



KANSAS DEPARTMENT OF CORRECTIONS

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|  | INTERNAL MANAGEMENT POLICY AND PROCEDURE | SECTION NUMBER | PAGE NUMBER |
| | | 12-112D | 1 of 7 |
| | | SUBJECT: | |
| | | SECURITY AND CONTROL: Control and Use of Hazardous Materials within Facilities | |
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POLICY STATEMENT

The use of hazardous materials within the facilities of the Department of Corrections shall be limited to provide a safe environment. To reduce the reliance on hazardous materials and eliminate potential dangers, suitable alternative or substitute materials, and substances for hazardous materials shall be purchased. (ACO 2-3B-01)

No items containing chemicals classified as flammable, combustible, toxic, or caustic shall be purchased or stored within a facility without a current Safety Data Sheet (SDS). Employees shall be prohibited from introducing or possessing personal property items containing hazardous materials/chemicals in any facility without prior approval of the warden/superintendent, per provisions of IMPP 12-121 (adult)/IMPP 12-103 (juvenile). Manufacturer's Safety Data Sheets shall be reviewed to determine the appropriate controls required for such approved materials.

Staff and offenders required to dispense and/or use hazardous materials shall be provided appropriate orientation/training in the precautions recommended in the handling and use of such materials. (ACI 3-4203)

Constant inventories shall be maintained for all flammable, toxic, and caustic substances through a prescribed system to control the inventory, issue, and usage of all hazardous materials. Detailed records of all acquisitions, disbursements, and the amount on hand shall be maintained.

DEFINITIONS

Caustic Substance: A substance capable of destroying or eating away by chemical reaction.

Combustible Liquid: A liquid having a flash point at or above 100 degrees Fahrenheit (37.8 degrees Celsius).

Employee: Any person employed full time, part time, or on a temporary or intermittent appointment to the Kansas Department of Corrections, including any person employed by an entity under contract to provide services to the Kansas Department of Corrections.

Flammable Liquid: A liquid having a flash point below 100 degrees Fahrenheit (37.8 degrees Celsius) and having a vapor pressure not exceeding 40 pounds per square inch (absolute) (2,068 mm Hg) at 100 degrees Fahrenheit (37.8 degrees Celsius) shall be known as a Class I liquid.

Flash Point: The minimum temperature at which a liquid will give off vapor in sufficient concentration to form an ignitable mixture with the air near the surface of the liquid (or within the vessel used).

Hazardous Material/Chemical: Material presenting dangers beyond the fire problems relating to flash point and boiling point. These dangers may arise from but are not limited to toxicity, reactivity, instability, or corrosively. In

addition to flammable liquids and toxic substances, this category includes products, except as exempted within the provisions of this policy, commonly available for home and office use, exhibiting labels "Keep Out of the Reach of Children" or "May be Harmful if Swallowed".

Safety Data Sheets (SDS): Information sheets, supplied by the manufacturer, which identify the chemical product by name; lists hazardous ingredients and their chemical identity; describes the physical and chemical characteristics; denotes the fire and explosion data, reactivity status, and warns of health hazards; indicates precautions for handling and use; and, describes special protections and control measures. SDS are required by OSHA standards for employee protection.

National Fire Protection Association (NFPA): A United States trade association, albeit with some international members, that creates and maintains private, copyrighted, standards and codes for usage and adoption by local governments. This includes publications from model building codes to the many on equipment utilized by firefighters while engaging in hazardous material (hazmat) response, rescue response, and some firefighting.

Toxic Substance: A substance that, through chemical reaction or mixture, can produce possible injury or harm to the body by entering through the skin, digestive tract, or respiratory tract; the toxicity is dependent on the quantity absorbed and the rate, method, and site of absorption.

PROCEDURES

I. Procurement of Hazardous Materials

- A. Employees shall make every effort to replace utilization of hazardous materials with products less likely to be abused or misused.
- B. In the event that a hazardous product is unavailable in any form other than as an aerosol, wardens/superintendents may develop procedures, as appropriate to the facility, in General Orders to control approval for the procurement of such materials.
- C. Prior to ordering or purchasing any item containing chemicals classified as flammable, combustible, toxic, or caustic (see Attachment A for common substances), it shall be the responsibility of that employee to determine if a Safety Data Sheet (SDS) is on file. If a current SDS is not available, that employee shall, at the time the order is placed or the purchase is made, request that the vendor supply a SDS.
- D. Hazardous materials shall not be received or purchased from vendors who either refuse to or are unable to supply a current SDS.

II. File and Master Index

- A. Each facility area or shop using any hazardous material shall maintain a file of the manufacturer's SDS for those materials stored and used in that particular facility or shop. (ACO 2-3B-01; ACI 3-4203) This file shall be:
 1. Updated any time a new material is added; and,
 2. Reviewed at least annually to ensure that all SDS correspond with the type of materials stored in the area or shop.
 3. Files may be located on the department's internet for access by staff and visitors.
- B. The facility's Industrial Safety Inspector, or other person as designated by the warden/superintendent, shall maintain a master index of all hazardous material in the facility. The master index shall include:
 1. The location of all hazardous material and the maximum amount permitted to be stored or accumulated at each location based upon usage history or other justified purpose/need;
 2. All available Safety Data Sheets; and,

3. A current list of emergency phone numbers (e.g., local fire department, local poison control center).
- C. A copy of the master index shall be maintained at a site subject to the warden's/superintendent's discretion. This index shall also be on the department's website when it becomes operational.

III. General Guidelines Applicable To All Departmental Operations

- A. A system to control the inventory and issue of flammable, toxic, and caustic materials shall be developed, similar to the prescribed method required for facilities per Section VII., in the Central Office and other departmental units if flammable, caustic, and toxic materials are stored and used. **(ACO 2-3B-01; ACI 3-4203)**
- B. All flammable, caustic, and toxic materials shall be issued from supply points to approved containers or dispensed only under the supervision of authorized staff, unless authorization is granted by the warden for designated minimum custody adult offenders to dispense such materials.
- C. A Flammable, Toxic, and Caustic Issuance Log (Attachment B) shall be maintained to record the receipt, issuance, and inventory of these materials.
 1. The Flammable, Toxic, Caustic Issuance Log shall be forwarded to the facility Industrial Safety Officer or designee who shall be responsible to file and maintain such logs for a minimum of three (3) years.
 - a. After three (3) years these logs shall be disposed of in accordance with the schedule approved by the State Records Board.
- D. Hazardous materials shall only be issued in the amount necessary for one (1) day's needs.
- E. All hazardous material shall be required to be labeled properly at all times with labels that meet NFPA or OSHA standards.
- F. Hazardous material spills and/or leaks shall be stopped, contained, and cleaned in accordance with the SDS for each substance.
- G. A hazardous material shall not be mixed with any other hazardous material.
- H. Hazardous materials that are identified as "Keep Out of Reach of Children" or "May be Harmful if Swallowed" are not subject to controls if they meet the following guidelines:
 1. They have an NFPA Flammability Hazard (red) of 0 or 1;
 2. They have an NFPA Health Hazard (blue) of 0 or 1;
 3. They have an NFPA Reactivity Hazard (yellow) of 0; and
 4. They have no NFPA Specific Hazard (white) identified.

IV. Guidelines for Storage of Flammable or Combustible Liquids

- A. Any liquid or aerosol that is required to be labeled "Flammable" or "Combustible" under the Federal Hazardous Substances Labeling Act shall be stored and used according to label and SDS recommendations in a way that does not endanger life and property. **(ACO 2-3B-01; ACI 3-4203)**
- B. All flammable and combustible liquids shall be stored in accordance with NFPA Code No. 30 or in a manner approved by the State Fire Marshal.
- C. Storage cabinets shall be:

1. Securely locked;
 2. Conspicuously labeled "Flammable - Keep Fire Away"; and,
 3. Used to store no more than 60 gallons of Class I or Class II liquids or 120 gallons of Class III liquids, as identified in Attachment A.
- D. When in use, all storage rooms and cabinets shall be supervised by an authorized staff member. Doors and cabinets shall be placed so that they do not obstruct access to exits, stairways, and other areas normally used for evacuation in the event of fire or other emergency.
- E. All portable containers for flammable and combustible liquids, original, and non-original, shall bear legible labels identifying the contents. All non-legible labels shall be removed prior to affixing new labels.
- F. All excess liquids, which have not been transferred into portable containers, shall remain in their original container in the storage room or cabinet. All containers shall be tightly closed when not in use.

V. Guidelines for the Distribution, Use, and Disposal of Flammable or Combustible Liquids

- A. The use of any flammable or combustible liquid must conform to the provisions and precautions listed in the SDS. (ACO 2-3B-01; ACI 3-4203)
- B. **ADULT:** Flammable and combustible liquids shall only be dispensed by authorized staff in maximum and medium facilities. When, in the judgment of the warden there is good cause, provisions may be made to authorize minimum custody inmates, housed and working in a minimum security facility or unit, to dispense such liquids. (ACO 2-3B-01; ACI 3-4203)
- C. An approved grounding and bonding system shall be used when liquids are dispensed from drums. The only acceptable methods for drawing from or transferring these liquids into containers within a building are:
1. Through a closed piping system;
 2. From safety cans;
 3. By a device drawing through the top; or,
 4. By gravity through an approved self-closing system.
- D. Only liquids with a flash point at or above 100 degrees Fahrenheit (e.g., Stoddard solvents, kerosene) shall be used for cleaning. Such cleaning operations shall only be performed in an approved parts cleaner or dip-tank fitted with a fusible link lid with a 160 degrees Fahrenheit melting-temperature link.
- E. Excess flammable or combustible liquids shall be disposed of in accordance with the SDS for each substance.
1. Employees shall contact the Industrial Safety Officer if any assistance is required in identifying, handling or disposing of hazardous materials.

VI. Guidelines for the Storage, Distribution, Use, and Disposal of Toxic and Caustic Substances

- A. All toxic and caustic materials shall be stored and used according to label and SDS recommendations in a way that does not endanger life and property. (ACO 2-3B-01; ACI 3-4203)
1. All unopened toxic and caustic materials shall be stored in their original containers in a secure area in each approved area or shop. The manufacturer's label shall be kept intact on each container.

2. When containers are refilled, all non-legible labels shall be removed prior to affixing new labels.
- B. Toxic and caustic substances shall be dispensed by:
1. Authorized staff only in maximum and medium security adult facilities; or
 2. In addition to authorized staff, minimum custody adult offenders, housed and working in a minimum security facility or unit, approved by the warden; or
 3. In addition to authorized staff, juvenile offenders approved by the superintendent.
- C. Unused portions of toxic or caustic substances shall be returned to the original container in the storage area or, if appropriate to prevent product contamination, stored in the storage area in a suitable container properly identified with an SDS/NFPA/OSHA style label.
- D. Excess toxic or caustic substances shall be disposed of in accordance with the SDS for each substance.

VII. Facility General Orders

- A. Each warden/superintendent shall, through the establishment of general orders:
1. Develop procedures for and consistently use a prescribed method for the issuance and inventory of flammable, toxic, and caustic materials based on the following guidelines: **(ACO 2-3B-01; ACI 3-4203)**
 - a. Unopened bulk items shall be inventoried and recorded listing the container type and size or unit of measurement as provided by the manufacturer, i.e., five (5) gallon cans, one (1) quart can/bottle, 50 lb. bag, 10 oz. canister, etc.
 - (1) An inventory of bulk containers shall be maintained in storage warehouses as well as at authorized sites for such materials within facility work and shop areas.
 - b. A common unit of measurement, i.e., pounds converted to ounces and gallons converted to quarts/pints, shall be utilized to identify the amount of materials in containers on which the manufacturers seal has been broken to access the material.
 - (1) When possible, an instrument to accurately measure the amount removed from the original container shall be used to determine the amount dispensed, i.e., a measuring cup, an incrementally marked dipstick for measuring liquids inside a container, or, an external gauge for measuring see through containers.
 - (2) When the contents of an opaque or an aerosol container are used the approximate amount used (in ounces/pints/quarts), in the judgment/estimation of the employee, should be recorded in the Amount Issued column.
 - c. Constant inventory controls shall be developed, using the Flammable, Toxic, and Caustic Issuance Log, which will provide information on:
 - (1) The amount of materials available at the authorized site (Amount Received or Returned);
 - (2) The amount removed with each individual issue incident (Amount Issued); and,

- (3) The actual amount remaining in the inventory following the issue (Inventory Balance).
2. Designate specific staff who shall be responsible for control, dispensing, and maintaining inventories of hazardous materials.
3. Designate specific staff responsible to monitor inventories and offenders authorized to dispense materials per provisions of this IMPP.
4. Identify the type and maximum amount of materials to be dispensed by offenders.
5. Establish procedures to ensure that staff and offenders, prior to being issued hazardous materials, receive instruction in the following areas:
 - a. Potential dangers and all safety precautions related to the use of flammable, toxic, and caustic materials;
 - b. The availability and proper use of protective clothing and/or equipment, when necessary;
 - c. Reporting procedures for loss, spills, and accidents; and,
 - d. Emergency first aid measures to be employed in case of misuse, exposure, etc.
6. Establish procedures that ensure control and accountability of all cleaning supplies.
 - a. Diluted cleaning supplies, which are available to offenders without direct staff supervision, shall require a system of monitoring the use for inventory and control purposes, per Section III.B.

NOTE: The policy and procedures set forth herein are intended to establish directives and guidelines for staff and offenders and those entities that are contractually bound to adhere to them. They are not intended to establish State created liberty interests for employees or offenders, or an independent duty owed by the Department of Corrections to employees, offenders, or third parties. Similarly, those references to the standards of various accrediting entities as may be contained within this document are included solely to manifest the commonality of purpose and direction as shared by the content of the document and the content of the referenced standards. Any such references within this document neither imply accredited status by a Departmental facility or organizational unit, nor indicate compliance with the standards so cited. The policy and procedures contained within this document are intended to be compliant with all applicable statutes and/or regulatory requirements of the Federal Government and the state of Kansas. This policy and procedure is not intended to establish or create new constitutional rights or to enlarge or expand upon existing constitutional rights or duties.

REPORTS REQUIRED

None.

REFERENCES

Federal Hazardous Substances Labeling Act
National Fire Protection Association (NFPA) Codes 30, 45, & 49
NFPA 325M, Fire Hazard Properties of Flammable Liquids, Gases and Volatile Solids
IMPP 02-109D, 12-121, JJA 12-103
ACO 2-3B-01
ACI 3-4203

ATTACHMENTS

| Attachment | Title of Attachment | Page Total |
|-------------------|---|-------------------|
| A | List of Flammable, Toxic and Caustic Substances | 1 page |
| B | Flammable, Toxic, and Caustic Materials Log | 1 page |

COMMON FLAMMABLE, TOXIC, AND CAUSTIC SUBSTANCES *

Class I Liquids:

Gasoline
Benzine(Petroleum Ether)
Acetone
Xylene (Xylol)
Contact Cement

Lacquer Thinner
Denatured Alcohol
Ethyl Alcohol
Methyl Ethyl Ketone
Naptha Y, M, & P

Toludi (Toluene)
Methyl Ethyl Ether
Hexane
Lacquer

Class II Liquids:

Diesel Fuel
Motor Oil

Kerosene
Cleaning Solvents

Mineral Spirits
Agitene

Class III Liquids:

Paints (Oil Base)
Linseed Oil

Mineral Oil
Neatsfoot Oil

Sunray Conditioner
Guardian Fluid

Toxic Substances:

Ammonia
Chlorine
Antifreeze

Duplicating Fluid
Methyl Alcohol
Defoliants

Herbicides
Pesticides
Rodenticides

Caustic Substances:

Lye
Muriatic Acid

Caustic Soda
Sulfuric Acid

Tannic Acid

* It is possible that a substance may contain more than one of the above properties; therefore, the safety requirements for all applicable properties should be considered.

