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| SOUTH DAKOTA  DEPARTMENT OF CORRECTIONS POLICIES AND PROCEDURES | | POLICY NUMBER 1.3.B.04 | PAGE NUMBER 1 OF 5 |
| | | DISTRIBUTION: | Public |
| | | SUBJECT: | Control, Use, & Disposal of Hazardous Material |
| RELATED STANDARDS: | ACA 5-ACI: 3B-05 (M) | EFFECTIVE DATE: | March 01, 2024 |
| | | SUPERSESSION: | 04/23/2021 |
| DESCRIPTION: Institutional Operations – Safety and Emergency Procedures | REVIEW MONTH: February |  KELLIE WASKO SECRETARY OF CORRECTIONS | |

I. POLICY

It is the policy of the South Dakota Department of Corrections (DOC) that facilities adhere to the requirements and standards outlined in this policy, including all applicable laws governing the procurement, storage, use and disposal of hazardous materials.

II. PURPOSE

The purpose of this policy is to outline a *written policy, procedure, and practice* which will *govern the control and use of all flammable, toxic, and caustic materials* [ACA 5-ACI-3B-05 (M)].

III. DEFINITIONS

Caustic Substances:

A substance capable of destroying or eating away material by chemical reaction.

Combustible Liquid:

Any liquid typically having a flash point at or above one hundred (100) degrees Fahrenheit (37.8 degrees Celsius). Liquids are classified by flash point at Class II or Class III liquid.

Flammable Liquid:

Any liquid typically having a flash point below one hundred (100) degrees Fahrenheit (37.8 degrees Centigrade) and having a vapor pressure not exceeding forty (40) psia. Flammable Liquids are categorized as Class I.

Flash Point:

The minimum temperature at which a liquid will give off sufficient vapors to form an ignitable mixture with the air near the surface of the liquid (or in the vessel used). The lower the flash point, the easier it is to ignite the material.

Globally Harmonized System of Classification and Labelling (GHS) Safety Data Sheet:

Written precaution statement supplied by the manufacturer specific to a hazardous material. The sheet includes information for identification, hazards, composition/information on ingredients, first-aid measures, fire-fighting measures, accidental release measures, handling and storage, exposure controls/personal protection, stability and reactivity, toxicological information, ecological information, disposal consideration, transport information, and regulatory information.

Hazardous Materials:

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Material that is toxic, caustic, flammable liquids, flammable compressed gas, flammable solids, explosives, oxidizing materials, poisons, corrosive materials, and radiological materials which the loss of control or mishandling of such could cause personal injury or death to humans, damage to property, or the environment.

Toxic Material:

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

IV. PROCEDURES

1. Sections:

- A. All chemicals, toxic, and hazardous materials will be secured in a designated storage locations at each facility. At no time will any chemicals, toxic or hazardous materials be stored in any other areas than the identified storage locations at each facility.
 1. All chemicals, toxic and hazardous materials are required to be entered into a logbook each time they are removed from the storage area (see attachment #1 – *Chemical Issue Log*).
 2. At no time will chemicals, toxic or hazardous materials be stored or secured in any area outside of the designated storage area.

- B. Each supervisor is responsible for the authorization, acquisition, control, issuance/disbursement and proper use and storage of hazardous materials in their respective, assigned area (see attachment #2 – *Hazardous Materials Inventory Accountability*).
 1. Questions regarding hazardous materials shall be directed to the physical plant manager.
 2. Supervisors will be familiar with the GHS safety data sheets (SDS) for hazardous materials used and stored their respective areas and must ensure compliance with the requirements of use and storage by those who access the material.
 3. Supervisors and physical plant managers will ensure a current copy of the GHS SDS is available for all hazardous materials used or stored in their area(s).
 4. Supervisors and physical plant managers will require all who work with or handle hazardous material to review and familiarize themselves with the applicable GHS SDS. The GHS SDS must be readily available when the material is being used.
 5. Supervisors and physical plant managers will monitor and enforce the use of any required personal protective equipment by those who handle the hazardous material. Exposure to the material by those not issued protective equipment shall be monitored and controlled.
 6. Supervisors and physical plant managers will ensure proper extinguishing materials are available when combustible or flammable materials are present. Extinguishing materials and equipment shall be available in close proximity of where such materials are in use or stored.
 7. Staff are prohibited from introducing, possessing, or using hazardous materials in any area of the institution which have not been approved by the warden or designee. All new hazardous materials identified for storage or use in an institution must be approved in advance by the warden or designee.

- C. Records of all hazardous materials currently stored within the institution will be maintained as follows:
 1. Each supervisor will maintain a running inventory of the types and quantities of hazardous materials stored in their respective areas, a description of its intended purpose/use and the current GHS SDS for the material.

- D. Each supervisor or physical plant manager will inspect the designated storage areas containing chemicals, toxic, and/or hazardous materials against the hazardous materials inventory accountability for the area at least weekly as part of the fire prevention, sanitation, and safety inspection.
 1. A copy of the current inventory of hazardous materials and the *Chemical Issue Log* will be forwarded to the physical plant manager. The inventory may be supplied on a hard copy or electronic copy.

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2. Updates/changes to the list of hazardous materials stored in the area shall be made promptly by the respective supervisor and provided to the physical plant manager.
- E. Offenders will not be permitted to use or possess materials determined hazardous, unless:
1. The supervisor and physical plant manager have approved offender use of the material.
 2. The offender’s assigned duties that include the access to and use of hazardous material(s) shall be performed under the constant direct supervision of staff.
 3. The offender must have received proper training regarding the safe handling and proper storage of the material, personal protection (use of protective clothing, gloves, equipment), cleanup and disposal procedures, and is familiar with the GHS SDS for the material.
 - a. Prior to using hazardous material for the first time, staff and offenders will familiarize themselves with the applicable GHS SDS for the hazardous material.
 4. Offenders will only be issued hazardous materials in the quantity required to accomplish the immediate work task. All hazardous material issued to an offender from secure storage must be signed out, returned, accounted for, and placed back in secure storage by the respective supervisor.
 5. A perpetual inventory of all hazardous materials in the area shall be maintained by the supervisor and shall be made available at storage area where the hazardous material is kept. The inventory shall be available for inspection.
- F. Staff and offenders will only use hazardous materials following manufacturer’s instructions **Caution- mixing one or more materials can create a caustic substance that may result in permanent injuries and/or could be life threatening.
- G. Hazardous materials will be applied in a way that does not constitute a hazard to staff, offenders, or other persons and prevent contamination, including toxic residue caused by drip, drain, fog, splash, or spray, to come into contact with persons, food, or food equipment, utensils, linens, or otherwise inconsistent with the approved application of the material.
- H. Hazardous materials, will be applied by a certified applicator, as required by state law and/or administrative rule. Staff applying regulated hazardous materials shall be properly certified/licensed annually.
- I. Area supervisors will replace the utilization of hazardous materials within the facility, when possible, particularly those used by offenders during work assignments, with products that achieve similar results but are not labeled hazardous.

2. Storage Restrictions for Hazardous Materials:

- A. Quantities of hazardous materials exceeding five (5) gallons must be stored in a secure and appropriate area outside of the facility, unless otherwise permitted by the warden.
1. Hazardous materials will be brought inside the secure perimeter by the supervisor or authorized staff to replace depleted quantities stored within the facility as needed.
- B. All hazardous materials will be stored in the original or approved storage container. The manufacturer’s label describing the contents, application and antidotes shall be legible and not obscured or removed. Leaking or defective containers will be disposed of promptly and properly. Expired or damaged materials will be disposed of promptly and properly.
- C. The following restrictions will apply to the storage of flammable or combustible materials inside the secure perimeter:
1. When not in use, flammable or combustible liquids must be kept in an approved storage cabinets or storage rooms, in approved containers, as directed by the South Dakota State Fire Marshal. The storage containers and cabinet or room where the materials are kept must be marked “Flammable Materials” in a visible manner.

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2. Approved storage cabinets must meet or exceed the requirements contained in chapters 34 and 38 of the International Fire Code (2009 edition).
3. Storage cabinets and rooms intended for storing flammable or combustible liquids shall be constructed of approved fire-resistant material and must have electrical wiring approved for application in such rooms. Fire extinguishers shall be readily available near the proximity where such materials are stored.
4. Gasoline and diesel fuel will be transported, stored, and dispensed in approved U.S. Department of Transportation (DOT) certified 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.
6. Propane tanks must be appropriately stored in a secure and appropriate area outside of the facility, which is well ventilated and not subject to extreme temperatures.

D. Hazardous material must be stored inside locked containers or storage rooms when not in use. Access to storage rooms shall be controlled by the supervisor.

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 one hundred (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 the area supervisor, or 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 GHS SDS for proper disposal of the material.
- B. Disposal of hazardous material by an offender will be only under staff supervision.
- C. DOC facilities may contract with a qualified outside company/vendor to dispose of certain hazardous materials.
- D. If an outside company/vendor is under contract to dispose of or otherwise remove hazardous materials, they assume all further responsibility and liability for the materials upon taking possession of the material.

5. Hazardous Materials Spills and Unsafe Conditions:

- A. In the event of a hazardous material spill, the person observing the spill or person becoming aware of the spill, must immediately contact the area supervisor or officer in charge (OIC), physical plant manager, and clinical services staff, as deemed appropriate.
- B. If evacuation of staff and/or offenders is determined necessary by the supervisor or OIC, the initial incident commander will initiate evacuation procedures, consistent with the facility Emergency Response Manual (see DOC policy 1.3.B.01 - *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. Clinical services staff and outside emergency responders (if deemed necessary) will be contacted immediately in the case of injuries or potential harmful exposure to the hazardous material.

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- D. After the area has been evacuated, staff will initiate containment and cleanup procedures for the spilled material, in accordance with the GHS SDS.
 - 1. Outside emergency response personnel (hazmat team, local fire department) may be called to respond to a spill, as deemed appropriate by the warden, physical plant manager, or designee.
- E. Staff will complete a major incident report and notify the major incident reporting group of the spill, evacuation, property damage, and injuries associated with the spill. The warden or designee may notify the Office of Risk Management, as deemed appropriate.
- F. Staff will immediately document and report the misuse of any hazardous materials, including any missing/unaccounted for hazardous materials to the supervisor, OIC, and/or physical plant manager.
- G. Staff who become aware of an unsafe condition involving hazardous materials, such as a spill, exposure, or injury caused by exposure, must document the unsafe condition or injury by completing an Incident, Accident, or Unsafe Condition Report, available through the [Office of Risk Management](#) or their supervisor and enter an informational report into COMS.
- H. Supervisors are responsible for reviewing all reported accidents, incidents and unsafe conditions involving hazardous materials in their area of responsibility and for taking corrective action, as deemed necessary and directed. All corrective action will be documented on a report that will accompany the initial Incident, Accident or Unsafe Condition Report or Incident Report and enter an informational report into COMS.

V. RESPONSIBILITY

The director of Prisons and director of Clinical and Correctional Services are responsible for the annual review and maintenance of this policy.

VI. AUTHORITY

- A. International Fire Code (2009)
- B. SDCL §[34-38-23](#) **Definition of terms.**
- C. SDCL § [34-48A-1](#) **Definitions.**

VII. HISTORY

March 2024
 April 2021
 April 2020
 April 2019
 April 2018
 April 2017
 April 2016
 July 2015
 July 2014
 July 2013
 August 2012
 July 2011

ATTACHMENTS *(*Indicates document opens externally)*

- 1. Chemical Issue Log*
- 2. Hazardous Materials Inventory Accountability*
- 3. DOC Policy Implementation / Adjustments

