



MINUTES  
KENTUCKY OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD  
PUBLIC MEETING

The annual meeting of the Kentucky Occupational Safety and Health (OSH) Standards Board was held in the Breathitt Room at the Galt House in Louisville, Kentucky on Tuesday, May 7, 2013 at 1:30 p.m.

Chairman Mark Brown called the meeting to order. Ms. Amy Tennill called the roll. The following members were in attendance: Mr. Van Mitchell, Mr. Vaughn Plummer, Ms. Diane Snow, Ms. Donna Haynes, Mr. Ron Lynch, Mr. Steven Stone, Ms. Michelle Barnett, Mr. Randy Chrisman, Mr. David Hart, and Ms. Donna Ringo.

Chairman Brown called for discussion of the May 8, 2012 meeting minutes. Having no questions or comments, Chairman Brown asked for a motion to approve the minutes. Mr. Chrisman made the motion, seconded by Ms. Haynes. The motion passed unanimously.

Chairman Brown called for Old Business. There was none.

Chairman Brown recognized Ms. Kristi Redmon, CIH, CSP, Health Standards Specialist, Kentucky Labor Cabinet to present for consideration the adoption of an amendment published in the January 22, 2013 *Federal Register* addressing occupational exposure to hazardous chemicals in laboratories. This amendment related to a non-mandatory appendix within the laboratory standard and included a reference to a National Academy of Sciences publication that listed acceptable practices for addressing hazards typically found in laboratories. This final rule amended 803 KAR 2:320.

Chairman Brown asked for questions and there being none, called for a motion to adopt the final rule. Ms. Haynes made the motion, seconded by Mr. Mitchell. The Chairman asked for further discussion or questions and being none, called for a vote. The motion passed unanimously.

Chairman Brown asked Ms. Redmon to proceed to the next item under consideration: the adoption of amendments published in the February 8, 2013 *Federal Register* correcting recent amendments based on the Globally Harmonized System of Classification and Labeling. The corrections related mainly to replacing the term “material safety data sheet” with “safety data sheet” and did not significantly change the regulation. This final rule amended 803 KAR 2:307; 803 KAR 2:320; 803 KAR 2:403; 803 KAR 2:425; and 803 KAR 2:500.

Chairman Brown asked for questions and there being none, called for a motion to adopt the final rule. Ms. Ringo made the motion, seconded by Mr. Hart. The Chairman asked for further discussion or questions and being none, called for a vote. The motion passed unanimously.



Ms. Redmon proceeded to the next item under consideration: the adoption of amendments to a material handling in construction standard as published in the February 15, 2013 *Federal Register*. This amendment added a subparagraph related to the labeling and identification of wire rope slings. This final rule amends 803 KAR 2:407.

Chairman Brown asked for questions and there being none, called for a motion to adopt the final rule. Ms. Snow made the motion, seconded by Ms. Ringo. The Chairman asked for further discussion or questions and being none, called for a vote. The motion passed unanimously.

Ms. Redmon presented the adoptions of amendments to the Bloodborne Pathogens standard as published in the April 3, 2012 *Federal Register* for the board's consideration. This amendment relocated a requirement related to the sharps injury log that was placed under the wrong paragraph. This final rule amends 803 KAR 2:320.

Chairman Brown asked for questions and there being none, called for a motion to adopt the final rule. Ms. Barnett made the motion, seconded by Mr. Plummer. The Chairman asked for further discussion or questions and being none, called for a vote. The motion passed unanimously.

Ms. Redmon presented for the board's consideration, the adoption of corrections and technical amendments to the Respiratory Protection, Mechanical Power Press, and scaffold specifications standards as published in the August 7, 2012 *Federal Register*. This amendment included corrections to outdated wording were made to the respiratory protection program standards; corrections to wording in the mechanical power presses standards related to reporting injuries that had been previously deleted and was being restored; and corrections to a cross-reference within the scaffolding requirements. This final rule amended 803 KAR 2:308; 803 KAR 2:314, and 803 KAR 2:411.

Chairman Brown asked for questions and there being none, called for a motion to adopt the final rule. Ms. Ringo made the motion, seconded by Mr. Mitchell. The Chairman asked for further discussion or questions and being none, called for a vote. The motion passed unanimously.

Ms. Redmon presented for consideration the adoption of amendments published in the June 22, 2012 *Federal Register*, corrected in the July 23, 2012 *Federal Register*, and confirmed in the November 16, 2012 *Federal Register*, that updated references to national consensus standards for head protection. The amendments were part of OSHA's efforts to incorporate the latest versions of the National Consensus and Industry Standards and amend references to ANSI standards that were out-of-date. Provisions in these amendments kept references to the older ANSIs so that employers might deplete their inventories before purchasing new equipment. These changes also delete references to obsolete head protection standards. This final rule amended 803 KAR 2:300; 803 KAR 2:308; 803 KAR 2:500; 803 KAR 2:400; and 803 KAR 2:404.



Chairman Brown asked for questions and there being none, called for a motion to adopt the final rule. Mr. Plummer made the motion, seconded by Ms. Barnett. The Chairman asked for further discussion or questions and being none, called for a vote. The motion passed unanimously.

Ms. Redmon presented the final consideration for the adoption of amendments as published in the April 23, 2013 *Federal Register*, that clarified the application of the cranes and derricks standard to underground construction and demolition work. This amendment clarified that Subpart CC of the cranes and construction standard applied when equipment covered by the subpart would be used. Approval of this amendment was required in order to maintain the state program remain as effective as the federal program and must be incorporated within a six-month timeline. This final rule amended 803 KAR 2:418 and 803 KAR 2:419.

Chairman Brown asked for questions and there being none, called for a motion to adopt the final rule. Ms. Haynes made the motion, seconded by Ms. Ringo. The Chairman asked for further discussion or questions and being none, called for a vote. The motion passed unanimously.

Chairman Brown then announced his retirement as Secretary of the Kentucky Labor Cabinet would be effective May 16, 2013. He expressed his appreciation for the board's hard work in helping Kentucky's employers protect their employees. Ms. Haynes then thanked Chairman Brown for his time and commended him on a job well-done.

Chairman Brown then adjourned the Meeting.