk through of an area where a hazardous substance is present.

Subp. 10. **Temporary labor camp.** "Temporary labor camp" means any facility arranged, paid for, or maintained by an employer in which that employer's seasonal or temporary agricultural workers are required to live as a condition of employment. A "temporary labor camp" may consist of one or more buildings or structures, tents, or vehicles. It also includes a barracks-type camp, in which sleeping quarters are arranged on the dormitory plan, and a family-type camp that provides individual dwelling quarters for single family units.

Statutory Authority: *MS s 182.655*

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