

Temporary Compliance Waiver Notice

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(b) (4)

List of complying legal requirement

No	Act/Regulation/Other Requirements	Summary of Act/Regulations/Other Requirements	Location/ Activity	Ref. Document
1	Environmental Quality (Scheduled Wastes) Regulations 2005	<p>Regulation 3 : Notification of the generation of scheduled wastes</p> <p>a) shall within 30 days from the date of generation of scheduled wastes, notify the Director General of the new categories and quantities of scheduled wastes which are generated.</p> <p>b) The notification given under subregulation(1) shall include the information provided in the second schedule.</p> <p>Regulation 4 : Disposal of scheduled wastes</p> <p>a) shall be disposed of at prescribed premises only</p> <p>b) shall as far as practicable, be rendered innocuous prior to disposal</p> <p>Regulation 5 : Treatment of scheduled wastes</p> <p>shall be treated at prescribed premises or at on-site treatment facilities only</p> <p>Regulation 6 : Recovery of material or product from scheduled wastes</p> <p>a) recovery shall be done at prescribed premises or at on-site recovery facilities</p> <p>b) residuals from recovery of material or product from scheduled wastes shall be treated or disposed of at prescribed premises</p> <p>Regulation 7 : Application for special management of scheduled waste</p> <p>A waste generator may apply to Director General in writing to have the scheduled wastes generated from their particular facility or process excluded from being treated, disposed of or recovered in premises or facilities other than at the prescribed premises or on-site treatment or recovery facilities.</p> <p>Regulation 8: Responsibility of waste generator</p> <p>a) shall ensure that scheduled wastes generated by him are properly stored, treated on-site, recovered on-site for material or product from such scheduled wastes or delivered to and received at prescribed premises for treatment, disposal or recovery of material or product from scheduled wastes.</p> <p>b) shall ensure that scheduled wastes that are subjected to movement or transfer be packaged, labelled and transported in accordance with the guidelines prescribed by director general</p> <p>Regulation 9: Storage of scheduled waste</p> <p>a) shall be stored in containers which are compatible with the scheduled wastes to be stored, durable and which are able to prevent spillage or leakage of the scheduled wastes into the environment.</p> <p>b) incompatible scheduled wastes shall be stored in separate containers, and such containers shall be placed in separate secondary containment areas.</p> <p>c) containers containing scheduled wastes shall always be closed during storage except when it is necessary to add or remove the scheduled wastes</p> <p>d) areas for the storage of the containers shall be designed , constructed and maintained adequately in accordance with the guidelines prescribed by the Director General to prevent spillage or leakage of scheduled wastes into the environment.</p> <p>e) any person may store scheduled wastes generated by him for 180 days or less after its generation provided that</p> <ul style="list-style-type: none">- the quantity of scheduled wastes accumulated on site shall not exceed 20 metric tonnes; and- the director general may at any time, direct the waste generator to send any scheduled wastes for treatment, disposal or recovery of material or product from the scheduled wastes up to such quantity as he deems necessary <p>f) may apply to director general in writing to store more than 20 metric tonnes of scheduled wastes</p> <p>Regulation 10 : Labelling of scheduled wastes</p> <p>a) the date when the scheduled wastes are first generated , name, address and telephone number of the waste generator shall be clearly labelled on the containers that are used to store the scheduled wastes</p> <p>b) containers of scheduled wastes shall be clearly labelled in accordance with the types applicable to them as specified in the 3rd schedule and marked with the scheduled waste code as specified in the 1st schedule for identification and warning purpose</p> <p>c) no person is allowed to alter the markings and labels mentioned in subregulations (a) and (b)</p> <p>Regulation 11 : Waste generator shall keep an inventory of scheduled wastes</p> <p>shall keep accurate and up-to-date inventory in accordance with the 5th schedule of the categories and quantities of scheduled wastes being generated, treated and disposed of and of materials or product recovered from such scheduled wastes for a period up to 3 years from the date the scheduled wastes was generated.</p> <p>Regulation 12 : Information to be provided by waste generator</p> <p>a) shall provide information in accordance with the 6th schedule in the manner provided in this regulation or Director General shall determine other method as he thinks fit</p> <p>b) shall complete part 1 of the sixth schedule in six copies and hand over the six copies to contractor when the scheduled wastes are delivered to him</p> <p>c) if the waste generator fails to receive his copy of the sixth schedule from the occupier of the prescribed premises referred to in subregulation(5) within 30 days from the date of delivery of the scheduled wastes to the contractor referred to in subregulation(2-b), he shall notify director general immediately and shall investigate and inform the director general of the result of his investigation</p> <p>d) shall keep a signed copy of sixth schedule which shall be retained as a record for at least 3 years from the date the scheduled wastes are received</p> <p>E-Consignment Note</p> <p>a) shall be applied to waste generator</p> <p>b) hardcopy of 6th schedule shall be used during any disturbances of internet access, system failure or power trip.</p> <p>c) contractor shall carry a printed copy of waste types and quantity that has been approved by waste generator</p> <p>Regulation 13 : Scheduled wastes transported outside waste</p>	(b) (4)	

		<p>generator's premises to be accompanied by information</p> <p>a) shall provide information in accordance with the seventh schedule in respect of each category of scheduled wastes to be delivered to the contractor and shall give the schedule to the contractor upon delivery of the waste to him</p> <p>b) shall inform the contractor of the purpose and use of the 7th schedule</p> <p>Regulation 14 : Spill or accidental discharge</p> <p>shall provide technical expertise and supporting assistance in any clean-up operation referred to in subregulation (2)</p> <p>Regulation 15 : Conduct of training</p> <p>shall ensure that all his employees involved in the identification, handling, labelling, transportation , storage and spillage or discharge response of scheduled wastes attend training programmes</p>														
	Environmental Quality (Scheduled Wastes) (Amendment) Regulations 2007	<p>Regulation 2: Amendment of First Schedule</p> <p>The environmental Quality (Scheduled Wastes) Regulations 2005 are amended in the First Schedule, in relation to the particular appearing against code SW104, by inserting after the word "containing" the words "aluminium"</p>	Overall plant	(b) (4)												
2	Environmental Quality (Sewage) Regulations 2009	<p>Part IV : Discharge of effluent and sludge onto land</p> <p>Section 10 : Restrictions on disposal of sludge</p> <p>No person shall discharge, or cause or permit the disposal of, sludge generated from any sewage treatment system onto or into any soil or surface of any land without the prior written permission of the Director General.</p>	Overall plant													
	Environmental Quality (Industrial Effluent) Regulations 2009	<p>Section 21: Prohibition against discharge of industrial effluent or mixed effluent containing certain substances</p> <p>No person shall discharge or cause or permit the discharge of any industrial effluent or mixed effluent containing any of the following substances onto or into any soil, or into any inland waters or Malaysian waters</p>	Overall plant													
3	Environmental Quality (Clean Air) Regulations 2014	<p>Obligation to Notify</p> <p>5. An owner or occupier of a premises shall not without giving prior written notification to the director general.</p> <p>a) Carry out any change in operation of his premises</p> <p>b) Carry out any work on any premises that may result in a source of emission</p> <p>c) Construct on any land, any building or premises designed or used for a purpose that may result in new source of emission</p> <p>d) Make, cause, or permit to be made not change of to or in any plant, machine or equipment used or installed at the premises that causes a material change in the quantity or quality of emission from an existing source</p> <p>e) Carry out any changes or modifications to an existing air pollution control system.</p> <p>Measure to reduce emission</p> <p>6. An owner or occupier of a premises involved in any activity or industry listed in the first the first Scheduled shall incorporate measures to reduce the emission of air pollutant to the atmosphere in accordance with the best available technique economically achievable determined by the Director General</p> <p>Opacity</p> <p>12. An owner or occupier of a premises shall not cause, allow or permit emission which are:</p> <p>a) Darker than shade No 1 on the ringelmann Chart when observed or recorded with such instrument or devices as the director general may specify</p> <p>b) greater than 20% opacity when measured with transmissometer</p> <p>Prohibition on emission dilution</p> <p>14.1) no person shall dilute, or cause or permit to be diluted any emission at any time or point before it is emitted to the atmosphere</p> <p>2) Emission becomes diluted when it undergoes a process to make it less concentrated by adding oxygen or other gases from external source before its emission into the atmosphere</p>														
	Environmental Quality (Control of Emission from Diesel Engine) Regulations 1996	<p>Part III : Smoke emission control of motor vehicle</p> <p>Section 10 : Maximum concentration of smoke shall not exceed Ringelman No.2</p> <p>a) The maximum concentration of smoke at or near the final point of emission from the exhaust pipe into the atmosphere shall not exceed Ringelman No.2 of the Ringelman Smoke Chart for a continuous period of more than 10 seconds when observed in accordance with the procedure as specified in the Fourth Schedule.</p> <p>b) Observation of smoke from diesel engine is to be carried out by an authorised officer.</p>	Logistic	(b) (4)												
	Environmental Quality (Control of Emission from Diesel Engine) (Amendment) Regulations 2000	Amendment of regulation 2, 11, 12, sixth schedule and seventh schedule														
	(b) (4) Environmental Air Quality Guideline	<table><tr><td>Parameter</td><td>Averaging Time</td><td>(b) (4) Guideline</td></tr><tr><td>T.S.P (µg/m3)</td><td>24 hours</td><td>260</td></tr><tr><td>SO2 (ppm)</td><td>24 hours</td><td>0.04</td></tr><tr><td>NO2 (ppm)</td><td>1 hours</td><td>0.17</td></tr></table>	Parameter	Averaging Time	(b) (4) Guideline	T.S.P (µg/m3)	24 hours	260	SO2 (ppm)	24 hours	0.04	NO2 (ppm)	1 hours	0.17	Border of area	
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4	Environmental Quality Act 1974, Section 23 : Restrictions of noise pollution DOE Approval Letter	<p>Section 23 : Restriction on noise pollution</p> <p>(b) (4) during day time and during night time as specified by DOE</p> <p>(b) (4) during day time and during night time as specified by DOE</p>	Border of area													
	The Planning Guidelines For Environmental Noise Limits and Control	<p>Schedule 1</p> <p>Maximum Permissible Sound Level (Leq) By Receiving Land Use For Planning And New Development</p> <table><tr><td>Receiving Land Use Category</td><td>Day Time (7.00 am - 10.00 pm)</td><td>Night Time (10.00 pm - 7.00 am)</td></tr><tr><td>Designated Industrial Zones</td><td></td><td></td></tr></table>	Receiving Land Use Category	Day Time (7.00 am - 10.00 pm)	Night Time (10.00 pm - 7.00 am)	Designated Industrial Zones			Border of area							
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5	OSH(Use and standards of exposures of chemicals hazardous	<p>Part II : Identification of chemicals hazardous to health</p> <p>Reg. 5 Register of chemicals hazardous to health</p>	-													

	<p>a. An employer shall identify and record in a register all chemicals hazardous to health used at workplace</p> <p>b. The register shall be maintained in good order and condition and updated from time to time and shall contain the following information:-</p> <ul style="list-style-type: none"> - a list of all chemicals hazardous to health - current CSDS for each chemicals hazardous to health except pesticides - the average qty used, produced or stored per month or per year whichever is applicable for each of hazardous to health - the process and work area where the chemicals hazardous to health are used - the name and address of the supplier of each of the chemicals hazardous to health <p>c. The register shall be accessible to all employees who may exposed or are likely to be exposed</p>	
	<u>Part III : Permissible exposure limit</u>	
Reg. 6	<p>Ceiling limit</p> <p>Any employer shall ensure that the exposure of any person to any chemical hazardous to health listed in Schedule I at no time exceeds the ceiling limit specified for the chemical in that schedule</p>	Prod, Engr
Reg. 7	<p>Eight-hour time-weighted average</p> <p>a. exposure of any person to any chemical hazardous to health listed in schedule I in any 8 hour work shift of a work week does not exceed 8-hour time-weighted average airborne concentration specified in the schedule</p> <p>b. notwithstanding subregulation(a), the exposure of any person to any chemical hazardous to health listed in schedule I shall not exceed the maximum exposure limit for that chemical during the work shift</p>	
Reg. 8	<p>Compliance with permissible exposure limit using respirator</p> <p>a. the degree of protection afforded by the respirator for the periods during which the respirator is worn shall be taken into account</p> <p>b. the period referred in (a) shall be averaged with the exposure level of the airborne concentration during the period when respirators are not worn to determine the employee's daily time-weighted average exposure</p> <p>c. 'degree of protection ' means the ratio of the airborne concentration of the contaminant outside the respirator to the concentration of contaminant inside the face piece of the respirator</p>	Prod, Engr
	<u>Part IV : Assessment of risk to health</u>	
Reg. 9	<p>Assessment of risk to health</p> <p>a. An employer shall not carry out any work which may expose or is likely to expose any employee to any chemical hazardous to health unless he has made a written assessment of the risks created by the chemical to hlt. chemical to health</p> <p>b. The assessment shall contain following :-</p> <ul style="list-style-type: none"> - the potential risks to an employee as a result of exposure to chemicals hazardous to health - the method and procedures adopted in the use of the chemicals hazardous to health - the nature of the hazard to health - degree of exposure to such chemicals hazardous to health - risk to health created by the use and the exposure of an employee to chemicals hazardous to health - the measures, procedures, and equipment necessary to control any accidental emission of a chemical hazardous to health as a result of leakage, spillage or process or equipment failure -the necessity for employee exposure monitoring programme - the necessity for health surveillance programme and - the requirement for the training and retraining of employees as required by this act <p>c. Where work commenced before the coming into operation of these regulations, the employer shall conduct the assessment within one year from the date of coming into operation of these regulations</p>	-
Reg. 10	<p>Review assessment</p> <p>The assessment shall be reviewed if</p> <p>a. there has been significant change in the work to which the assessment relates</p> <p>b. more than 5 years have elapsed since last assessment</p> <p>c. directed by DG, Deputy DG or the Director of OSH</p>	-
Reg. 11	<p>Assessment to be carried out by an assessor</p> <p>The assessment shall be carried out by an assessor</p>	-
Reg. 12	<p>Assessment of risk to health report</p> <p>a. Within one month of the completion of the assessment the report shall be furnish to employer</p> <p>b. If from the assessment indicates that a place of work, plant, substance or process is likely to cause immediate danger to life or property , shall immediately inform employer about the danger</p>	-
Reg. 13	<p>Assessment report</p> <p>a. Maintain the assessment report in good condition for a period not less than 30 years</p> <p>b. The assessment report must be assessable upon request by DG or by any employee exposed or likely to be exposed to chemicals hazardous to health</p>	-
	<u>Part V : Action to control exposure</u>	
Reg. 14	<p>Action to control exposure</p> <p>a. Where an assessment report indicates that action is required to eliminate or reduce the actual or potential exposure of an employee to chemical hazardous to health, en employer shall carry out the action</p> <p>b. An employer shall ensure all control measures implemented under (a) reduce the exposure level to the lowest practicable level or below limits</p>	Prod, Engr
Reg. 15	<p>Control measured</p> <p>Control measures to be followed:-</p> <p>a. elimination</p> <p>b. substitution</p> <p>c. total enclosure of the process and handling systems</p> <p>d. isolation</p>	Prod, Engr

	<p>e. modification</p> <p>f. engineering control equipment</p> <p>g. adoption of safe work system and practices</p> <p>h. provision of approved PPE</p> <p>All safe work systems/practices are documented , implemented and reviewed where there is a significant change to the process, equipment, materials or control measures.</p>	
Reg. 16	<p>Use of approval personal protective equipment</p> <p>a. Approved PPE shall be used.</p> <p>b. Employer shall establish and implement procedures on the issuance, maintenance , inspection and training in the use of PPE</p> <p>c. The PPE provided shall be</p> <ul style="list-style-type: none"> - suitable to the type of work - fit to employees - not adversely affect the health/medical condition - be in sufficient supply and readily available to employees 	Prod, Engr, Facility
Reg. 17	<p>Engineering control equipment(ECE)</p> <p>a. ECE shall be inspected at an appropriate intervals , each interval being no longer than one month</p> <p>b. examined and tested for its effectiveness by hygiene technician at appropriate intervals, each intervals being no longer than 12 months</p>	Prod, Engr, Facility
Reg. 18	<p>Design, construction and commissioning of local exhaust exhaust ventilation equipment</p> <p>Any LEV installed shall be</p> <p>a. designed according to approved standard by registered professional engineer and constructed according to the design specifications</p> <p>b. tested by registered professional engineer after construction and installation</p> <p>"registered professional engineer" - registered under Act 1</p>	Facility
Reg. 19	<p>Records of engineering control equipment</p> <p>Records of design, construction, testing, inspection, examination and maintenance of ECE shall be maintained and produced for inspection when required by DG</p>	Prod, Engr, Facility
<u>Part VI : Labeling and relabeling</u>		
Reg. 20	<p>Duty of employer to ensure labeling</p> <p>a. An employer shall ensure all chemicals are labeled and that label are not removed, defaced, modified or altered.</p> <p>b. Where that label are removed, defaced, modified or altered employer shall relabel the chemical</p>	Prod, Engr, Store, Facility, QA
Reg. 21	<p>Relabeling</p> <p>a. Where chemical transfer to another container, employer shall ensure that container are relabeled</p> <p>b. The container shall be relabeled with the chemical name or trade name as written on the original label</p> <p>c. If chemical is used immediately the container need not be relabeled</p> <p>d. Labeling and relabeling in accordance to</p> <ul style="list-style-type: none"> - OSH(CPL) Regulations 1997 - EQ(Scheduled waste) Regulations 1989 	Prod, Engr, Store, Facility, QA
<u>Part VII : Information , instruction and training</u>		
Reg. 22	<p>Information, instruction and training</p> <p>a. An employer shall provide employees with such Information, instruction and training as may be necessary to enable them to know the risk to health created by such exposure and the precautions should be taken</p> <p>b. The information shall include</p> <ul style="list-style-type: none"> - information on the results of any monitoring of exposure at the place of work - information on the collective results of any health surveillance programme undertaken and presented in a manner which prevent them from being identified as relating to any particular person <p>c. The training shall be conducted :-</p> <ul style="list-style-type: none"> - at least once in 2 years - if there is a change of hazard information, safe work practices or control measures or - each time employees are assigned to new tasks or work areas where they are exposed to likely to exposed <p>d. Training programmes shall be documented and kept for inspection by OSH Officer</p>	Overall
Reg. 23	<p>Information, instruction and supervision of person</p> <p>An employee who carried out any work in connection with this regulations shall get necessary information, instruction and supervision to carry out such duties</p>	Overall
Reg. 24	<p>Chemical safety data sheet</p>	Prod, Engr, Store, Facility, QA
Reg. 25	<p>An employer shall get CSDS from supplier and shall not use that chemicals under such information is obtained</p> <p>Provision of chemical safety data sheet in place of work</p> <p>The CSDS shall be kept at conspicuous place close to location whether chemical is used and easily accessible to</p>	Prod, Engr, Store, Facility, QA
<u>Part VIII : Monitoring of exposure at the place of work</u>		
Reg. 26	<p>Monitoring of exposure</p> <p>a. Where an assessment of risk to health indicates that monitoring of exposure is required or it is requisite for ensuring the maintenance of adequate control of the exposure of employees, employer shall ensure that exposures is monitored with approved method of monitoring and analysis</p> <p>b. If an employee is exposed or likely to exposed to chemical hazardous to health listed in such II, the monitoring of exposure of employees, shall be repeated at intervals of not more than 6 months or at such shorter intervals as determined by assessor and the monitoring shall be continue as per frequency until the assessor satisfied that further monitoring is no longer required</p> <p>c. The monitoring shall be carried out by hygiene technician</p>	-

		<p>d. The employer shall maintain the monitoring record and shall be kept available where the record is representative of personal exposure of a person exposed to any chemical hazardous to health for at least 30 years and in other case at least 5 years</p>		
		<p><u>Part IX : Health surveillance</u></p> <p>Reg. 27 Health surveillance programme</p> <p>a. Where an assessment indicates health surveillance programme is required, an employer shall carry out the health surveillance</p> <p>b. The surveillance shall be carried out by occupational health doctor</p> <p>c. If an employee is exposed or likely to exposed to chemical hazardous to health listed in such II, the health surveillance shall include medical surveillance conducted at intervals of not more than 12 months or at each shorter intervals as determined by occupational health doctor or an occupational safety and health officer who is also a medical practitioner</p> <p>d. The surveillance record shall be maintained and kept for 30 years from the date of the last entry made in it</p> <p>e. The records shall be available upon request by DG for examination and inspection</p> <p>f. With reasonable notice given employer shall allow any his related employees access to the surveillance records</p>	-	
		<p><u>Part X : Medical removal protection</u></p> <p>Reg. 28 Medical removal protection</p> <p>a. The employer shall not permit an employee to be engaged in and shall remove him from work that exposes or likely to expose him to chemicals hazardous to health as determined by occupational health doctor or occupational safety and health officer (medical practitioner)</p> <p>b. An employer shall not permit any pregnant employee or breastfeeding employee to be engaged in and shall remove the employee from work which may expose or likely to expose to chemical hazardous to health</p> <p>c. The employer shall return the employee to his former job when</p> <ul style="list-style-type: none"> - subsequent medical result shows that employee no longer has the detected medical condition - the employee no longer pregnant or breastfeeding 	-	
		<p><u>Part XI : Warning sign</u></p> <p>Reg. 29 Warning sign</p> <p>a. Where chemical hazardous to health is in used , an employer shall ensure</p> <ul style="list-style-type: none"> - warning sign are posted at conspicuous place at every entrance of the area to warn person entering the area - other relevant information are given to persons who may be or are likely to be at risk of being affected by the chemical hazardous to health <p>b. the warning sign are illuminated and cleaned as necessary</p> <p>c. the warning shall give warning of hazards, be written in national and English language and printed in dark red against white background</p>	Production	
		<p><u>Part XII : Record keeping</u></p> <p>Reg. 30 Retention of records by employers</p> <p>The records shall be maintained as according to each regulations and upon expiration of retention period the records shall be give to DG at least 3 months notice in writing that he intends to dispose of such records and submit the records to DG if requested within that period</p>	-	