

1.3.B.4 Control, Use & Disposal of Hazardous Material

I Policy Index:



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II Policy:

All Department of Corrections (DOC) facilities will adhere to regulations outlined in this policy and state law governing the procurement, storage, use and disposal of hazardous materials.

III Definitions:

Hazardous Materials:

Any material including but not limited to toxic, caustic, flammable liquids, flammable compressed gas, flammable solids, explosives, oxidizing materials, poisons, corrosive materials, and radiological materials, the loss of control or mishandling of which could cause personal injury or death to humans or damage to property or the environment (See SDCL § 34-48A-1). For the purpose of this policy, this category may include materials commonly available for home and office use which may exhibit labels such as: "Keep Out of Reach of Children" or "May be Harmful if Swallowed" ([See Attachment 1](#)).

Toxic Substances:

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 (ACA 4-4215) ([See Attachment 1](#)).

Caustic Substances:

A substance capable of destroying or eating away by chemical reaction (ACA 4-4215) ([See Attachment 1](#)).

Flammable Liquid:

Any liquid typically having a flash point below 100 degrees Fahrenheit (37.8 degrees Celsius) and having a vapor pressure not exceeding forty (40) psia. Flammable Liquids are known as Class I liquids ([See Attachment 1](#)) (See SDCL § 34-38-23 and ACA 4-4215).

Combustible Liquid:

Any liquid typically having a flash point at or above 100 degrees Fahrenheit (37.8 degrees Celsius). Combustible Liquids are known as a Class II or Class III liquid ([See Attachment 1](#)) (See SDCL § 34-38-23)).

Flash Point:

The lowest temperature at which a liquid can give off vapor in sufficient concentration to form an ignitable mixture in air near the surface of the liquid. The lower the flash point, the easier it is to ignite the material.

Qualified Monthly Inspector:

Staff persons designated by the institution's Warden, Superintendent or Director responsible for conducting monthly fire prevention, sanitation, and safety inspections to ensure that conditions within the facility meets fire prevention, sanitation and safety standards. A Qualified Monthly Inspector will receive training from appropriate institutional, state or local officials or private contractors in the application of state or local codes, regulations and policies.

Security Perimeter:

Fences and/or walls (including the exterior wall of a building) that provide for the secure confinement of inmates within a facility. All entrances and exits of a security perimeter are under the control of facility staff, thereby preventing an inmate from leaving the facility unsupervised or without permission.

Material Safety Data Sheet (MSDS):

Written precaution statement supplied by the manufacturer specific to a hazardous material with provisions for fire fighting, handling, storage, use, control, first aid, disposal and decontamination. MSDS are required by OSHA standards for employee protection.

IV Procedures:**1. Responsibilities Regarding Hazardous Materials:**

- A. Each supervisor within a facility is responsible for the acquisition, control, issuance/disbursement, use and storage of hazardous materials used or stored in their respective area.
 1. If there is uncertainty about the proper method for the control and storage of hazardous materials, the supervisor will consult with the Physical Plant Manager to determine the proper method.
 2. Supervisors assigned to an area will be approved by the Warden or designee.
 3. Supervisors will ensure a current copy of the Material Safety Data Sheets (MSDS) is available for all hazardous materials used or stored in the area they supervise/monitor.
 4. Supervisors will require all staff who work with a hazardous material to review and be familiar with the MSDS for the material.
 5. Supervisors will determine and provide properly fitting personal protective equipment as required by the manufacturer.
 6. Supervisors will monitor and enforce the use of personal protective equipment by all staff and/or inmates who handle or are exposed to the hazardous material.
 7. Supervisors will ensure proper extinguishing materials are available in the event of a fire of spill involving the hazardous material, as recommended by the manufacturer.

8. Staff are prohibited from introducing or possessing property items containing hazardous materials in any area without prior approval of the supervisor.
- B. Records of all hazardous materials will be maintained as follows:
 1. Each supervisor will maintain a running inventory of the types and amounts/quantities of hazardous materials stored in their respective areas, a description of its intended purpose/use and current MSDS.
- C. Each supervisor, or the Qualified Monthly Inspector, will inspect assigned storage areas and the hazardous materials inventory at least monthly as part of the fire prevention, sanitation and safety inspections (See DOC policy 1.2.A.3 - [Sanitation, Safety and Fire Prevention Inspections](#)).
 1. A copy of the current inventory will be maintained by the supervisor and will be forwarded to the Physical Plant Manager or designee. The Physical Plant Manager or designee may be supplied a hard copy or a computer copy via email.
- D. Inmates will not be permitted to use or possess materials listed in [Attachment 1](#), or any other material determined hazardous by the Physical Plant Manager, unless:
 1. A supervisor has approved the inmate's use of the material.
 2. The inmate's assigned duties involving the use of the hazardous material(s) are performed in the general location of staff having frequent observation of the inmate.
 3. The inmate has received proper training regarding the safe and proper handling of the material, use of protective clothing/gloves/gear, first-aid treatment, cleanup and disposal procedures.
 - a. Prior to using a hazardous material, staff and/or inmates will thoroughly read the applicable MSDS and label warnings pertinent to the hazardous material to be used.
 - b. The inmate shall properly use all required personal protective equipment when handling the hazardous material, as required by the supervisor.
- E. The supervisor will ensure the hazardous material is used and stored in a manner consistent with the manufacturer's MSDS protocols for safe handling, use, storage, disposal and cleanup. Staff and inmates are prohibited from mixing one or more materials without the consent of the supervisor. Caution, mixing one or more materials can create a caustic substance that may result in permanent injuries and/or could be life threatening.
- F. Hazardous materials shall be applied in a way that does not constitute a hazard to staff, inmates or other persons and that prevents contamination, including toxic residues caused by drip, drain, fog, splash or spray to come into contact with persons, food, or food equipment, utensils, linens, etc.
- G. The Warden, his/her designee or Physical Plant Manager may authorize the use of hazardous materials not included on [Attachment 1](#).
- H. Certain hazardous materials, including certain pesticides and herbicides may be applied only by a certified applicator, as required by state law and administrative rule.

- I. Staff and supervisors should make every effort to replace the utilization of hazardous materials with products less likely to be abused, misused or to pose a threat to the institution, staff or inmates, if such a substitute can be identified.

2. Storage Restrictions for Hazardous Materials:

- A. Quantities of hazardous materials exceeding five (5) gallons will be stored outside of the secure perimeter of a facility, or in the case of a non-secure facility, in an area approved for storage by the Warden or Physical Plant Manager.
 1. Hazardous materials will be brought inside the secure perimeter on an "as needed" basis and in the smallest quantity necessary, as approved by the supervisor.
- B. All hazardous materials kept inside the security perimeter will be stored in accordance with the manufacturer's recommendations and in accordance with the MSDS.
- C. All hazardous materials will be stored in the original container. The manufacturer's label describing the contents, application of, and antidotes shall not be legible and shall not be obscured or removed. Leaking or defective containers shall be promptly and properly disposed of.
- D. Hazardous materials may not be stored in a manner that may allow them to contaminate food, equipment, utensils, linens, etc. Such materials may not be stored in any area above where food is stored.
- E. The following restrictions will be followed for the storage of hazardous materials inside a secure perimeter that are flammable or combustible:
 1. Flammable or combustible liquids will be kept in approved storage cabinets or storage rooms as recommended by the State Fire Marshall when not in use. The storage cabinet or room should be marked with a sign that reads "Flammable materials".
 2. Approved storage cabinets must meet or exceed the requirements contained in chapters 34 and 38 of the International Fire Code (2009 edition).
 3. Inside storage rooms for flammable or combustible liquids will be constructed of fire resistant material and will have electrical wiring approved for use in hazardous material locations.
 4. Gasoline and diesel fuel will be stored, dispensed, or carried in approved (U.S. Department of Transportation (DOT)) certified safety containers only.
 5. Materials that may react with water or create a fire hazard may not be stored in the same storage cabinet or room as gasoline/diesel fuel.
- F. Hazardous material will be stored inside locked containers or inside locked rooms when not in use and will be available only to employees and authorized inmates.

3. Use of Flammable Materials:

- A. Under no circumstances will gasoline be used for cleaning.
- B. Solvents, kerosene, or other cleaning liquids with a flash point above 100 degrees Fahrenheit may be used for cleaning.

- C. Cleaning of metal parts will be done with a cleaning agitator or pump cleaner approved by a facility supervisor and/or the Physical Plant Manager and not in buckets.

4. Disposal of Hazardous Materials:

- A. Disposal of hazardous materials will be in accordance with the instructions on the manufacturer's MSDS.
- B. DOC facilities may contract with a qualified outside company to dispose of hazardous materials.
- C. If an outside company is used to dispose of hazardous materials, they will assume all further responsibility and liability for the materials in their possession.

5. Hazardous Materials Spills and Unsafe Conditions:

- A. In the event of a hazardous material spill, the person observing the spill or receiving a report of a spill shall immediately contact the Supervisor or (OIC), the Physical Plant Manager and health service staff (as deemed appropriate).
- B. If evacuation of staff and inmates is determined necessary, the initial incident commander shall initiate evacuation immediately (See DOC policy 1.3.B.1 [Emergency Response](#)). The first priority of staff responding to a hazardous material spill incident will be life safety, followed by stabilization of the incident and conservation of property.
- C. After the area has been evacuated, staff will initiate containment and/or cleanup procedures for the spilled material in accordance with the manufacturer's recommendations.
 - 1. Outside emergency response personnel (hazmat team, local fire department) may be called upon to respond to the spill as deemed appropriate by the Warden, his/her designee or the Physical Plant Manager.
- D. Staff shall complete a major incident report and notify the DOC Administration in accordance with DOC policy 1.1.A.3 [Reporting Information to DOC Administration](#) and DOC policy 1.3.B.1 [Emergency Response](#).
- E. Staff will immediately document and report the misuse of any hazardous materials, missing/unaccounted for containers of hazardous materials to the Supervisor and or Officer in Charge (OIC).
- F. Staff who become aware of an unsafe condition involving a hazardous material, such as spills, exposure, or other incidents will report the condition by completing a *Report of Accident, Incident, Unsafe Condition* form. Forms are available through the Office of Risk Management. One copy should be forwarded to the supervisor and one copy to the Office of Risk Management.
- G. Supervisors are responsible for follow-up on any reported accidents, incidents and unsafe conditions involving hazardous materials in their area of responsibility and shall take immediate corrective action, as deemed necessary. All corrective action shall be documented.

V Related Directives:

DOC policy 1.1.A.3 -- [Reporting Information to DOC Administration](#)

DOC policy 1.2.A.3 -- [Sanitation, Safety and Fire Prevention Inspections](#)

DOC policy 1.3.B.1 -- *Emergency Response*

International Fire Code (2009 edition).

VI Revision Log:

June 2001: **Added** hydrochloric acid to list of Caustic Substances on Attachment 1.

October 2002: **Revised** Inventory Control A.2. to ensure the Physical Plant Manager has copy of current inventory.

November 2003: **Rearranged** outline within each subject heading. **Added** a definition for Qualified Safety and Sanitation Officer. **Changed** the responsibility for inspection of storage areas. **Clarified** the source to determine minimum standards for storage cabinets. **Deleted** the reference on air exchange information on inside storage rooms.

August 2004: **Added** a definition for security perimeter.

July 2005: **Revised** the definition of Qualified Safety and Sanitation Officer. **Changed** CEO to Warden or Superintendent. **Changed** "institution" to "facility".

August 2007: **Revised** the definition of Security Perimeter. **Revised** the definitions of combustible liquid, flammable liquid and flash point. **Rearranged** the order of hazardous materials within the definition. **Rearranged** the order of the definitions on page 1. **Added** a definition for offender. **Revised** the supervision standards for offenders using hazardous material.

July 2008: **Revised** formatting of policy in accordance with DOC policy 1.1.A.2. **Revised** sequence of titles of positions in the definition of Qualified Safety and Sanitation Officer. **Deleted** 7902.5.9 of the Uniform Fire Code (1997 edition) and **added** 3404.3.2 of the International Fire Code (2003 edition) in ss (B2 of Storage Restrictions for Hazardous Materials).

July 2009: **Replaced** title of "Qualified Safety and Sanitation Officer" to "Qualified Monthly Inspector" throughout policy to be consistent with DOC policy 1.2.A.3. **Revised** minor wording in definition of Qualified Monthly Inspector to be consistent with DOC policy 1.2.A.3. **Revised** minor wording in ss (A) and **replaced** "practical" with "necessary" in ss (A1) both within Storage Restrictions for Hazardous Materials. **Replaced** reference of "Uniform" with "International" and "1997" with "2003" in section V. **Added** hyperlinks throughout policy.

July 2010: **Revised** formatting of Section 1.

July 2011: **Added** Material Safety Data Sheet to Definition section. **Added** "acquisition" and "issuance" to Section 1 A. **Added** "current" and "all" to Section 1 A. 3. **Added** 3. "All hazardous materials shall be stored in their original containers. The Manufacturer's label describing the contents, application of, and antidotes shall not be obscured or removed". in Section 2. A. **Added** "as recommended by the State Fire Marshall" **Added** "The storage cabinet or room should be marked with a sign that reads "Flammable materials"." in Section 2 B. 1. **Added** "contained in chapters 34 and 38" and **Deleted** "2003" and **Replaced** with "2009" in Section 2 B. 2. **Added** 4. "Gasoline and diesel fuel shall be stored, dispensed or carried in approved and/or U.S. Department of Transportation (DOT) certified containers". in Section 2. B. **Added** 5. "Materials that may react with water or create a fire hazard may not be stored in the same storage cabinet or room as gasoline/diesel fuel". in Section 2 B. **Added** "or pump cleaner" and **Added** "and not in buckets". to Section 3 C.

August 2012: **Deleted** "Non-Public" and **Replaced** with "Public". **Revised** definition of Hazardous Material. **Added** "give off vapor in sufficient concentration to" in definition of Flash Point. **Added** "supplied by the manufacturer" and "MSDS are required by OSHA standards for employee protection" in MSDS definition. **Added** "disbursement, use" and "Employees are prohibited from introducing or possessing personal property items containing hazardous materials in any office of facility without approval of the supervisor" in Section 1 A. **Added** 4. to Section 1 A. **Added** "quantities" and **Added** "and its intended purpose, use and maintain MSDS for all hazardous materials" in Section 1 B. 1. **Moved** E. to D. 3 and **Deleted** "Each supervisor within a facility will ensure" and **Replaced** with "The offender has received" and **Deleted** "has been provided to those using the hazardous material pertaining to the" and "to those using the hazardous material regarding the safe handling and "use of protective clothing/gloves/gear, first aid treatment, cleanup and

disposal procedures" in Section 1 **Added** new E. in Section 1. **Added** F in Section 1. **Added** "or in the case of a non-secure facility, in an area approved for storage by the Warden, Superintendent, Director of Physical Plant Manager" in Section 2 A. **Added** "Leaking of defective containers shall be properly disposed of" in Section 2. A.3. **Added** 5. to Section 2 A.

July 2013: **Reviewed** with no changes.

July 2014: **Reviewed** with no changes.

July 2015: **Reviewed** with no changes.

April 2016: **Added** "and state law" in the policy statement. **Deleted** "Superintendent or Director" throughout the policy. **Deleted** definition of "Offender". **Added** 4, 5, 6, 7, to Section 1 A. **Added** F. to Section 1. **Added** H. to Section 1. **Added** b. to Section 1 D. 3. **Added** "Staff and inmates are prohibited from mixing one or more materials without the consent of the supervisor. Caution, mixing one or more materials can create a caustic substance that may result in permanent injuries and/or could be life threatening" in Section 1 E. **Renumbered** Section 2. **Added** D. in Section 2. **Added** "The first priority of staff responding to a hazardous material spill incident will be life safety, followed by stabilization of the incident and conservation of property" in Section 5 B. **Added** E. F. and G. to Section 5.

Denny Kaemingk (original signature on file)

Denny Kaemingk, Secretary of Corrections

06/06/2016

Date

Attachment 1: Hazardous Materials

Common Flammable, Toxic, and Caustic Materials

Class I Liquids

Gasoline
Benzine (Petroleum Ether)
Acetone
Hexane
Lacquer thinner
Methyl Alcohol (Wood Alcohol or Methanol)
Denatured alcohol
Ethyl alcohol
Xylene (Xylol)
Contact cement (Flammable)
Toluidi (Toluene)
Methyl ethyl ether
Methyl ethyl ketone
Naphtha Y, M, and P

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
Defoliants
Herbicides
Pesticides
Rodenticides

Caustic Substances

Lye
Muriatic Acid
Caustic Soda
Sulfuric Acid
Tannic Acid
Hydrochloric Acid