

805 KAR 3:040. Fire prevention and control.

RELATES TO: KRS 351.070

STATUTORY AUTHORITY: KRS 351.070

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: This administrative regulation is to establish safety standards governing fire prevention and control in the operation of the Commonwealth's surface type coal and clay mines which include strip and auger mining operations.

Section 1. Fire Prevention and Control.

- (1) No person shall smoke or use an open flame where flammable or combustible liquids or greases are stored or in areas or places where fire or explosion hazards exist.
- (2) Signs warning against smoking and open flames shall be posted so they can readily be seen in areas or places where fire or explosion hazards exist.
- (3) Areas surrounding flammable liquid storage tanks and electric substations and transformers shall be kept free from grass (dry), weeds, underbrush and other combustible materials for at least twenty-five (25) feet in all directions.
- (4) Fires used for warning purposes shall be enclosed to prevent persons from coming in contact with flame or coals which would ignite clothing. Oily or easily ignited clothing shall not be worn where ignition hazards are present.
- (5) Buildings or rooms in which oil, grease, flammable liquids, or similar flammable materials are stored shall be of fire-resistant construction and well ventilated. Provisions shall be made to control spilled flammable liquids.
- (6) Abandoned electrical circuits shall be deenergized and isolated so that they cannot become energized inadvertently. If no further use is intended, they shall be removed.
- (7) Combustible materials, grease, lubricants, or flammable liquids shall not be allowed to accumulate where they can create a fire hazard.
- (8) Materials, such as oily waste and rags, which are subject to spontaneous combustion shall be placed in tightly covered metal containers until disposed of properly.
- (9) When flammable solvents are used for cleaning, such solvents shall be transported in safety cans of not over five (5) gallon capacity. When used to clean parts, the containers used shall have tight-fitting covers. No cleaning may be done with flammable solvents near a possible source of ignition.
- (10) Oxygen cylinders shall not be stored near oil or grease.
- (11) Gauges and regulators used with oxygen or acetylene cylinders shall be kept clean and free of oil and grease.
- (12) Valves on oxygen and acetylene tanks shall be kept closed when they are not in use.
- (13) Battery-charging stations shall be located in well ventilated areas and in the clear of other equipment.
- (14) Internal combustion engines, except diesels, shall be shut off and stopped before being fueled.
- (15) Each mine shall have available, or be provided with, appropriate types of firefighting equipment adequate for the size of the mine.
- (16) Firefighting equipment shall be strategically located, readily accessible, plainly marked, properly maintained, and inspected periodically and records shall be kept of such inspections.
- (17) Fire extinguishers shall be:
 - (a) Adequate in number and size and of the appropriate type for each particular fire hazard involved.
 - (b) Replaced immediately with fully charged extinguishers of the same capability after any discharge is made from the extinguishers.

(c) Inspected at least every six (6) months, tested at least once each year, and maintained according to the manufacturer's recommendation. Each extinguisher shall bear a tag showing the date of inspection and testing and the initials or name of the person making the examination.

(d) Approved by Underwriter's Laboratories, Inc. or Factory Mutual Research Corporation.

(18) Appropriate fire extinguishers shall be provided on self-propelled mobile equipment.

(19) Fire extinguishers of the appropriate type and size shall be an integral part of portable cutting and welding equipment.

(20) When welding or cutting near combustible materials, precautions shall be taken to ensure that smoldering metal or sparks do not result in fire.

(21) Belt conveyors in locations where fire would create a hazard to personnel shall be provided with safety switches to stop the drive pulley automatically in the event the belt stalls or there is excessive slippage.

(SMS-3; 1 Ky.R. 849; eff. 5-14-1975; Crt eff. 6-27-2018; Crt eff. 4-22-2025.)