

**New Mexico Environment Department
Occupational Health & Safety Bureau (NM OSHA)
Requirements and Better Management Practices
Progress Chart
March 25, 2025**

Requirements drawn from NM OSHA Inspection Report

Citation	Required Corrective Action by NM OSHA	Description	Assignment	Timeline and Current Status
1 Item 1a	11.5.2.9 NMAC 29 CFR 1910.134(c)(2)(i): An employer may provide respirators at the request of employees or permit employees to use their own respirators, if the employer determines that such respirator use will not in itself create a hazard. If the employer determines that any voluntary respirator use is permissible, then employer shall provide the respirator users with the information contained in Appendix D to this section ("Information for Employees Using Respirators When Not Required Under the Standard");	On or about 9/3/24, in the Chemistry Department stockroom of the Ivan Hilton Science building, employees were permitted voluntary use of respirators due to potential inhalation of highly hazardous laboratory chemicals during a chemical reconciliation project. NMHU did not provide employees with Appendix D, thereby not providing employees with information on the voluntary use of respiratory protection.	EHS: Determine if respirators are needed for campus and create required documents based on determination.	EHS March 2025 Respirators have been removed from the Ivan Hilton Stockroom since December 2024. NMHU does not have any plans to allow employees to use respirators as it's determined that these are not needed and could cause a hazard if allowed. Memo attached from EHS.
1 Item 1b	11.5.2.9 NMAC 29 CFR 1910.134(c)(2)(ii): In addition, the employer must establish and implement those elements of a written respiratory protection program necessary to ensure that any employee using a respirator voluntarily is medically able to use that respirator, and that the respirator is cleaned, stored, and maintained so that its use does not present a health hazard to the user. Exception: Employers are not required to include in a written respiratory protection program those employees whose only use of respirators	On or about 9/3/24, in the Chemistry Department stockroom of the Ivan Hilton Science building, employees were permitted voluntary use of respirators due to potential inhalation of highly hazardous laboratory chemicals during a chemical reconciliation project. NMHU did not have a written respiratory protection program with elements regarding medical evaluations and training on the use and care of such respirators	EHS: Determine if respirators are needed for campus and create required documents based on determination.	EHS March 2025 Respirators have been removed from the Ivan Hilton Stockroom since December 2024. NMHU does not have any plans to allow employees to use respirators as it's determined that these are not needed and could cause a hazard if allowed. Memo attached from EHS.

	involves the voluntary use of filtering facepieces (dust masks).	exposing employees to respiratory hazards.		
1 Item 2	11.5.2.9 NMAC 29 CFR 1910.151 (c): Where the eyes or body of any person may be exposed to injurious corrosive materials, suitable facilities for quick drenching or flushing of the eyes and body shall be provided within the work area for immediate emergency use. [63 FR 33450, June 18, 1998]	On or about 9/3/24, in the custodial closets of the Ivan Hilton Science building, custodians use corrosive cleaning chemicals, such as Husky 300 Bowl Cleaner and Clorox, without access to suitable facilities for quick drenching and flushing of the eyes and/or body when immediate emergency use is warranted. Employees were exposed to eye injuries while using corrosives.	Facilities: Identify portable eyewash stations to be installed in custodial closets.	Facilities March 21, 2025: Eye wash stations have been retrofitted in all custodial closets at Ivan Hilton Science Building to allow for proper emergency use. Photo documents attached.
1 Item 3a	11.5.2.9 NMAC 29 CFR 1910.1200(f)(6)(ii): Product identifier and words, pictures, symbols, or combination thereof, which provide at least general information regarding the hazards of the chemicals, and which, in conjunction with the other information immediately available to employees under the hazard communication program, will provide employees with the specific information regarding the physical and health hazards of the hazardous chemical.	On or about 9/3/24, on the custodial carts of the Ivan Hilton Science building, custodians were exposed to various chemical hazards because secondary cleaning chemical containers were not labeled.	Facilities: NMHU Custodial Management will conduct a thorough check of all carts to ensure chemicals properly labeled. Specific training on this topic will be conducted in collaboration with NMHU Environmental Health and Safety Department (EHS).	EHS & Facilities March 13, 2025: Custodial Management directed staff to have properly labeled secondary chemicals. Utilizing manufacturer labels for secondary containers. Photos attached.
1 Item 3b	11.5.2.9 NMAC 29 CFR 1910.1200(h)(1): Employers shall provide employees with effective information and training on hazardous chemicals in their work area at the time	On or about 9/3/24: a. In the Ivan Hilton Science Building, custodians were exposed to various chemical hazards while	NMHU will conduct training for custodial staff specific to their job	EHS a. NMHU required Ivan Hilton staff and faculty, including custodial staff, to attend NMED training on chemicals in January 2025. In

	<p>of their initial assignment, and whenever a new chemical hazard the employees have not previously been trained about is introduced into their work area. Information and training may be designed to cover categories of hazards (e.g., flammability, carcinogenicity) or specific chemicals. Chemical-specific information must always be available through labels and safety data sheets.</p>	<p>cleaning bathrooms, offices, floors, and laboratories. NMHU did not provide training on hazardous chemicals in the work area specific to the chemicals custodians use daily.</p> <p>b. At the NMHU Recycling Center, recycling technicians were exposed to unknown chemical residues while pulling parts from a used chemical laboratory refrigerator that had been dropped off for recycling. NMHU did not provide training on hazardous chemicals that employees may come into contact with while breaking down equipment containing chemical residues from the Ivan Hilton Science Building.</p>	<p>positions. Vendor hired to dispose of chemicals and equipment that has been compromised.</p>	<p>addition, on March 26, 2025: specific training for custodial staff was conducted for chemicals specifically relevant to their job positions. Trainings attached.</p> <p>b. NMHU contracted with Clean Harbors to dispose of chemicals in Ivan Hilton Science building in addition to proper disposal of equipment used in the facility and cleaning/disinfection. Purchase Orders attached.</p>
1 Item 4a	<p>11.5.2.9 NMAC '29 CFR 1910.1450(e)(2): The Chemical Hygiene Plan shall be readily available to employees, employee representatives and, upon request, to the Assistant Secretary.</p>	<p>On or about 9/3/24, in the various departments of the Ivan Hilton Science building, employees, such as faculty, lab staff, and student workers, use hazardous chemicals in laboratories for research and teaching laboratories. NMHU did not make the Chemical Hygiene Plan readily available to all employees.</p>	<p>EHS: Make plan accessible for all employees.</p>	<p>EHS: Chemical Hygiene Plan has been electronically published on website as of March 18, 2025. and as of March 21, 2025, a printed copy has been made accessible to employees at the Ivan Hilton Science building Stockroom and at the EHS Office located at Hewett Hall. Website address: https://www.nmhu.edu/research-and-sponsored-projects/environmental-health-and-safety-policies/</p>
1 Item 4b	<p>11.5.2.9 NMAC 29 CFR 191 O. I 450(f)(j): The employer shall provide employees with information and training to ensure that they are</p>	<p>On or about 9/3/24, in the various departments of the Ivan Hilton Science building, employees, such as faculty, lab staff, and student</p>	<p>EHS: Provide employees with training regarding</p>	<p>EHS: NMHU provided all employees with chemical training through NMED in January 2025. This training is currently available for</p>

	apprised of the hazards of chemicals present in their work area.	workers, use hazardous chemicals in laboratories for research and teaching laboratories. NMHU did not ensure that employees who use laboratory chemicals were trained on the hazards of the chemicals in their work area.	hazardous chemicals.	review through the EHS Department. Attached training documents.
1 Item 4c	11.52.9 NMAC 2.9 CFR 1910.1450(h)(1)(i): Employers shall ensure that labels on incoming containers of hazardous chemicals are not removed or defaced.	On or about 9/3/24, in the various departments of the Ivan Hilton Science building, employees, such as faculty, lab staff, and student workers, use hazardous chemicals in laboratories for research and teaching laboratories. NMHU did not ensure that labels on incoming containers of hazardous chemicals were not removed or defaced.	EHS: Process to properly dispose of chemicals safely through qualified 3 rd party vendor.	EHS Current through March 2025: NMHU contracted with Clean Harbors to remove all chemicals from the building that were unknown. These chemicals were identified and properly disposed of from the months of October through the current month of March 2025. In addition, NMHU created a new position, Chemical Hygiene Officer (CHO), that oversees the operations and compliance of the university in relation to chemical safety. This position reports to EHS. Furthermore, the Chemical Stockroom Manager position has been moved to report to the CHO and EHS to remove any conflicts of interest as well as ensure that compliance is a main component of the position. See attached Purchase Orders
2 Item 1a	11.5.2.9 NMAC 29 CFR 1910.1200(e)(1): Employers shall develop, implement, and maintain at each workplace, a written hazard communication program which at least describes how the criteria specified in paragraphs (f), (g), and (h) of this section for labels and other forms of warning, safety data sheets, and employee information and training will be met, and which also includes the following:	On or about 9/3/24, in the Ivan Hilton Science building, custodians were exposed to various chemical hazards while cleaning bathrooms, offices, floors, and laboratories. NMHU did not maintain a written hazard communication program for the workplace regarding the hazards of chemicals and the protective measures that exist.	EHS: Provide Hazard Communication Plan	EHS: The CHO (Chemical Hygiene Officer) has worked in conjunction with departments in Ivan Hilton Science building to create binders that contain Standard Operating Procedure (SOP) and safety data sheets (SDS) that are available outside of each laboratory. Attached is the EHS written Hazard Communication Program.
2 Item 1b	11.52.9 NMAC 29 CFR 1910.1200(g)(8): The employer shall maintain in the workplace copies of the required safety data sheets for each hazardous chemical and shall ensure that they are readily accessible during each	On or about 9/3/24, in the Ivan Hilton Science building, custodians were exposed to various chemical hazards while cleaning bathrooms, offices, floors, and laboratories. NMHU did not ensure that safety	Facilities: Maintain proper SDS sheets for custodial areas and make them accessible.	March 2025: Facilities Facilities provided updated SDS sheets and binders in the custodial closets and provided proof to NM OSHA.

	work shift to employees when they are in their work area(s). (Electronic access and other alternatives to maintaining paper copies of the safety data sheets are permitted as long as no barriers to immediate employee access in each workplace are created by such options.)	data sheets were maintained and readily accessible in the work areas of custodians.		
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