

(8) An unstable reactive chemical, MEANING A CHEMICAL which, in the pure state, or as produced or transported, will vigorously polymerize, decompose, condense, or will become self-reactive under conditions of shocks, pressure, or temperature; [and] OR

(9) A water reactive chemical, MEANING A CHEMICAL that reacts with water to release a gas that is either flammable or presents a health hazard.

32D.

(a) A hazardous chemical includes any substance which [is included in] MEETS the definition of health hazard adopted by the United States Occupational Safety and Health Administration and published in the Federal Register on November 25, 1983, as amended from time to time, unless the Commissioner objects to an amendment.

32F.

(a) An employer shall develop or obtain a material safety data sheet or, in the case of a controlled hazardous WASTE substance, a [controlled] hazardous [substance] WASTE manifest for each hazardous chemical identified on the chemical information list.

32-I.

(c) Except as provided in subsection (b) of this section or [§ 32K] § 32L of this subtitle, information submitted or made available pursuant to this section shall be privileged and may not be disclosed to any person or in any civil proceeding.

32J.

(a) This section does not apply to retail establishments with respect to chemicals intended for sale to the general public.

(b) A manufacturer and any distributor shall provide to a purchaser of any hazardous chemical a material safety data sheet containing the information required by [subsection (b) of] § 32F(B) of this subtitle.

(c) A manufacturer or distributor who has complied with subsection [(a)] (B) of this section in a previous sale or shipment of a hazardous chemical shall only be required to provide information that would update the material safety data sheet which was previously given to the purchaser.

(d) A purchaser who has not received from a manufacturer or distributor the information required under this section shall request the required information within 5 days after delivery of the hazardous chemical.