

LABOR CABINET
Department of Workplace Standards
Division of Occupational Safety and Health Compliance
Division of Occupational Safety and Health Education and Training
(As Amended at ARRS, July 13, 2020)

803 KAR 2:316. Welding, cutting, and brazing.

RELATES TO: KRS 338.051[~~(3)~~], 338.061, 29 C.F.R. 1910.251-1910.255

STATUTORY AUTHORITY: KRS 338.051[~~(3)~~], 338.061

NECESSITY, FUNCTION, AND CONFORMITY: KRS 338.051(3) requires the Kentucky Occupational Safety and Health Standards Board to ~~[adopt and]~~ promulgate occupational safety and health administrative regulations and authorizes the chairman to reference federal standards without board approval if necessary to meet federal time requirements ~~[necessary to accomplish the purposes of KRS Chapter 338. 29 C.F.R. 1910.251 to 1910.255 establishes the federal requirements relating to welding, cutting, and brazing].~~ KRS 338.061 authorizes the board to establish, modify, or repeal standards and reference federal standards. This administrative regulation establishes the welding, cutting, and brazing standards that are ~~[to be]~~ enforced by the Department of Workplace Standards in general industry.

Section 1. Definitions. (1) "Act" means KRS Chapter 338.

(2) "Assistant secretary ~~[Secretary of Labor]~~" means Secretary of Labor, Commonwealth of Kentucky, ~~[Labor Cabinet]~~ or Commissioner, Department of Workplace Standards, Labor Cabinet.

(3) "C.F.R." means Code of Federal Regulations.

(4) "Employee" is defined by[in] KRS 338.015(2).

(5) "Employer" is defined by[in] KRS 338.015(1).

(6) "Standard" means "occupational safety and health standard" as defined by[is defined in] KRS 338.015(3).

(7) "U.S. Department of Labor" means Kentucky Labor Cabinet, 500 Mero Street, 3rd Floor ~~[U.S. 127 South],~~ Frankfort, Kentucky 40601, or the U.S. Department of Labor.

Section 2. Except as modified by the definitions in Section 1 of this administrative regulation, general industry shall comply with the ~~[following]~~ federal requirements published by the Office of the Federal Register, National Archives and Records Services, General Services Administration ~~[:(1)]~~ 29 C.F.R. 1910.251-1910.255 ~~[-, revised July 1, 2011; and~~

~~(2) The revisions to 29 C.F.R. 1910.252 as published in the March 26, 2012 Federal Register, Volume 77, Number 58].~~

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