

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

I Policy Index:



Date Signed: 04/23/2021
Distribution: Public
Replaces Policy: 3B.6
Supersedes Policy Dated: 04/24/2020
Affected Units: All Institutions
Effective Date: 04/26/2021
Scheduled Revision Date: April 2022
Revision Number: 20
Office of Primary Responsibility: DOC Administration

II Policy:

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

III Definitions:

Caustic Substances:

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

Combustible Liquid:

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

Flammable Liquid:

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

Flash Point:

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

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:

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 (See SDCL § 34-48A-1). For the purpose of this policy, hazardous materials include those which exhibit labels such as: "Keep Out of Reach of Children" or "May be Harmful if Swallowed" (See [Attachment 1](#)).

Qualified Inspector:

Staff persons designated by the Warden who are responsible for conducting monthly fire prevention, sanitation, and safety inspections to ensure conditions within the facility meet fire prevention, sanitation and safety standards. This person will receive training from the Department of Corrections as directed.

Security Perimeter:

Fences 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 staff, thereby preventing unauthorized departure.

Toxic Substances:

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

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

- A. Each supervisor is responsible for the authorization, acquisition, control, issuance/disbursement and proper use and storage of hazardous materials in their respective, assigned area.
 1. Questions regarding hazardous materials shall be directed to the Physical Plant Manager or Qualified Inspector.
 2. Supervisors will be familiar with the GHS Safety Data Sheets 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 the Qualified Inspector will ensure a current copy of the GHS Safety Data Sheet is available for all hazardous materials used or stored in their area(s).
 4. Supervisors and Qualified Inspectors will require all who work with or handle hazardous material to review and familiarize themselves with the applicable GHS Safety Data Sheet. The GHS Safety Data Sheet must be readily available when the material is being used.
 5. Supervisors and Qualified Inspectors 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 Qualified Inspectors 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 is 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.
- B. 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 Safety Data Sheets for the material.
- C. Each supervisor or Qualified Inspector will inspect storage areas containing hazardous materials and the hazardous materials inventory list for the area at least monthly, as part of the fire prevention, sanitation and safety inspection (See DOC policy 1.2.A.3 *Institutional Sanitation and Safety Inspections*).
1. A copy of the current inventory of hazardous materials will be forwarded to the Physical Plant Manager and Qualified Inspector. The inventory may be supplied on a hard copy or electronic copy.
 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 and Qualified Inspector.
- D. Inmates will not be permitted to use or possess materials listed in [Attachment 1](#), or any other material determined hazardous, unless:
1. The supervisor and Qualified Inspector have approved inmate use of the material.
 2. The inmate's assigned duties that include the access to and use of hazardous material(s) shall be performed under the constant direct supervision of staff (ACA 4-4215).
 3. The inmate 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 Safety Data Sheet for the material.
 - a. Prior to using hazardous material for the first time, staff and inmates will familiarize themselves with the applicable GHS Safety Data Sheet for the hazardous material.
 4. Inmates will only be issued hazardous materials in the quantity required to accomplish the immediate work task. All hazardous material issued to an inmate 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.
- E. Staff and inmates are prohibited from mixing one or more hazardous 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 will be applied in a way that does not constitute a hazard to staff, inmates 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.
- G. Certain hazardous materials, including certain pesticides and herbicides, may only 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.
- H. Supervisors will make every reasonable effort to replace the utilization of hazardous materials within the facility, when possible, particularly those used by inmates 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 appropriately stored in a secure and appropriate area outside of 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 State Fire Marshall office. The storage containers and cabinet or room when the materials are kept must be marked "Flammable Materials" in a visible manner.
 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, that 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 (ACA 4-4215).

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 the area supervisor, Physical Plant Manager or Qualified Inspector and not in buckets.

4. Disposal of Hazardous Materials:

- A. Disposal of hazardous materials will be in accordance with the instructions on the GHS Safety Data Sheet for proper disposal of the material.
- B. Disposal of hazardous material by an inmate will be only under staff supervision.
- C. DOC facilities may contract with a qualified outside company/vender to dispose of certain hazardous materials.
- D. If an outside company/vender 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, Qualified Inspector, and health service staff, as deemed appropriate.
- B. If evacuation of staff and/or inmates 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.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. Health 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.
- D. After the area has been evacuated, staff will initiate containment and cleanup procedures for the spilled material, in accordance with the GHS Safety Data Sheet.

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 and Risk Management, as deemed appropriate, of the spill, evacuation, property damage and injuries associated with the spill, in accordance with DOC policy 1.1.A.3 [Staff Reporting Information to DOC Administration and Office of Risk Management](#) and DOC policy 1.3.B.1 [Emergency Response](#).
- 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 Qualified Inspector.
- 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 a [Incident, Accident or Unsafe Condition Report](#), available through the Office of Risk Management or the supervisor.
- 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.

V Related Directives:

DOC policy 1.1.A.3 -- [Staff Reporting Information to DOC Administration and Office of Risk Management](#)

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

DOC policy 1.3.B.1 -- [Emergency Response](#)

International Fire Code (2009 edition).

VI Revision Log:

Removed revisions from June 2001- July 2010:

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.

April 2017: **Added** “and/or Qualified Monthly Inspector” to Section 1 A. 1. **Added** “and shall be trained in the handling, storage, inventory and disposal of hazardous materials in their area. All area supervisors will be familiar with the MSDS in their area” in Section 1 A. 2. **Added** F. to Section 1.

Added 4. to Section 1 D. **Added** “and any applicable OSHA or state regulations” in Section 4 A.

Added new B. to Section 4. **Added** C. to Section 5.

April 2018: **Reviewed** with No changes.

April 2019: **Deleted** Material Safety Data Sheet and **Replaced** with “GHS Safety Data Sheet”

Added “Extinguishing materials and equipment shall be available in close proximity of where such materials are stored or kept” in Section 1 A. 6.

April 2020: **Reviewed** with No changes.

April 2021: **Added** “6. Propane tanks must be appropriately stored in a secure and appropriate area outside of the facility, that is well ventilated and not subject to extreme temperatures” to Section 2 C. **Added** “and Office of Risk Management” in Section 5 E. and Related Directives in reference to policy title of 1.1.A.3 Reporting Information to DOC Administration and Office of Risk Management. **Deleted** “Report of Accident, Incident, or Unsafe Condition” and **Replaced** with “Incident, Accident or Unsafe Condition Report” in Section 5 G and H.

Mike Leidholt (original signature on file)

04/23/2021

Mike Leidholt, Secretary of Corrections

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