

Technical Amendment
November 10, 2022
EDUCATION AND LABOR CABINET
(Technical Amendment)

803 KAR 2:019. Receiving and unloading bulk hazardous liquids.

RELATES TO: KRS 338.051, 338.061

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 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. KRS 338.061 authorizes the board to establish, modify, or repeal standards and reference federal standards. This administrative regulation establishes standards that are to be enforced by the Department of Workplace Standards in general industry.

Section 1. Definitions.

- (1) "Compliance safety and health officer" means a person authorized by the Commissioner of the Department of Workplace Standards, Education and Labor Cabinet, to conduct occupational safety and health inspections.
- (2) "Employee" is defined by KRS 338.015(2).
- (3) "Employer" is defined by KRS 338.015(1).
- (4) "Hazardous liquid" means a chemical or mixture of chemicals that is toxic, an irritant, corrosive, a strong oxidizer, a strong sensitizer, combustible, flammable, extremely flammable, dangerously reactive or pressure generating, or that otherwise could cause substantial personal injury or substantial illness during, or as a direct result of, any customary or reasonably foreseeable handling or use.

Section 2. Scope. This administrative regulation establishes specific requirements for chemical handling procedures to control receiving and transfer to storage of bulk hazardous liquids and shall not apply to receiving gasoline, fuel oil, or liquefied petroleum gas at retail or wholesale outlets or to industrial filling stations in which the industry standard operating procedure requires the hauler to make connections and complete delivery.

Section 3. General Requirements.

- (1) Signs and labels shall be posted as established in paragraphs (a) through (c) of this subsection.
 - (a) At bulk chemical receiving and storage facilities capable of unloading tank trucks or trailers, signs and labels, readily legible at normal operating positions, shall indicate appropriate contents and item identification at receiving and dispensing connections, valves, tanks, and the storage area perimeter.
 - (b) Prominently displayed signs at critical access points shall direct tank truck drivers to plant security stations or to supervisory personnel. Signs at the unloading area shall give specific instruction to drivers not to connect truck tank hoses to chemical receiving lines.
 - (c) Bills of lading, freight bills, or accompanying paper work shall have each hazardous chemical clearly identified by its shipping name or, if not otherwise specified, by its common name. Handling information clearly indicated for receiver information shall be included.
- (2) Receiving liquid chemicals.
 - (a) Receiving of bulk liquid chemicals shall be coordinated by the receiving department or persons responsible for receiving. Only those persons trained and

authorized shall make the required chemical identification and perform or supervise the unloading of hazardous chemicals.

(b) Prior to unloading, the person receiving bulk liquid chemicals shall make an inspection of the accompanying papers, check the load, and ascertain its identity.

(c) If necessary for identification, chemical testing shall be accomplished prior to acceptance.

(d) The person authorized to receive bulk liquid chemicals shall direct the driver to the proper unloading area.

(e) The receiving area, where chemicals are unloaded, shall be secured in a locked enclosure or all receiving connections shall be under lock and key or made secure by other positive means.

(f) The person authorized to receive bulk liquid chemicals shall be responsible for control of keys or combination to locking devices.

(g) The tank truck driver may make connection to the tank truck.

1. A person authorized to receive bulk liquid chemicals shall make connection to company receiving connections and supervise the unloading into storage.

2. The tank truck driver may make both connections if the person authorized to receive bulk liquid chemicals is present to identify, check, and supervise the connection and unloading.

3. In receiving areas where more than one (1) chemical is stored, the tank connection shall be individually keyed.

4. Connection to different chemical receiving systems shall be locked by separated keying arrangement.

5. Due caution shall be made to prevent spills and to assure the receiving tank is not overfilled.

6. Prior arrangements shall be made to assure that inadvertent overflow is controlled without exposing employees.

(h) Upon completion of unloading, the receiving device or the enclosure shall be locked and the key returned to its designated security location or other equivalent action taken to secure the chemical inventory.

(3) Training.

(a) A person responsible for the acceptance of potentially hazardous chemicals shall have an understanding of the particular hazards associated with those chemicals individually and in combination.

(b) Internal written operating procedures shall be prepared. All employees exposed to the hazards addressed by this administrative regulation shall be trained in these procedures.

(c) Written emergency evacuation plans shall be prepared and practiced by all potentially affected employees.

(d) Copies of the operating procedures, emergency evacuation plans, and a listing of personnel authorized to receive bulk chemicals shall be on the premises and available to employees and to compliance safety and health officers.

(6 Ky.R. 652; eff. 7-2-1980; 23 Ky.R. 1682; eff. 12-13-1996; 47 Ky.R. 1622, 2369; eff. 8-3-2021; TAm eff. 11-10-2022.)

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