



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 6, 2014 at 1:30 p.m.

Chairman Larry Roberts 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 Roberts called for discussion of the May 7, 2013 meeting minutes. Having no questions or comments, Chairman Roberts asked for a motion to approve the minutes. Ms. Ringo made the motion, seconded by Ms. Haynes. The motion passed unanimously.

Chairman Roberts called for Old Business. There was none.

Chairman Roberts recognized Mr. Mike Pettit, Safety Standards Specialist, Kentucky Labor Cabinet to present for consideration the adoption of an amendment published in the May 29, 2013 *Federal Register* revising the derrick exemption in the Cranes in Construction Regulation. This revision expanded digger-derrick exemption to include all digger-derricks used in construction subject to 29 CFR 1926 Subpart V. This final rule amended 803 KAR 2:421 and 803 KAR 2:505.

Chairman Roberts asked for questions and there being none, called for a motion to adopt the final rule. Mr. Lynch made the motion, seconded by Mr. Hart. The motion passed unanimously.

Chairman Roberts asked Mr. Pettit to proceed to the next item under consideration: the adoption of amendments published in the November 20, 2013 *Federal Register* that were confirmed in the April 18, 2014 *Federal Register* revising the mechanical power press standard. These revisions required employers to perform necessary general maintenance and repairs on presses and to maintain certified records of these tasks. They also required employers to conduct at least weekly inspections and tests on the clutch/brake mechanism, antirepeat feature and single-stroke mechanism of each press as well as to keep certified records of these inspections. This final rule amended 803 KAR 2:314.

Chairman Roberts asked for questions and there being none, called for a motion to adopt the final rule. Ms. Haynes made the motion, seconded by Mr. Chrisman. The motion passed unanimously.



Mr. Pettit proceeded to the next item under consideration: the adoption of amendments creating and revising general industry and construction standards related to electric power generation, transmission, an distribution; and electric protective equipment as published in the April 11, 2014 *Federal Register*. These revisions included new or revised provisions on host employers and contractors; training; job briefings; fall protection; insulation and working position of employees on or near live parts; minimum approach distances; protection from electric arcs; deenergizing transmission and distribution lines and equipment; protective grounding; operating mechanical equipment near overhead power lines; and working in manholes and vaults. It also created new requirements for the safe use and care of electrical protective equipment. The adoption of this final rule was required in order for the state program to remain as effective as the federal program and to be incorporated within a six-month timeline. This final rule amends 803 KAR 2:308; 803 KAR 2:317; 803 KAR 2:318; 803 KAR 2:400; 803 KAR 2:404; 803 KAR 2:412; 803 KAR 2:421; 803 KAR 2:423; and 803 KAR 2:505.

Chairman Roberts asked for questions and there being none, called for a motion to adopt the final rule. Mr. Plummer made the motion, seconded by Ms. Snow. The motion passed unanimously.

Chairman Roberts then recognized Ms. Kristi Redmon, CIH, CSP, Health Standards Specialist, Kentucky Labor Cabinet to present for consideration the adoption of an amendment published in the June 13, 2013 *Federal Register* that were corrected and confirmed in the November 6, 2013 *Federal Register* which updated consensus standards based on national signage consensus standards. This amendment related to OSHA's efforts to incorporate the latest versions of the ANSI standards for accident prevention signs and tags. This final rule amended 803 KAR 2:300; 803 KAR 2:306; 803 KAR 2:309; 803 KAR 2:317; 803 KAR 2:400; and 803 KAR 2:406.

Chairman Roberts asked for questions and there being none, called for a motion to adopt the final rule. Ms. Haynes made the motion, seconded by Mr. Chrisman. The motion passed unanimously.

Chairman Roberts asked Ms. Redmon to proceed to the next item under consideration: the deletion of 803 KAR 2:550 based on the removal of Subpart DD in the August 17, 2012 *Federal Register* revising the cranes in construction requirements for demolition and underground construction. On August 17, 2012, OSHA proposed a final rule which should have removed Subpart DD of the cranes in construction regulations. However, the April 23, 2013 final rule did not include this removal. The April 23, 2013 final rule was passed by the board at the last OSH Standards Board Meeting on May 7, 2013. The repeal of 803 KAR 2:550 is was required in order for the state program to remain as effective as the federal program and to be incorporated within a six-month timeline.

Chairman Roberts asked for questions and there being none, called for a motion to adopt the final rule. Mr. Mitchell made the motion, seconded by Mr. Lynch. The motion passed unanimously.



Ms. Redmon presented the final consideration for the adoption of amendments as published in the April 21, 2014 *Federal Register*, that revised vertical tandem lift requirements for the maritime industry based on a court-ordered remand. Ms. Redmon explained that Kentucky's limited maritime jurisdiction as it applies only to public sector employers. The revisions under consideration limited the use of corner-casting and interbox-connector inspection requirements to shore-to-ship vertical tandem lifts and removed tandem lifts of platform containers from the vertical tandem lift standard. This final rule amended 803 KAR 2:500.

Chairman Roberts asked for questions. Ms. Haynes asked for clarification vertical tandem lifts. Ms. Redmon explained it is the lifting of two stacked containers by crane. Ms. Ringo asked what localities or state agencies actually use this method. Mr. Stribling clarified that some county governments operate their own river ports and this amendment would apply to those.

Chairman Roberts asked if there any additional questions and there being none, called for a motion to adopt the final rule. Ms. Haynes made the motion, seconded by Mr. Plummer. The motion passed unanimously.

Chairman Roberts noted the conclusion of the meeting's agenda. He reminded the board that all board members' terms expired in June 2014. He stated that anyone wishing reappointment make it know to a staff member so the information may be conveyed to the Governor's Office.

Chairman Roberts also advised the group of three pieces of legislation that had been introduced dealing with Labor Cabinet funding. These bills would have removed all public funding from the Labor Cabinet. The loss of these funds would essentially close the Cabinet and all jurisdiction would be reverted back to the federal government.

Chairman Roberts then adjourned the Meeting.