Handling Hazardous Substances Directive

at Universität Hamburg (excluding UKE)
This translation is for information only—only the German version shall be legally valid and enforceable.

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1. **Scope**

This Directive applies University-wide to all facilities and workplaces in which activities involving hazardous substances are carried out. University students, school students, and other persons working in academic and scientific institutions who handle hazardous substances shall be treated in the same way as employees as defined in the Hazardous Substances Ordinance (Gefahrstoffverordnung, GefStoffV).

2. **Goal and purpose**

The aim of the Directive is to standardize the safe handling of hazardous substances at Universität Hamburg, to prevent hazards when handling hazardous substances, to prevent accidents, work-related health hazards and occupational diseases, and to stipulate the mandatory use of the Chemical and Hazardous Substances Inventory Management System (CLAKS).

3. **Responsibilities**

The president of Universität Hamburg represents the University both judicially and extra-judicially in accordance with Section 81 subsection 2 of the Hamburg higher education act (Hamburgisches Hochschulgesetz, HmbHG). The head of administration is responsible for occupational safety at Universität Hamburg pursuant to Section 83 subsection 1 HmbHG. Any additional responsibilities and attendant rights, obligations, and duties will be set forth more specifically in the Executive University Board Directive on Occupational Safety at Universität Hamburg.

4. **Definitions**

- Hazardous substances (Section 2 subsection 1 GefStoffV) are substances, mixtures, or products with hazardous properties. They may cause acute or chronic harm to human health, be flammable, explosive, or dangerous to the environment.
- Hazardous waste (Art. 3 no. 2 EU directive on waste 2008/98/EC) is waste that has one or more hazardous properties and therefore poses a risk to health and/or the environment.

5. **Activity requirements**

An activity with hazardous substances is any work with substances, mixtures, and products, including production, mixing, use and consumption, storage, custody, treatment and processing, filling and decanting, removal, disposal, destruction, and internal transport. Activities involving hazardous substances are subject to the provisions set forth in GefStoffV; in particular:
• An activity involving hazardous substances may only be commenced after a risk assessment has been carried out, operating instructions have been drafted, and instruction given by superiors or their authorized representatives.
• Individuals charged with carrying out an activity must be technically qualified.
• Based on the risk assessment for activities involving hazardous substances, superiors must provide the required technical safety devices, work materials, workplace organization, and personal protective equipment.
• Activities involving hazardous substances may only be carried out in suitable areas. In some circumstances additional technical requirements may be necessary based on the risk assessment.
• For activities involving hazardous substances, statutory workplace limits may not be exceeded.
• Restrictions on use in accordance with Section 16 GefStoffV must be observed.

6. Documentation and disclosure (Chemical and Hazardous Substances Inventory Management System, CLAKS)

• According to Section 6 GefStoffV Universität Hamburg must keep a list of the hazardous substances it uses.
• Universität Hamburg makes the CLAKS (Chemical and Hazardous Substances Inventory Management System) available to University facilities for this purpose.

7. Basic information for labeling and storage of hazardous substances

• Hazardous substances must be clearly labeled in accordance with the provisions set forth in the Classification, Labelling, and Packaging Regulation (CLP Regulation).
• Hazardous substances may only be stored in undamaged, clean containers.
• Hazardous substances may only be stored or used within the specified periods of use.
• Hazardous materials must be stored in accordance with the requirements of the technical rules for hazardous materials (Technical Rules for Hazardous Substances) TRGS 510.
• Hazardous substances may only be stored in safe facilities, e.g., in suitable safety cabinets.

8. Special rules and safety measures

• Special measures apply to safeguard against fire and explosion hazards (GefStoffV, Annex I, no. 1).
• For activities involving carcinogenic, germ cell mutagenic, and reprotoxic hazardous substances listed in categories 1A and 1B, the special measures set forth in Section 10 GefStoffV and the corresponding regulations of Universität Hamburg apply.
The German explosive materials act (Sprengstoffgesetz, SprengG) applies with respect to handling substances classified as explosive.

9. Hygiene and health safety

In areas where hazardous substances are handled
- no food or beverages may be consumed. Supervisors must provide suitable space or spaces for this purpose.
- persons working there must ensure that the area is cleaned regularly.

10. Disposal of hazardous substances

- Hazardous materials may only be disposed of in accordance with the rules set forth in the Universität Hamburg Waste Disposal Manual.
- Under no circumstances may hazardous substances be discharged into the sewage system (e.g., via the wash basin, laboratory basin, or the floor drain) or into the environment (ground, water, air).

Hamburg, 1 February 2019

Dr. Martin Hecht
Head of Administration
11. Annex: Legal basis

The legal basis is premised predominately on the following statutes and regulations as amended:

- Act on the Implementation of Measures of Occupational Safety and Health to Encourage Improvements in the Safety and Health Protection of Workers at Work (Arbeitsschutzgesetz, ArbSchG)
- Chemicals act (Chemikaliengesetz, ChemG)
- Hazardous Substances Ordinance (Verordnung zum Schutz vor Gefahrstoffen, GefStoffV)
- EU Directive on waste 2008/98 EC
- German hazardous goods transportation act (Gefahrgutbeförderungsgesetz, GGBefG)
- German recycling management act (Kreislaufwirtschaftsgesetz, KrWG)
- German explosive materials act (Sprengstoffgesetz, SprengG)
- Technical Rules for Hazardous Substances (Technische Regeln für Gefahrstoffe, TRGS)

Workers’ compensation rules and regulations of the German Social Accident Insurance (DGUV) also apply. To be taken into particular account are:

- DGUV-I 213-039 Tätigkeiten mit Gefahrstoffen an Hochschulen (activities with hazardous substances at higher education institutions)
- DGUV-I 213-850 Sicheres Arbeiten in Laboratorien (working safely in laboratories)