

NOTICE

Amendment to 803 KAR 2:182E, Repeal of 803 KAR 2:180, was filed with the Legislative Research Commission on May 13, 2021.

The amendment is posted at <https://legislature.ky.gov>. Select the Kentucky Law Tab, Kentucky Administrative Regulations, KAR List by Title, then Title 803 Labor Cabinet and scroll down to the regulation under Chapter 2 Occupational Safety and Health.

Changes to the regulation and public hearing information is available at the aforementioned website or in the pages below following this notice.

FILED WITH LRC
TIME: 3:25 pm
MAY 13 2021
Emily B Caudill
REGULATIONS COMPILER

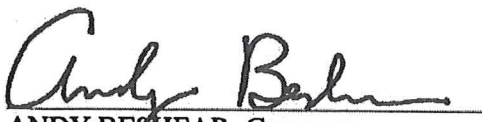
STATEMENT OF EMERGENCY
803 KAR 2:182E


This emergency administrative regulation is promulgated to meet an imminent threat to public health, safety, or welfare, to prevent a loss of federal funds, and ensure compliance with federal mandates. Further, this emergency administrative regulation is necessary to prevent a conflict with the provisions of 803 KAR 2:180 Recordkeeping, reporting, and statistics.


Kentucky operates a State Plan approved by the Occupational Safety and Health Administration (OSHA) that provides employee occupational safety and health (OSH) protections. OSHA approves, monitors, and provides funding to Kentucky.

The Administrative Regulation Review Subcommittee, at its May 11, 2021 meeting, requested the Department of Workplace Standards refile 803 KAR 2:180E Recordkeeping, reporting, and statistics as a new regulation to meet the requirement established in Senate Bill 65 of the 2021 General Session. To fulfill the subcommittee's request, the department withdrew 803 KAR 2:180E as well as the amendment to 803 KAR 2:180 and simultaneously filed 803 KAR 2:181E and 803 KAR 2:181, both titled Recordkeeping and reporting occupational injuries and illnesses. This emergency administrative regulation repeals 803 KAR 2:180 Recordkeeping, reporting, statistics to avoid a regulatory conflict that is created in the absence of this emergency administrative regulation.

This emergency administrative regulation will not be replaced by an ordinary administrative regulation because this emergency administrative regulation terminates 803 KAR 2:180.


ANDY BESHEAR, Governor


LARRY ROBERTS, Secretary
Labor Cabinet


KIMBERLEE C. PERRY, Commissioner
Department of Workplace Standards

1 LABOR CABINET

2 Department of Workplace Standards

3 Division of Occupational Safety and Health Compliance

4 Division of Occupational Safety and Health Education and Training

5 (Emergency Repealer)

6 803 KAR 2:182E. Repeal of 803 KAR 2:180

7 RELATES TO: KRS 338.015

8 STATUTORY AUTHORITY: KRS 338.051(3), 338.061

9 NECESSITY, FUNCTION, AND CONFORMITY: KRS 338.161(1) requires the Department of
10 Workplace Standards to promulgate administrative regulations for the collection, compilation,
11 and analysis of occupational safety and health statistics. 29 C.F.R. Part 1904 authorizes
12 requirements for the recording and reporting of occupational illnesses and injuries. This
13 administrative regulation establishes recordkeeping and reporting requirements for employers
14 pursuant to KRS Chapter 338. This emergency administrative regulation repeals 803 KAR
15 2:180.

16 Section 1. 803 KAR 2:180, Recordkeeping, reporting, and statistics, is hereby repealed.