

Environmental Services

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ENVIRONMENTAL SERVICES

The Division of Public Health Protection and Safety is located within the Dept. for Public Health and is the Division which supports local environmental health programs. This Division has five branches that support environmental health activities and programs across the Commonwealth. For more detailed information on our programs and services please visit the Division Homepage at: <http://chfs.ky.gov/dph/info/phps/> .

The Division of Public Health Protection and Safety (PHPS) supports the LHDs by providing education, technical assistance, consultation, and monitoring in the operation of environmental programs. The Cabinet for Health and Family Services with local health departments (LHDs) acting as their agents regulate temporary food service establishments; food service establishments; food and beverage vending machines; retail-food establishments; bed and breakfast establishments; retail food stores; tattoo and body piercing artists; tattoo and body piercing studios; ear piercing studios; hotels and motels; mobile home and recreational vehicle parks; youth camps; public rest rooms; tanning facilities; schools; state confinement facilities; shellfish processors; public swimming and bathing facilities; private water supplies; bird roosts; public health nuisances; lead; methamphetamine contaminated properties; private sewage; radon education; septic tank cleaning companies and vehicles and land application sites; on-site sewage disposal systems; construction standards for components of on-site sewage disposal systems; and certification of on-site system installers. Local health departments and their Boards of Health may in addition, establish and implement local ordinances and programs to further address and protect the public's health in environmental areas of concern. Two of this Division's five branches, Food Safety and Environmental Management Branch, work directly with LHD environmental programs to provide training, technical assistance and support. Many of the programs operated under this Division are mandated core public health services. Other branches and programs within the Division include: Milk Safety, Radiation Health, Public Safety, and Food Manufacturing Programs. These programs use primarily state personnel to carry out their environmental activities. The Food Manufacturing program conducts inspections of food warehouses; bakeries; mills; grain storage facilities; bottling plants; food and cosmetic salvage processors and distributors; general food processors; food distributors; food transporting vehicles; frozen food lockers; raw agricultural commodities (for pesticide residues); and farmers market microprocessors. LHD environmental health personnel carry out the majority of the remaining environmental programs in accordance with statutes, regulations and state and local guidelines. Standards of environmental program operation are outlined in the following pages.

All environmental activities/services are to be conducted in accordance with the following Statutes and Administrative Regulations:

Statutes Governing Environmental Services

[KRS 194A.050](#); and [211.090](#); [211.180](#); [211.210](#); [211.215](#); [KRS 211.345](#); [211.350 to 211.380](#); [211.760](#); [211.905](#); [211.920 to 211.945](#); [211.970](#); [211.9061 to 211.9079](#); [322.990 and 211.995](#), [211.972 to 211.982 and 211.995](#); [212.210](#); [212.245](#); [217.005 to 217.285](#); [217.808 to 217.812](#); [217.920-217.928](#), [217.992](#); [219.011 to 219.081](#); [219.310 to 219.410 and 219.991](#); [221.010 to 221.110](#), [221.990](#); [223.010 to 223.080 and 223.990](#); [224.01-410](#); [258.005 to 258.085](#), and [258.990](#)

902 KAR Chapter 1: Administration

- [400 Administrative Hearings](#)

902 KAR Chapter 7: Public Accommodations

- 010 Hotel and Motel Code

902 KAR Chapter 9: State and Local Confinement Facilities

- 010 Environmental Health

902 KAR Chapter 10: Sanitation

- 010 Public Restrooms
- 020 Frozen Food Locker Plants
- 021 License Fees for Frozen Food Locker Plants
- 030 Sanitarians
- 035 Inactive Status Registration
- 040 Kentucky Youth Camps
- 050 Refuse Bins
- 060 On-site Sewage Disposal Application Fee
- 081 Construction Standards for Components of On-site Sewage Disposal Systems
- 085 Kentucky On-site Sewage Disposal Systems
- 110 Issuance of On-site Sewage Disposal System Permits
- 120 Kentucky Public Swimming and Bathing Facilities
- 121 Inspection Fees for Public Swimming and Bathing Facilities
- 130 Licensing Fee for Septic Tank Servicing
- 140 On-site Sewage Disposal System Installer Certification Program Standards
- 150 Domestic Septage Disposal Site Approval Procedures
- 160 Domestic Septage Disposal Site Operation
- 170 Septic Tank Servicing

902 KAR Chapter 15: Manufactured Home, Mobile Home and Recreational Vehicle Communities; Community Standards

- 010 Manufactured and Mobile Homes
- 020 Recreational Vehicles

902 KAR Chapter 45: Food and Cosmetics

- 005 Retail Food Code
“For a Copy of the FDA Model Code visit:
<http://www.fda.gov/Food/FoodSafety/RetailFoodProtection/FoodCode/FoodCode2005/default.htm>”
- 006 Kentucky Bed and Breakfast
- 010 Definitions
- 020 KY Shellfish Dealer Standards and Requirements
- 030 Bakery Products
- 040 Carbonated Beverages
- 050 Food Packaging and Labeling
- 060 Cosmetic Packaging and Labeling
- 065 Tattoo Regulation
- 070 Body Piercing and Ear Piercing
- 075 Tanning Facilities
- 080 Salvage

- 090 Farmers Markets
- 100 Vending Machines; Food and Beverages
- 110 Permits and Fees for Retail Food Establishments, Food Manufacturing Plants, Food Storage Warehouses, Salvage Processors and Distributors, Vending Machine Companies and Seasonal Restricted Food Concessions
- 120 Inspection Fees; Permit Fees; Hotels, Mobile Home Parks, Recreational Vehicle Parks, Youth Camps and Private Water Supplies
- 130 Inspector's Manual for State Food and Drug Officials
- 140 Retail Food Programs Evaluation and Standardization Procedures
- 150 School Sanitation

902 KAR Chapter 47: Hazardous Substances

- 200 Public Health Methamphetamine Regulation

902 KAR Chapter 48: Lead Selection and Abatement

- 010 Definitions
- 020 Training and Certification Requirements
- 030 Accreditation of Training Program & Providers of Training
- 040 Permit Fees, Requirements, Procedures and Standards

Coordination Of Services

To fully serve, the health needs of the community, environmental programs and staff often interact with other programs and disciplines within and outside their agency. Some activities requiring coordination include:

- Investigation of food-borne and waterborne illness
- Childhood lead poisoning
- Rabies prevention
- Laboratory submissions (Water, Rabies, Food Specimens for example)
- Disaster and Emergency Response
- Epi-Rapid Response Teams
- Local County Agencies (such as Planning and Zoning and Disaster and Emergency Services)
- State Plumbing

Personnel Qualifications And Training

LHD personnel working in environmental program areas are required to meet the following criteria:

- All staff engaged in environmental health activities are required by [KRS 223.010 to KRS 223.080](#) to become registered as a Registered Sanitarian (R.S.) or a Registered Environmental Health Specialist (R.E.H.S.) and to earn annual continuing educational credits to maintain registered status. This registration shall be obtained within one year of employment and shall be renewed annually.
- Environmental staff shall attend CORE Training offered by the Division for Public Health Protection and Safety regarding Food Branch Programs and General Sanitation Programs soon after employment; plus attend in-service, special training and short courses as required by the Department for Public Health to insure program effectiveness.

- All staff employed to work in the on-site sewage program shall be required to obtain certification as a Certified Inspector in accordance with the provisions of [KRS 211.360](#).
- Each independent health department or district health department shall have employed on staff a Retail Food Specialist who meets the minimum qualifications in accordance with [902 KAR 45:140](#).

Environmental Fees

- Environmental Fees are established by statute or regulation for most environmental program areas. Environmental fee information may be found in the EHMIS Manual.
- The LHD may establish local fees to cover the cost of environmental program activities, where fees have not been formally established by regulation or statute, including fees for the operation of the onsite sewage program, review of plans, etc.
- LHDs shall maintain fee processing records in accordance with the Department for Public Health policies and procedures that comply with the provisions of [KRS 211.170](#). An Environmental Fee Revenue Procedures Guidance document can be found in the Administrative Reference Manual, Vol. II.
- Local health departments shall establish a separate bank account for deposit of all environmental fee receipts hereby referred to as the Environmental Holding Account. The Cabinet shall be notified of the bank name and address, the name of the account and the account number, as well as any subsequent changes.
- All environmental health fees shall be processed using the Environmental Health Management Information System (EHMIS) in accordance with the internal control policies established by the LHD. All LHD internal control policies should comply with the Environmental Fee Revenue Procedures Guidance which can be found in the Administrative Reference Vol. II. The EHMIS system is a comprehensive system designed to collect data for all environmental health program areas.
- State environmental health fee receipts shall be transmitted to the DPH, by the 10th of each month.
- Permit issuance shall be conducted through EHMIS.

Record Keeping

Record keeping is a vital part of all environmental programs and shall adhere to the minimum standards below.

- A separate file shall be established on each regulated entity or establishment containing documentation that includes inspection sheets, notices, correspondence and all other pertinent information.
- Inspection data shall be entered into the Environmental Health Management Information System (EHMIS) in a timely manner.
- All record reports and inspections shall be maintained in accordance with the Local Health Department Records Retention Schedule adopted by the State Archives and Records Commission.
- All record keeping shall be neat, orderly and current.
- A separate file shall be established for nuisance control complaints while under investigation and shall include all pertinent information including any official and inspections relative to the investigation of a complaint or an illness may be held from release until such time that the investigation is complete. Closed investigation records may be kept in a

joint file with the exception of complaints involving permitted facilities, which shall be maintained in the establishment file after the investigation is completed.

- In accordance with [200 KAR 1:020](#) and [KRS 61.870](#) (Kentucky's Open Records Law), public records of all agencies of Kentucky State Government, subject to certain exceptions, are open for inspection by any individual who desires to review them. However, if the person requesting to inspect the documents is not the person to whom the document pertains, information of a personal nature (such as home address and home phone numbers) will be blocked out prior to inspection. All open record requests shall be handled in accordance with local policies and procedures. For more information see "Open Records" in the AR, Volume I, LHD Operations.
- Some requests may be denied under the provisions of [KRS 61.878](#).

Reference Materials

Reference manuals and materials shall be available for use by LHD personnel in the operation of environmental programs.

- LHD environmental staff shall keep an adequate supply of forms, pamphlets, regulation booklets, etc. or have electronic access to forms, pamphlets, etc. to enforce the regulation and to provide for distribution to interested parties.
- LHD's environmental staff shall maintain at least one applicable trade and or professional journal, textbook or reference manual.
- Health Departments engaged in swimming pool inspections shall have available a listing of the NSF ([National Sanitation Foundation](#)) approved circulation system components and reference materials on the care, operation and maintenance of swimming pools.
- LHDs shall have available a copy of the Registered Sanitarian Field Handbook Rev. 2004, for reference available from the Registered Sanitarian Homepage at <http://chfs.ky.gov/dph/sanitaricians.htm> .
- LHDs shall have access to at least one reference material or textbook relative to the etiology of food-borne illness.

Program Compliance Standards

Program compliance unless otherwise stated shall be achieved when the program is operated in accordance with their respective statutory and regulatory authority.

- Satisfactory sanitation compliance levels for regulated entities or establishments shall be an average of 85% compliance or above with no critical items debited and operation in accordance with applicable statutory and regulatory requirements for the respective program area.
- Satisfactory administrative compliance level for each local health department shall be an evaluation rating score of 85% or higher for administrative procedures, equipment, personnel, and training, publicity and consumer education, and record keeping.
- Retail Food Program Evaluation and Standardization compliance shall be in accordance with [902 KAR 45:140](#).
- Private Water shall be considered in compliance if each private water supply has been inspected and water sampled upon an owner's request or a mortgage loan agency's request.

Programs investigated under [KRS 212.210](#) shall be considered in compliance when 85% of public health nuisances are abated, eliminated, or otherwise investigated in a manner satisfactory for the protection of public health.

Program Publicity And Consumer Education

- LHDs shall be responsible for at least semi-annual dissemination of information to the public through local news media, presentations to local civic organizations, or displays at public gatherings to keep the consumer informed about environmental health activities.
- At least one such source of information shall include a news release provided by the Department for Public Health relative to the etiology of food-borne illness.
- LHDs should strive to provide food service training for food industry personnel; this type of training shall be offered no less than one time every three years.
- LHDs shall maintain an adequate supply of regulatory booklets and informational pamphlets relative to environmental programs so as to have available to interested persons.

Enforcement Procedures

Administrative Enforcement Action is initiated when the permit holder has been issued a routine or follow-up inspection report that specifies in writing items found contrary to provisions of the law or administrative regulation and which specifies a time in which corrections are to be made. Official Enforcement Action is initiated when the permit holder or establishment operator has failed to comply with an administrative enforcement notice, within a specified time, issued under the provisions of law or administrative regulations.

- All enforcement notices shall be issued in accordance with the applicable law or regulation of the program area and shall conform to the policies of the LHD. State Technical Consultants are available for consultation with local staff relative to enforcement actions.
- All reports, inspections and investigations shall be reviewed for completeness by the inspector's supervisor in accordance with local policy, prior to the issuance of official enforcement notices beyond that of a routine or follow-up inspection report.
- The operator or permit holder shall be afforded an Administrative Conference to provide for "due process" whenever an Official Enforcement Action or Notice has been initiated. Administrative conferences shall be offered in accordance with [KRS Chapter 13B](#) available at <http://www.lrc.ky.gov/KRS/013B00/CHAPTER.HTM>; and [902 KAR 1:400](#) available at <http://www.lrc.ky.gov/kar/902/001/400.htm> and the applicable statutory and regulatory requirements of the respective program areas.
- [902 KAR 1:400](#), Section 4(1) provides that an appellant may file an appeal with the department by mailing a letter of appeal within 10 days of the receipt of final action by the local health department to the Commissioner, Department for Public Health.

For further guidance, see [Enforcement of Food Establishment Laws and Regulations](#) in this section.

Equipment

Environmental staff shall be provided with the necessary equipment to enforce the regulations. Equipment shall be provided as specified in the EHMIS Manual, in the AR Volume II. Equipment specified is mandatory unless otherwise stipulated.

Environmental Scheduling and Inspections

- Routine inspections of permitted facilities should be made during normal hours of business operation whenever possible. Due to the nature of some businesses this may require the environmentalist to operate outside normal office hours. LHDs should establish policies for work conducted outside normal office hours. Temporary food inspection is one program area that routinely operates outside the normal operational hours of the health department.
- Generally routine inspections are to be unannounced; however, prior scheduling may be used under certain circumstances; for example when the facility has irregular hours and days of operation.
- Routine inspections should be conducted at a frequency in accordance with the statutory and regulatory requirements of the specific program area.
- Inspection times may vary based on the size of the establishment, the conditions found during the inspection, and the length of travel time, etc. A list of standard hours is provided to assist you in estimating the time involved in various inspectional activities. These times are provided to aid you in workload scheduling and planning. The actual times may vary depending on the circumstances of the inspections.
- Follow-up or compliance inspections shall be conducted as necessary to enforce the regulations and to insure program effectiveness. The estimated average time required for a follow-up or compliance inspection including travel, recording and administrative time are listed on the following page.

STANDARD HOURS

COST CENTER/PROGRAM CODE		INITIAL INSP. TIME	F.U. INSP. TIME
500/	603 Seasonal Restricted Food	1.0 hour	0.5 hour
	604 Temporary Food Service	1.0 hour	0.5 hour
	605 Food Service/Commissaries	2.0 hours	1.0 hour
	606 Vending Machine Sites	1.0 hour	1.0 hour
	607 Retail-Food	3.0 hours	1.0 hour
	608 Bed and Breakfast	2.0 hours	1.0 hour
	610 Retail Food Store	2.0 hours	1.0 hour
	611 Home Based Microprocessors	1.5 hours	1.0 hour
	615 Food Manufacturing	6.0 hours	6.0 hours
	615 Transporting Vehicles	0.5 hours	0.5 hour
520	620 Hotels & Motels	2.0 hours	1.5 hours
	625 Mobile Home/RV Park	2.0 hours	1.5 hours
	630 Public Bldg./Restrooms	1.0 hour	1.0 hour
	634 Tattoo Studios	2.0 hours	1.5 hours
	635 Schools	2.5 hours	2.0 hours
	640 Septic Tank Cleaners	1.0 hour	1.0 hour
	641 Septic Cleaners Disposal Site/Initial	7.0 hours	2.0 hours
	643 Ear Piercing	2.0 hours	1.5 hours
	644 Body Piercing	2.0 hours	1.5 hours
	645 Confinement Facilities	7.0 hours	3.0 hours
	650 Youth Camps	5.0 hours	2.0 hours
	650 Day Camps	2.0 hours	1.5 hours
	667 Methamphetamine	1.0 hour	1.0 hour
	695 Swimming Pools	2.0 hours	2.0 hours
	696 Bathing Beaches	2.0 hours	2.0 hours
540	655 Private Water	1.5 hours	1.0 hour
	660 Nuisance Control	1.5 hours	1.5 hours
	674 Rodent Control	1.5 hours	1.5 hours
	697 Environmental Rabies	2.0 hours	1.5 hours
560	680 On-Site Inspection	2.0 hours	1.5 hours
	680 On-Site Evaluation	2.0 hours	1.5 hours
	680 Subdivision Tentative Approval Site/Per Lot	1.0 hour	1.0 hour
	680 Installer Testing	2.0 hours	2.0 hours
	684 Lead	2.0 hours	1.0 hour
	685 Private Sewage	2.0 hours	1.0 hour
	811 Lead-Certified Individual	1.5 hours	2.5 hours
580	Radiation and Product Safety	*	*
590	Special Project (Environmental)	*	*
591	676 Special Project (Radon)	*	*
592	Special Project (Environmental)	*	*
593	Special Project (Environmental-Food Manufacturing)	*	*
594	Special Project (Environmental-Class V Wells)	*	*
595	Special Project (Environmental-West Nile Virus)	*	*

* Denotes - No time standards have been established for programs within this Cost Center.

Complaint or investigative inspections shall be handled upon request or as LHD protocols warrant. The initial inspection/investigation should be conducted within five (5) working days from the date of receipt of the complaint. Complaint investigations, which require further legal action for correction, may necessitate additional time for the development of evidence and the initiation of court action.

- Private water samples will be scheduled upon request and may exceed the five working days time frame due to sampling submittal criteria.
- Other administrative activities such as office services, field visits and surveys shall be conducted as necessary to ensure program compliance.

Construction And Plan Review

Construction plans are required to be submitted on most permitted public facilities regulated by the LHD. Specific details regarding the submittal of construction plans are addressed in the respective regulations and vary according to the type of facility.

- Construction plans, showing the complete layout of the facility, shall be submitted to and reviewed by the LHD on all new or extensively altered **permitted** public facilities in conformance with the requirements of the Department of Housing, Building and Construction and in accordance with the statutory and regulatory requirement for each program area, including Food Manufacturing Program.
- The applicant shall supply additional sets of construction plans when construction plans must be forwarded for review and approval by other regulatory agencies.
- Plans shall be thoroughly reviewed for accuracy and completeness by the regulating authority. Adequate time should be allowed for plan review.
- LHDs may establish reasonable fees for the review of plans.
- New facilities should be inspected prior to final approval and permit issuance for conformance to the approved construction plans with regard to the requirements of the respective program regulation.

On the following pages is a summary matrix of Environmental Health Services. The matrix includes by service type:

- Description of Service
- Target Population
- Category of Service
 - I.A. Core (Required by statute or regulation.)
 - I.B. Preventive service for a specific population from appropriate funds. - I.C. Local option service, provided after mandated services are assured.
- Laws or regulation pertaining to the service
- Funding (How funded)
- Staff Requirements
- Training Required
- Reporting (How service is reported, references pertaining to the service, and Division responsibility for the guidelines.)
- Staff Requirements (Certification to carry out program and additional training needs).

Additional Requirements:

- Maintain separate files on permitted entities, complaints, construction plans, etc. in accordance with the Records Retention Schedule in AR Volume I, Medical Records Management. The most current Records Retention Schedule may also be accessed online at <http://kdla.ky.gov/recmanagement/schedules/kypublichealth.pdf>
- Maintain an adequate number of educational/informational booklets, inspection sheets, forms and applications.

Summary of Environmental Health Services

	Bed & Breakfast	Body Piercing	Confinement Facilities
DESCRIPTION	<ul style="list-style-type: none"> • Review construction plans. • Issue permits. • Inspect facilities for sanitary operation. • Take enforcement action when necessary. 	<ul style="list-style-type: none"> • Review application and issue registration for body piercer. • Review application and issue certification to body piercing studio. • Inspect body piercing studios twice per year to ensure compliance with the regulation. 	<ul style="list-style-type: none"> • Inspect confinement facilities for sanitary operation.
TARGET	Bed and Breakfast Establishments	Body Piercers	Confinement Facilities
CATEGORY	I.A.	I.A.	I.A.
LAWS AND REGS	KRS 217.005–217.215, 217.992 & 902 KAR 45.006	KRS 211.760 & 902 KAR 45:070	KRS 211.920–211.945 & 902 KAR 9:010
FUNDING	TA & GF	TA & GF	GF
REPORTING	EHMIS (608)	EHMIS (644)	EHMIS (645)
STAFF REQUIR.	R.S., Food Core	R.S., Food Core	R.S., Environmental Management Core

KEY:

Category I.A. = Core service, required by statute or regulation.

Category I.B. = Preventive service for specific populations from appropriated funds.

Category II. = Local option service, provided after mandated services are assured.

TA = Trust and Agency (fees)

GF = General Fund

EHMIS = Environmental Health Management Information System

RS = Registered Sanitarian

Summary of Environmental Health Services
(continued)

	Ear Piercing	Food Manufacturing	Food Salvage Operations
DESCRIPTION	<ul style="list-style-type: none"> • Review application and issue registration for ear piercer. • Review application and issue certification to ear piercing studio. • Inspect ear piercing studios once per year to ensure compliance with the regulation. 	<ul style="list-style-type: none"> • Review construction plans for food manufacturing facilities and refer to area food manufacturing inspector for permitting and inspection. 	<ul style="list-style-type: none"> • Reviews construction plans. • Permits food salvage distributors. • Inspects facilities for compliance with the regulation. • Takes enforcement action when necessary.
TARGET	Ear Piercers	Food Manufacturing Facilities	Food Salvage Distributors
CATEGORY	IA	I.A.	I.A.
LAWS AND REGS.	KRS 211.760 & 902 KAR 45:070	KRS 217.005–217.215, & 217.992	KRS 217.005–215 & 217.992, 902 KAR 45:080
FUNDING	TA & GF	TA & GF & Federal Contract.	TA & GF
REPORTING	EHMIS (643)	EHMIS (615)	EHMIS (610, 615)
STAFF REQUIR.	R.S. Food Core	R.S., Food Core	R.S., Food Core

KEY:

Category I.A. = Core service, required by statute or regulation.

Category I.B. = Preventive service for specific populations from appropriated funds.

Category II. = Local option service, provided after mandated services are assured.

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Summary of Environmental Health Services
(continued)

	Food Service/Retail Food Establishments	Hotel/Motel	Lead
DESCRIPTION	<ul style="list-style-type: none"> • Review construction and alteration plans. • Issue permits. • Inspect facilities for sanitary operation in accordance with regulation. • Take enforcement action when necessary. • Investigate food-borne illness outbreaks. • Quarantine of adulterated products. • Provide training to food industry personnel (at least once every 3 years). 	<ul style="list-style-type: none"> • Review construction and alteration plans. • Issue permits. • Inspect facilities for sanitary operation. • Take enforcement action when necessary to ensure compliance with the regulation. 	<ul style="list-style-type: none"> • Some LHDs act as Lead Risk Assessors in conjunction with federally funded CLPPE program. • Some LHDs provide educational outreach and training for Lead Safe Work Practices Classes. • Some LHDs do enforcement.
TARGET	Food Service and Retail Food Establishments	Hotel and Motel Operators, General Public.	Children with elevated blood lead levels and their residences.
CATEGORY	I.A.	I.A.	I.A.
LAWS AND REGS	KRS 217.005–217.285 & 902 KAR 45:005	KRS 219.011–219.081 & 902 KAR 7:010	KRS 211.900–905, KRS 211.9061–9079
FUNDING	TA & GF	TA & GF	Federal/GF
REPORTING	EHMIS (605, 607, 610)	EHMIS (620)	EHMIS (684)
STAFF REQ.	R.S., Food Core Training, Retail Food Specialist in accord with 902 KAR 45:140.	R.S., Environmental Management Core Training	R.S., Refer to Lead Section in PHPR for more info.

KEY:

Category I.A. = Core service, required by statute or regulation.
 Category I.B. = Preventive service for specific populations from appropriated funds.
 Category II. = Local option service, provided after mandated services are assured.

TA = Trust and Agency (fees)
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 RS = Registered Sanitarian

Summary of Environmental Health Services
(continued)

	Manufactured Home, Mobile Home & Recreational Vehicle Communities	Methamphetamine	Nuisance Control
DESCRIPTION	<ul style="list-style-type: none"> Review construction plans on all new or altered facilities. Issue permit to construct. Issue permit to operate. Inspect for compliance with the regulation and for safe and sanitary operation of facility. Take enforcement action when necessary. 	<ul style="list-style-type: none"> Notify the owner of a property posted as having methamphetamine contamination by law enforcement. Notify the owner when the property has been released by EEC. 	<ul style="list-style-type: none"> Investigate complaints within 5 working days. Document the existence of a public health nuisance. Issue notices for the correction of public health nuisance. Take enforcement action if necessary to gain abatement.
TARGET	Manufactured/Mobile Home & Recreational Vehicle Parks	General Public	General Public
CATEGORY	I.A.	I.A.	I.A.
LAWS AND REGS	KRS 219.310–219.410 & 902 KAR 15:010, 902 KAR 15:020	KRS 224 Subchapter 1; KRS 212.210 902 KAR 47:200	KRS 212.210
FUNDING	TA & GF	GF	GF
REPORTING	EHMIS (625)	EHMIS(667)	EHMIS (660)
STAFF REQ.	R.S., Environmental Management Core	R.S.	R.S., Environmental Management Core

KEY:

Category I.A. = Core service, required by statute or regulation.
 Category I.B. = Preventive service for specific populations from appropriated funds.
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Summary of Environmental Health Services
(continued)

	On-Site Sewage	Private Sewage	Private Water
DESCRIPTION	<ul style="list-style-type: none"> • Conduct on-site soil evaluations. • Review installation drawings. • Issue installation permits. • Issue variances in accordance with regulation and local policies. • Inspect installed systems for compliance with the regulation. • Provide installer training as needed. • Take enforcement action when necessary. 	<ul style="list-style-type: none"> • Investigate private sewage complaints. • Conduct existing system inspections of private septic systems. 	<ul style="list-style-type: none"> • Collect and submit water samples on private water supplies upon request. • Provide educational material on the disinfection and protection of private water supplies.
TARGET	On-site Sewage Installers, Homebuilders, General Public.	General Public	Citizens using a private water supply.
CATEGORY	I.A.	I.A.	I.A.
LAWS AND REGS	KRS 211.350–211.380, 211.990 & 902 KAR 10:081	KRS 211.180, KRS 212.210	KRS 211.345
FUNDING	TA & Local Funding	GF or LHD may establish fees.	TA & GF
REPORTING	EHMIS (680)	EHMIS (685)	EHMIS (655)
STAFF REQ.	R.S., Environmental Management Core Training, Cert. Insp. KRS 211.360	R.S., Environmental Management Core	R.S., Environmental Management Core

KEY:

Category I.A. = Core service, required by statute or regulation.

Category I.B. = Preventive service for specific populations from appropriated funds.

Category II. = Local option service, provided after mandated services are assured.

TA = Trust and Agency (fees)

GF = General Fund

EHMIS = Environmental Health Management Information System

RS = Registered Sanitarian

Summary of Environmental Health Services (continued)

	Public Restroom	Rabies Prevention	Radon
DESCRIPTION	<ul style="list-style-type: none"> • Investigate complaints regarding public restrooms. • Take enforcement action when necessary. 	<ul style="list-style-type: none"> • Document human exposure to animal bites. • Quarantine animals and enforce quarantine. • Release animals from quarantine. • Assist with the submission of laboratory samples. • Co-sponsor mass vaccination clinics. • Coordinate with medical staff on administration of prophylaxis rabies treatment. 	<ul style="list-style-type: none"> • Provide public information regarding health risks and abatement measures • Provide access to testing devices • Act as a referral agent for mitigation services
TARGET	Public restrooms	General Public & Pet Owners	Homeowners General public
CATEGORY	I.A.	I.A.	I.B.
LAWS AND REGS	KRS 212.210 & 902 KAR 10:010	KRS 258.005-.085	
FUNDING	GF	GF	Federal Grant/ GF
REPORTING	EHMIS (630)	EHMIS (697)	EHMIS(676)
STAFF REQ.	R.S., Environmental Management Core	R.S., Environmental Management Core	R.S.

KEY:

Category I.A. = Core service, required by statute or regulation.

Category I.B. = Preventive service for specific populations from appropriated funds.

Category II. = Local option service, provided after mandated services are assured.

TA = Trust and Agency (fees)

GF = General Fund

EHMIS = Environmental Health Management Information System

RS = Registered Sanitarian

Summary of Environmental Health Services
(continued)

	Restricted Food Concessions	School Sanitation	Septic Tank Pumpers
DESCRIPTION	<ul style="list-style-type: none"> • Review application and issue permit • Inspect concession for sanitary operation in accordance with regulation. • Take enforcement action when necessary. 	<ul style="list-style-type: none"> • Review construction plans. • Issue permits. • Inspect public and private educational facilities excluding private individuals teaching their own children for safe and sanitary operation in accordance with the regulation. • Prepare written summary of inspectional findings for school board • Take enforcement action when necessary to ensure compliance with the regulation. 	<ul style="list-style-type: none"> • Permit and Inspect Pumper Trucks. • Evaluate and Inspect Land Application Disposal Site. • License Pumper. • Verify Surety Bond.
TARGET	Restricted Food Concession Operators	Public & Private facilities used for educational purposes, excluding day care centers and private individuals teaching their own children.	Septic tank pumpers
CATEGORY	I.A.	I.A.	I.A.
LAWS AND REGS	KRS 217.005–217.285 & 902 KAR 45.005	902 KAR 45:150 , KRS 211.180 , 211.210 , 211.990	902 KAR 10:130–170 , KRS 211.970
FUNDING	TA & GF	TA & GF	TA & GF
REPORTING	EHMIS (603)	EHMIS (635)	EHMIS (640/641)
STAFF REQ.	R.S. Food Core	R.S., Environmental Management Core	R.S., Environmental Management Core

KEY:

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Summary of Environmental Health Services
(continued)

	Swimming Pools & Bathing Beaches	Tanning Regulation	Tattoo Studio/ Tattoo Artist
DESCRIPTION	<ul style="list-style-type: none"> • Review construction plans. • Issue permits. • Conduct monthly monitoring inspections. • Conduct routine inspections of all public swimming pools and bathing beaches for compliance with the regulation. • Take water samples as needed to ensure good water quality. • Take enforcement action when necessary to ensure compliance with the regulation. 	<ul style="list-style-type: none"> • Register tanning facilities • Monitor facility at opening and on complaint basis • Take enforcement action if necessary to suspend registration. 	<ul style="list-style-type: none"> • Review application for and issue registration as a tattoo artist. • Review application and issue certification to the tattoo studio in accordance with the regulation. • Inspect facilities twice per year to ensure compliance with the regulation.
TARGET	Public Swimming and Bathing Beaches	Tanning facility operators, general public	Tattoo Artists and Tattoo Studios
CATEGORY	I.A.	I.A.	I.A.
LAWS AND REGS	KRS 211.180 & 211.990 902 KAR 10:120	KRS 217.926	KRS 211.760 & 902 KAR 45:065
FUNDING	TA & GF	TA & GF	TA & GF
REPORTING	EHMIS(695/696)	EHMIS(677)	EHMIS(634)
STAFF REQ.	R.S., Environmental Management Core	R.S.	R.S., Food Core

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 Category I.B. = Preventive service for specific populations from appropriated funds.
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Summary of Environmental Health Services
(continued)

	Vector Control	Vending	Youth Camp
DESCRIPTION	<ul style="list-style-type: none"> • Make nuisance inspections concerning vectors pursuant to KRS 211.210. • Provide public information as it relates to vector control and the public health significance of vectors. • Take enforcement action when necessary. 	<ul style="list-style-type: none"> • Review and submit the application for vending machine companies to the state. • Inspect vending machine locations at least once every three years for sanitary operation. • Take enforcement action if necessary. 	<ul style="list-style-type: none"> • Review construction plans on all new or altered facilities. • Inspect facility for compliance with the regulation in accordance with the regulation. • Take enforcement action when necessary.
TARGET	General Public	Vending Machine Locations and Commissaries	Youth Camps
CATEGORY	I.B.	I.A.	I.A.
LAWS AND REGS	KRS 212.210	KRS 217.808	KRS 211.180 & 902 KAR 10:040
FUNDING	GF	TA & GF	TA & GF
REPORTING	EHMIS(670)	EHMIS(606)	EHMIS(650)
STAFF REQ.	R.S., Environmental Management Core, Pesticide Certification if applying from Dept. of Ag.	R.S., Food Core	R.S., Environmental Management Core

KEY:

Category I.A. = Core service, required by statute or regulation.

Category I.B. = Preventive service for specific populations from appropriated funds.

Category II. = Local option service, provided after mandated services are assured.

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EHMIS = Environmental Health Management Information System

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KENTUCKY REGISTERED SANITARIAN ETHICS

The Kentucky Registered Sanitarian has long adhered to a fundamental theme of ethical behavior encircling the public's health. As a member of this profession, a Registered Sanitarian must recognize responsibility not only to the public we serve, but also to our communities, other Sanitarians, and to ourselves. The following are not laws, but standards of conduct which define the essentials of honorable behavior for Registered Sanitarians.

- A person shall be duly qualified in order to become a Kentucky Registered Sanitarian, and further, shall be duly qualified to conduct Public/Environmental health activities.
- A Kentucky Registered Sanitarian shall be dedicated to providing competent service.
- A Kentucky Registered Sanitarian shall deal honestly with society and colleagues, and shall not engage in fraud, bribery, deception, conflict of interest, falsification of documents or other illegal activities.
- A Kentucky Registered Sanitarian shall respect the rights of individuals, of colleagues, and other Sanitarians, and shall safeguard confidentiality within the constraints of the law.
- A Kentucky Registered Sanitarian shall recognize a responsibility to promote and uphold high standards and a positive and ethical image, and should avoid any perception of conflict of interest or unethical behavior.
- A Kentucky Registered Sanitarian shall strive at all times to act in the best interest of the Commonwealth, protecting the health and well being of our citizens.

ENFORCEMENT OF FOOD ESTABLISHMENT LAWS & REGULATIONS REFERENCE GUIDELINE

CABINET FOR HEALTH AND FAMILY SERVICES Department for Public Health (Revised April 13, 1999)

APPLICABLE LAWS/REGULATIONS

KRS 13B Multi-level Appeals Process

KRS 217.005 to 217.285, 217.992 (Penalty) / 902 KAR 45:005 Kentucky Food Code

KRS 217.005 to 217.215, 217.992 (Penalty) / 902 KAR 45:006 Bed and Breakfast

KRS 217.005 to 217.215, 217.992 (Penalty) / 902 KAR 45:080 Food Salvage

KRS 217.808 to 217.812, 217.990 (Penalty) / 902 KAR 45:100 Vending Machines

ADMINISTRATIVE ENFORCEMENT AUTHORITY

KRS 217.115 - Quarantine Authority - Adulterated (KRS 217.025) or misbranded (KRS 217.035) Food **KRS**

217.125 - Authority to Adopt Regulations; Permits Required; Fees

KRS 217.126 - Denial, Suspension, Revocation, [902 KAR 45:005 (41) (4)]. If an opening inspection (new establishment) results in an unsatisfactory rating score (critical items, or score below 85, or both), the permit is not issued, therefore, the establishment is not permitted to open until a follow-up inspection reveals a passing score. For a change of ownership, if the new owner operated without making application for a permit to operate (the permit is not transferable), the Enforcement Notice to "cease or apply" shall be issued. Should the inspection to approve the new owner's permit result in an unsatisfactory rating score, notification of the denial shall be given the new applicant and an opportunity for a conference offered before denial of the permit becomes final. In case of an **imminent public health hazard**, as defined in KRS 217.015(22), the cabinet or local health department shall issue a notice of permit suspension citing the specific reason for the immediate suspension. Unless immediate correction of the violations is made, the suspension shall remain effective until a proper written request is made by the permit holder for reinstatement of the permit to operate. When an establishment's permit has been suspended or denied, the permit holder or applicant, may make a written request for a reinspection at any time for the purpose of reopening if the request assures that violative conditions which caused the closure or denial have been corrected. An inspection shall be conducted as soon as possible, but not later than seven (7) days from the date of the request in accordance with 902 KAR 1:400. In the event that a permit holder or an applicant refuses to comply with any written notice to cease operating, the local health department may petition the local Commonwealth's attorney for injunctive relief through the circuit court. **Blanket quarantine** of food may be authorized, in accordance with KRS 217.115, when the food is stored or held in such a way as to be potentially adulterated as a result of an imminent health hazard.

KRS 217.127 - Authority to adopt regulations for the enforcement of KRS 217.005 to 217.285.

902 KAR 1:400	Conferences
902 KAR 45:005 Section 3.	(Enforcement Provisions)
902 KAR 45:006 Section 16	(Enforcement Provisions)
902 KAR 45:080	(Enforcement Provisions)
902 KAR 45:100	(Enforcement Provisions)

PROSECUTION

KRS 217.185 - Duty of Local Prosecuting Attorneys.

KRS 217.195 - Cabinet not Required to Prosecute... (when the public's interest will be adequately served in the circumstances by a suitable written notice or warning.)

KRS 217.205 - Power to Enjoin Violations; example, to deal with Imminent Public Health Hazards.

PENALTIES

KRS 217.990 - Penalties for violation of KRS 217.808 to 217.812 (vending companies).

KRS 217.992 - Penalties for violation of KRS 217.005 to 217.215 (food establishments).

PLAN REVIEW

KRS 211.180 - Authority to Review Plans - Reference Kentucky Food Code, FDA 2005: 8-201.11 .

IMPORTANT: Construction plans **shall be reviewed** for approval **PRIOR** to construction.

Suggestion: Attach notice to approved plans that, "Application for the permit to operate must be filed with the local health department two (2) weeks in advance of the proposed opening date" to facilitate scheduling the opening inspection.

CONSTRUCTION VISITS

At least two (2) "visits" should (optional) be made during construction to compare progress with approved plans.

TYPE OF INSPECTIONS

- Opening - coded as 01, or regular, prior to operation (for permit approval).
- Regular (routine) - coded as 01; **frequency: 1 time ea. 6 months** - food service (605), retail/food combination (607), vending machine commissaries (606), and **1 time ea. 3 years** - vending machine locations; **1 time ea. 12 months** - retail food stores (prepackaged only) - (610), seasonal restricted (603), and bed/breakfast (608); and temporaries (604) are inspected prior to operating **one (1) time minimum at each location**.
- Follow-up - coded as 02, to determine if violative conditions found during the previous inspection have been corrected. Same day follow-up may be conducted using the second (2nd) debit/weight column on the inspection form; however, a new form must be used for combination (607) establishments since both debit columns would have been used for the regular inspection.] **NOTE:** Reasonable extensions of time may be given if substantial progress toward correction is indicated.
- Complaint - coded as 03 when a complete inspection not conducted; if the time of the complaint coincides with the approximate due date for a "regular" inspection, the complaint inspection should include a complete establishment inspection and be coded as 01. Anonymous complaints should be carefully considered relative to liability when the decision is, "not to investigate." A food-borne illness investigation is coded as a complaint (03) inspection. A complaint about a food product, produced or prepared other than at the point of purchase, involving illness or injury, requires completion of Form DFS 216 RECORD OF COMPLAINT AND INVESTIGATION which is to be sent to the agency responsible for inspecting the manufacturer.
- Survey - coded as 04 (Refer to the EHMS Manual for description).
- Other - coded as 05 (Refer to the EHMS Manual for description).
- Pre-opening - coded as 05 (courtesy) - if requested - optional.

VIOLATIONS

For uniformity in debiting the correct item number on the Form DFS 208 FOOD ESTABLISHMENT INSPECTION REPORT, adequate training and standardization are priority. [Refer to Violative Items Reference List. (Jan. 1996)]. Violations are generally not to be considered "**repeated**" unless the specific violation, (not item No.) is repeated on two (2) or more consecutive routine inspections. **No double debiting**.

COMPLETION OF FORMS

Each violation shall be summarized stating **facts** in writing and shall describe the violation adequately, e.g., "_____ (food product) held at 60 degrees F. in _____ (location)"; or "Fifty (50) pounds of insect infested powdered milk observed in stock room." (This would require completion of Form DFS 222 NOTICE AND ORDER OF QUARANTINE/VOLUNTARY DESTRUCTION). Take care to pay attention to detail, there is no such thing as too much detail. Notes taken to be later transferred to the establishment inspection form, may be subpoenaed in court; so, take *clear, accurate* notes. Do not use the inspection form for making notes of violations unless reflected as items debited.

NOTE: Additional forms used to administer the Retail Food Program include:
DFS 200 FACILITY PROFILE for permit application;
DFS 210 (Revised 2-95) NOTICE TO CORRECT VIOLATIONS;
DFS 212 (Revised 10-96) REQUEST FOR CONFERENCE;
DFS 213 (Revised 8-96) NOTICE OF CONFERENCE;
DFS 214 (Revised 8-96) ENFORCEMENT NOTICE;
DFS 215 APPLICATION FOR REINSTATEMENT;
CHOKO SAVING TECHNIQUES POSTER (Authority KRS 217.285)
(Refer to the list of additional forms in the EHMIS Manual.)

SERIOUS OR REPEATED VIOLATIONS

Section 41(4) of the Retail Food Establishment Code - *Serious violations* are those items of critical nature, usually higher weighted 4 or 5 point items. In this context, "repeated violations" shall be considered specific violations of serious public health significance which have been *debited for two (2) or more* consecutive routine inspections.

REVOCAION OF PERMIT

"Serious or repeated violations" may be justification for permanently revoking an establishment's permit to operate; however, revocation should only be used as a last resort, typically after a pattern of repeated non-compliance has been established over time, and after all other administrative procedures have been exhausted.

ISSUANCE OF INSPECTION REPORT

The original of the establishment inspection report shall be given to the permit holder or person in charge only, and their signature is requested. If the permit holder or person in charge refuses to sign the report of inspection, write, "*refused to sign*" in the signature location. A copy of the report shall be delivered in person or sent via Certified Mail to the permit holder if he or she was absent at the time of the visit and the person in charge refused to sign.

RATING SCORE

The "rating score" of an establishment is the total weighted point value of violations subtracted from 100. The meaning of the "rating score" and administrative procedural actions to be taken are addressed in Section 3 of the Kentucky Food Code. The inspection classification for Food Salvage Distributors and for Food Manufacturing/Storage firms, falls in one of three (3) categories - NAI (no action indicated); VAI (voluntary action indicated); or, OAI (official action indicated), refer to Program Standard-615, "Outcome Standards, Satisfactory Compliance Level."

PROFESSIONAL DISCRETION

The professional image must be two-fold - a thorough knowledge of applicable law(s) and regulations is mandatory to understand and carry out the letter and intent of law. Also, remember there are at least three images of you - the person you see when you first look in the mirror after waking; the image of self when dressed ready to meet the public; and the real you, the person others see when they look at you. Strive to be seen at your professional best by using appropriate verbal and non-verbal communication (guard against allowing your attitude or response to become personal or defensive); always present a neat, clean appearance; and remember the "Golden Rule". Try role-playing with a friend to practice being pleasant and positive under stressful circumstances. **DO NOT** speak about an establishment or its operator in public or to another operator!

EVIDENCE DEVELOPMENT

Each establishment's file must be organized by date with copies of permit application, permit number, reports, notices, correspondence, reports of meetings, copies of sample results, photos, and etc. When all remedies within the statutory and regulatory provisions have been exhausted, talk the situation over with your superior. Organize all of the material and draft a one paragraph memorandum summarizing all the facts in the case. Write a step by step summary of every action that has been taken against the permit holder. This should include precise statutory or regulatory citations. Make copies of everything - pictures, inspection reports, and etc. Next, select the prosecutor. Contact your county attorney first. The commonwealth attorney would be your other option. Talk to the prosecutor selected, show him your case summary and outline, explain what has occurred, and that you need judicial action. Your attorney will then instruct you in your next courses of action. Once again, remember that detailed information will be very useful since there may be a considerable amount of time between the culmination of your investigation and the time your case reaches court. Information that was not well documented will become more vague as time passes.

CONFERENCES

Refer to 902 KAR 1:400; and the Division’s Administrative Conference Guidelines. The Conference, conducted by the agency taking action, provides the defendant “due process”, or, protection of his rights under law. After the conference is requested, notify the appellant that the conference shall be held on a date not less than ten (10) days from the date of receipt by the appellant, using the required Form DFS 213. Also, provide a statement of the issues involved, in sufficient detail to give the parties reasonable opportunity to prepare evidence and argument. Conferences shall be held in accordance with 902 KAR 1:400.

APPEALS PROCESS

902 KAR 1:400 Section 4(1) provides that an appellant may file an appeal with the department by mailing a letter of appeal, within 10 days of the receipt of final action by the local health department, to the Commissioner, Department for Public Health.

COURT ACTION

To be initiated through the local prosecuting attorney. Refer to Evidence Development above.

OPEN RECORDS

The files of a retail food establishment are public records. Requests for food establishment inspections and file information are granted under the provisions of the Open Records Act KRS 61.878 (refer to Jan. 7, 1992 Memo - Office of Counsel to Commissioner, Department for Health Services.). Upon receipt of a request for information, the cabinet or local health department’s Custodian of records shall acknowledge the request within three (3) days. Please note that, in accordance with the policy of the Cabinet for Health and Family Services, pursuant to KRS 61 .878(1)(a), the name or names of informants, and any other personal information such as home addresses, telephone numbers, Social Security numbers, etc., shall not be released in a public records request, but, shall be deleted or stricken from the copy of the record to be released.

Information requested under the Open Records Act (KRS 61.878) may be denied when it is believed that the premature release of the information that may be used in prospective law enforcement would cause harm to the cabinet or local health department. However, the release of official inspection reports, when requested in accordance with the above referenced statute, is acceptable even though routine administrative enforcement action, as opposed to *Official Enforcement Action**, may have been initiated (e.g., the rating score may be less than seventy [70] percent). The release of complete official inspection report observations and rating scores would typically not be considered a source of harm to the cabinet or local health department.

If the cabinet or local health department denies a request for public information, a copy of the denial shall be sent to the Office of Attorney General. Any denial must be in writing with an explanation of reasons and a citation to the appropriate exemption with the open records act. The requested must also be advised in writing of his right to seek review by the Attorney General.

* Official Enforcement Action is initiated when the permit holder or establishment operator has failed to comply with any written notice within a specified time issued under the provisions of law or administrative regulations. (Typically, Form DFS 214 ENFORCEMENT NOTICE is issued.) For example, a regular inspection report serves as an official notice to the operator to correct violations within a specified period of time. After the specified time for correction passes, a follow-up inspection reveals that the previously noted violation continues to exist. Procedures shift at this point from administrative enforcement procedures (which were unsuccessful in achieving Compliance) to the issuance of an official enforcement action or order.

Notes:

File: (Enforcement Guidelines)

MRSA GUIDANCE AND PROTOCOLS

There has been elevated public awareness of skin infections specifically, *Staphylococcus aureus* “Staph” infections, as a result of nationwide media attention. Staph is commonly carried on the skin or in the nose of healthy people and is spread by close contact with infected people. Staph can also come off infected skin onto shared objects and surfaces and then transfer onto the skin of another person who uses the object or surface, leading potentially to a skin infection. In light of this increased public concern and our desire to improve the health of our citizens, the Cabinet of Health and Family Services, Department for Public Health has developed guidelines to assist you in educating parents, students and citizens regarding MRSA infections and steps that can be taken to prevent them.

Included are two sets of guidelines, a General Guidance for all school and similar environments and Guidance for Athletic Departments. These guidelines are also useful in helping control many other communicable diseases, not just MRSA.



**CABINET FOR HEALTH AND FAMILY SERVICES
OFFICE OF THE SECRETARY**

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Letter for Environmental and Infection Control of Skin Infections

To Whom It May Concern:

Recently, there has been elevated public awareness of skin infections specifically, *Staphylococcus aureus* "Staph" infections, as a result of nationwide media attention. Staph is commonly carried on the skin or in the nose of healthy people and is spread by close contact with infected people. Staph can also come off infected skin onto shared objects and surfaces and then transfer onto the skin of another person who uses the object or surface. It can potentially lead to a skin infection in certain instances. The involved site can be red, swollen, painful and draining and may appear as an infected cut, boil, fluid-filled blister (impetigo), or skin sore that look like infected insect bites. More serious infections, such as surgical wound infections, bloodstream infections and pneumonia, can also occur. When Staph becomes resistant to a specific antibiotic, like Methicillin, the antibiotic may no longer cure the infection; thus this strain of Staph is called Methicillin-Resistant *Staphylococcus aureus* (MRSA). Although Methicillin may no longer be useful, other antibiotics can be used to treat MRSA infections; however, sometimes the treatment may be more expensive and/or take longer.

In light of this increased public concern and our desire to improve the health of our citizens, the Cabinet of Health and Family Services, Department for Public Health has developed guidelines to assist you in educating parents, students and citizens regarding MRSA infections and steps that can be taken to prevent them.

Attached are two sets of guidelines, a General Guidance for all school and similar environments and Guidance for Athletic Departments. These guidelines are also useful in helping control many other communicable diseases, not just MRSA.

The Department for Public Health supports your goal of having a safe environment and hopes that the tools provided with this letter will help minimize or prevent the occurrence of illnesses.

William D. Hacker, MD, FAAP, CPE
Acting Undersecretary for Health;
Commissioner-Department for Public Health

Kentucky Cabinet for Health and Family Services
Department for Public Health

Guidelines to Help Prevent the Spread of Skin Infections

PUBLIC HEALTH CLEANING GUIDELINES

GENERAL GUIDANCE:

The most effective means of controlling the spread of viruses and bacteria (germs) in the environment is frequent, thorough and effective hand hygiene.

Schools should implement protocols to emphasize hand hygiene among students and staff by encouraging them to:

- Wash hands frequently!
- Use an alcohol-based hand sanitizer if soap and water are not available and hands do not look dirty. (Soil and other debris on the hands can diminish its effectiveness to kill germs.)

Students and staff with any skin problems should be reported to the school nurse, coach, or a health care provider. Individuals with skin lesions, sores or rashes should cover the entire wound with a secure water-proof bandage, particularly if the wound is draining. The bandage should be kept clean and dry. If the bandage becomes wet or soiled it should be replaced.

Dispose of bandages and tissues in the regular trash but to prevent others from coming in contact with this garbage, make sure to use a zippered bag or tie securely in a plastic bag.

In addition, as part of routine custodial practices, cleaning and disinfecting of surfaces in the school is essential to keeping the environment healthy. Clean all hard surfaces frequently with particular attention to commonly touched areas;

- Doorknobs
- Light switches
- Table tops
- Desks
- Floors
- Lockers

Detergent-based cleaners should be used to initially clean dirt and debris from surfaces followed by Environmental Protection Agency (EPA)-registered disinfectants to remove germs from the environment. Disinfectants are readily available at stores but make sure that the label indicates it is a disinfectant and follow the label instructions.

GermS must be in contact with wet disinfectant for a long enough period of time to be killed: allow the surface to air dry, it is best not to rinse or wipe the object or surface right away in order to allow the disinfectant to be in contact for the correct time.

- It is important to read the instruction labels on all disinfectants to make sure they are used safely and appropriately. Environmental cleaners and disinfectants should not be used to treat infections.
- The EPA provides a list of EPA-registered products effective against MRSA:
<http://epa.gov/oppad001/chemregindex.htm>
- A 5-6% sodium hypochlorite (household) bleach solution is an easy way
- to make an appropriate disinfectant: mix one tablespoon of bleach into one quart of water. It can be used in a spray bottle, as a soaking solution or applied directly by mops for larger surfaces. For effective disinfection, the solution must be in contact with a surface for a minimum of 2 minutes. Mix a fresh solution every day, leftover solution should be discarded at the end of the day and never mix bleach with any other household chemicals or products containing ammonia. Mixing these chemicals with bleach will produce hazardous gases.
- Cleaners and disinfectants can be irritating and have been associated with health problems such as asthma. Therefore, it is important to read the instruction labels on all cleaning products to make sure they are used safely and appropriately - with disinfection, more is not better. For suggestions on implementing a “green cleaning program” please refer to Hospitals for a Healthy Environment (H2E) 10 Step Guide to Green Cleaning Implementation:
<http://www.h2e-online.org/docs/h2e10stepgreenclean-r5.pdf>

Here are some answers to commonly asked questions: Should schools close because of an MRSA infection?

Not Typically. Only in rare cases will it be necessary to close schools because of an MRSA infection in a student.

The decision to close a school for any communicable disease should be made by school officials in consultation with local and/or state public health officials. However, in most cases, it is not necessary to close schools because of an MRSA infection in a student. It is important to note that MRSA transmission can be prevented by simple measures such as hand hygiene and covering infections.

Should the school be closed to be cleaned or disinfected when an MRSA infection occurs?

Not Typically. Only in rare cases will it be necessary to close schools to “disinfect” them when MRSA infections occur.

Covering infected skin lesions and rashes will greatly reduce the risks of surfaces becoming contaminated with MRSA. In general it is not necessary to close schools to "disinfect" them when MRSA infections occur. MRSA skin infections are transmitted primarily by skin-to-skin contact and from contact with surfaces that have come into contact with someone else's infection.

When MRSA skin infections occur, cleaning and disinfection should be performed on surfaces that are likely to contact uncovered or poorly covered infections.

GUIDANCE FOR ATHLETIC DEPARTMENTS:

Encourage athletes to:

- Wash hands frequently with soap and warm water or use an alcohol-based hand sanitizing gel if hands do not look dirty and soap and water are not available.
- Shower with soap and water as soon as possible after direct contact sports, and use a clean, dry towel.
- Keep cuts and scrapes clean and covered with a clean, dry bandage until healed.
- Avoid contact with other people's lesions or bandages.
- Do not share towels (even on the sidelines at a game), water bottles, soap, razors, or other personal care items.
- Do not share ointments or antibiotics.
- Wash towels, uniforms, scrimmage shirts, and any other laundry in hot water and ordinary detergent immediately after each practice or game and dry on the hottest cycle
- Inform parents of these precautions if laundry is sent home (laundry must be in an impervious container or plastic bag for transporting home).
- Avoid whirlpools or common hot tubs, especially when having open wounds, scrapes, or scratches.
- Students should inform their coach or athletic trainer if they think they have a lesion, sore or rash on the skin.
- An athlete should be referred to a health care provider:
 - If there are concerns over any lesion, sore, or rash on the skin, especially those that are red, swollen, or draining fluid.
 - If the athlete has other signs of illness such as fever or vomiting.
 - Multiple athletes have similar symptoms.
- An athlete may be excluded from competition or practice if there is concern regarding a lesion, sore, or rash until evaluated by a health care provider. Additionally, an athlete should be excluded from competition if the evaluating health provider deems it appropriate.
- All skin lesions, sores or rashes should be covered by a clean, dry bandage when participating in practice or competition. If lesions cannot be covered completely, or if drainage (or "pus") is wetting the bandage or seeping out between the bandage and skin, athletes should be excluded from competition until the lesion can be safely and completely covered.
- If an athlete with skin lesions is participating in a sport that requires frequent skin-to-skin contact (e.g., wrestling), then consideration should be given to excluding that athlete from participation until the lesion is fully healed, since maintaining the bandage in place may be difficult.
- An athlete may return to competition or practice after consulting with the athlete's health care provider, coach, and specific sports league rules.

Procedures for cleaning athletic area and equipment should be established and staff and athletes must be educated about these procedures:

- Make sure equipment is in good working condition without rips, tears or other damage. Replace items rather than using tape to repair damaged areas since the tape may interfere with the disinfectant process.
- Clean the athletic area and sports equipment routinely—at least weekly—using EPA-registered disinfectant or a fresh (mixed daily) household bleach solution (1 tablespoon bleach to 1 quart of water) after practices / matches. Please refer to the manufacturer's directions for recommended contact times for the various disinfectants. Household bleach solutions must be in contact for a minimum of 2 minutes.
- Clean mats and other high-use equipment before each practice and several times a day throughout a tournament, using an EPA-registered disinfectant or a fresh (mixed daily) household bleach solution.
- Locker rooms, including any shower areas should be cleaned daily, if used.
- If soap is furnished, it should be accessible from a wall dispenser
- Ensure that athletic areas, locker rooms and restrooms all have separate cleaning mops and buckets, and that all mops (washable micro-fiber heads or disposable mop cloths preferred) and buckets are cleaned regularly.

Wrestling Room and Mats:

- Wipe down padding along walls, benches and door pulls/knobs with an EPA-registered disinfectant or a fresh (mixed daily) household bleach solution after practices / matches. Please refer to the manufacturer's directions for recommended contact times for the various disinfectants. Household bleach solutions must be in contact for a minimum of 2 minutes.
- Clean floors after mats are stored and before mats are used again.
- Use "dedicated" mops to clean athletic areas and wash mop heads on a regular basis. May use disposable mop cloths that are discarded after each use
- Clean and disinfect mats before and after practice and matches. All sides of mats should be cleaned before they are rolled up.
- Use "dedicated" mop heads for mat surfaces. Wash these mop heads on a regular basis.

Weight Room:

- Wipe down grips on weights and lifting belts at least daily.
- Clean floors, benches, supports, pads, light switches and door pulls/knobs daily.

Sports Equipment:

- Schedule regular cleaning and disinfection for sports equipment: balls (football, basketballs, baseballs, softballs, volley balls, soccer balls), racket grips, bats, etc...
- Avoid using tape to wrap gripping areas of rackets, bar bells etc... as this may provide an environment for germs to thrive.
- Clean and disinfect sports equipment that comes in direct contact with the skin of players, such as wrestling headgear, football helmets, gloves, and pads.

For more detailed information, please refer to the Centers for Disease Control and Prevention (CDC)

CA-MRSA Information for the Public

<http://www.cdc.gov/mrsa/>

NIOSH Safety and Health Topic: MRSA and the Workplace

<http://www.cdc.gov/niosh/topics/mrsa/>

Acknowledgements:

Information was gathered from the Centers for Disease Control and Prevention, National Resource Center for Health and Safety in Child Care and Early Education, Tacoma Pierce County Health Department, the Minnesota Department of Health and the Commonwealth of Massachusetts Department of Public Health websites.

MERCURY AWARENESS AND INFORMATION

Mercury exposure has been a topic of discussion and planning over the past year by multiple state agencies. Events involving mercury spills in schools have prompted our office and other partnering agencies to develop guidelines for your use if a mercury spill occurs in one of your school facilities. These guidelines have been developed by a collaborative effort of the Kentucky Department for public Health, the Kentucky Department of Education, and the Kentucky Department of Environmental Protection in an effort to provide you and your school facilities with a plan of action should such an event occur. Included below are “Public Health Instructions for School Officials Regarding Mercury Spills” as well as a letter of introduction from the collaborative partners that can be used to when supplying this guidance to schools in your area. Also included is the latest memo issued August 1, 2005 from the Cabinet on the “Health Limit for Mercury Exposure”. Again, this information may be helpful to you in dealing with a response to a mercury spill in your area.



ERNIE FLETCHER
GOVERNOR

CABINET FOR HEALTH AND FAMILY SERVICES
DEPARTMENT FOR PUBLIC HEALTH
PUBLIC HEALTH PROTECTION AND SAFETY
275 EAST MAIN STREET, HS2EA
FRANKFORT, KENTUCKY 40621-0001
(502) 564-7398 (502) 564-6533 FAX

JAMES W. HOLSINGER, JR., M.D.
SECRETARY

To: Kentucky School Officials

From: William D. Hacker, M.D., FAAP, CPE, Commissioner
Kentucky Department for Public Health

Gene Wilhoit, Commissioner
Kentucky Department of Education

Lloyd Cress, Commissioner
Kentucky Department for Environmental Protection

Subject: Mercury Awareness and Information:
Public Health Instructions for School Officials during a possible
mercury spill.

Date: April 15, 2005

Dear Kentucky School Officials:

Mercury exposure has been a topic of discussion and planning over the past year by multiple state agencies. Recent events involving mercury spills in schools have prompted our offices and other partnering agencies to expedite development of guidelines for your use if a mercury spill occurs in one of your facilities. These guidelines have been developed by a collaborative effort of multiple agencies (list attached). The guidelines are intended to assist you in identifying potential hazards, isolating potentially contaminated areas and immediate actions related to those who may have been exposed, communicating with responder agencies to get the help you need, and understanding the actions needed to mitigate the problem.

Mercury spills are dangerous and can adversely affect the health of your students and employees and are a very costly event for school systems as well as local, state and federal agencies. Acting quickly and taking a few simple corrective steps can dramatically reduce danger and expense.

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Several statewide efforts are underway to increase awareness of the dangers of mercury. These initiatives will include opportunities for citizens to contact local or state officials and turn in mercury they may possess, such as thermometers, lights, vials of mercury, etc. Our goal is to create education and awareness opportunities so educators and others who are responsible for at risk individuals are better prepared to deal with events. We also hope to reach those at risk individuals and help them understand the danger of retaining or contacting these and other contaminants.

We hope the attached information will provide you and your office a better understanding on how to best respond when a mercury event occurs.

If you have questions, please feel free to contact your local health department, area emergency management official, or the Kentucky poison control office, as they can help you find model response plans, informative web sites, clean up options and model letters to parents, which are being compiled under statewide efforts.

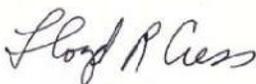
Sincerely,



William D. Hacker, M. D., FAAP, CPE, Commissioner
Kentucky Department for Public Health



Gene Wilhoit, Commissioner
Kentucky Department of Education



Lloyd Cress, Commissioner
Kentucky Department for Environmental Protection

Public Health Instructions for School Officials Regarding Mercury Spills

Instructions for School Officials regarding possible mercury spills:

DO's

- Isolate/quarantine – isolate those students that might have been exposed to the mercury. This is best done in a location outside of the school building (in fresh air) weather permitting. If the students are quarantined inside the school building, do so in a **Non-carpeted** room. Carpets are easily contaminated by the student's shoes and difficult to decontaminate.
- Seal off the contaminated area – this will stop or reduce any expansion of the contaminated population.
 - For large events, shut off HVAC systems (heating and air-conditioning) to minimize the spread of the mercury vapor.
 - For smaller events, open windows in the affected room to increase ventilation to the outside, and closing those in mercury free rooms.
- Stop Foot Traffic – mercury contamination is most commonly spread throughout the school on the shoes of the students (and teachers!). Once contaminated, students' shoes may track the mercury to other previously uncontaminated parts of the school, worsening the situation. A plastic sheet isle runner either through a clean area for the contaminated shoes to traverse, or over a contaminated walkway to prevent adding more shoes to spread the problem. Remember, shorter time and less contaminated material make exposure less dangerous (and the clean up cheaper).
- Remove Contaminated Clothing- Known contaminated clothing should be removed and replaced with clean clothing/shoes. Parents may need to be contacted to provide a change of clothes for students. Contaminated clothing can be double bagged and stored for emergency responders to provide further guidance.

- Contact local officials - including
 - State Environmental Response Spill Reporting Hotline at 1-800-928-2380
(Immediate notification to the State Environmental Response Spill Hotline is required for spill events).
 - 1) Local Health Department at
(_____), for public health information.
 - 2) Local Emergency Management at
(_____), for clean up management.
 - 3) Poison Control Center 1-800-222-1222 - for information on mercury toxicity you can give to parents and staff, for information on treatment, if any, that might be necessary.
 - State Emergency Management Office in Frankfort at (800) 255-2587
 - State Department for Public Health at 1-888-9 REPORT, or 973-7678 after-hours/weekends, or daytime, the Division of Public Health Protection and Safety at (502) 564-7398.

DON'T'S

- Do NOT attempt to vacuum mercury –Mercury evaporates, and the gas is toxic. Vacuuming mercury will volatilize the mercury and spread the fumes faster and farther. And will permanently contaminate the vacuum.
- Do NOT attempt to mop up mercury. This will spread the mercury to a wider location, making it more difficult to clean/remove later.
- Do NOT attempt to sweep up mercury – this may further break up and spread the mercury.

Although mercury is dangerous for many reasons, the primary risk from a mercury spill is from the fumes as the mercury evaporates (volatilizes). Mercury fumes are invisible, odorless, tasteless and are more dangerous in more enclosed spaces.

Prompt action and isolation of the mercury and persons who may have come in contact with it, may make the difference between low exposure and simply isolating a room and a few individuals, or widespread exposure and the need for you to possibly close the entire school.

There may be different levels of contamination that occurs, ranging from a broken thermometer or blood pressure cuff, to a larger volume of mercury potentially from school laboratories or brought in by a student. The recommendations above will apply in most events.

As with any type of emergency, you should take the following proactive steps:

1. Identify – What do you have; confirm
2. Isolate – Exposed site and exposed individuals
3. Treat – Emergency medical actions that can be taken
4. Communicate –
 - a. Internal Notification
 - b. Emergency Agency Notification
 - c. Your Leadership Team
 - d. Parent/Public Communications when/if appropriate
5. Mitigate –
 - a. What you can do while waiting for the responders
 - b. What they will do when they arrive
6. Recovery – Understand the process of getting the “all clear”, before students return to the site (for assistance identifying contractors operating in the state that perform clean up of spills, contact the State Environmental Response spill reporting hotline at 1-800-928-2380). The EPA, Department for Environmental Protection, Emergency Management and State and Local Health Department will advise regarding individual recovery processes.

April 2005

Provided by a collaborative effort of the following agencies:

Kentucky Department for Public Health
Kentucky Department for Education
Kentucky Department for Environmental Protection
Kentucky Department for Military Affairs-Emergency Management
Kentucky Poison Control Center
Lincoln Trail District Health Department
Northern Kentucky District Health Department
Marshall County Health Department



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JAMES W. HOLSINGER, JR., M.D.
SECRETARY

TO: Kentucky Agencies/Partners involved with Mercury Spill response

FROM: Guy F. Delius, R.S., Assistant Director
Division of Public Health Protection and Safety

SUBJECT: Health Limit for Mercury Exposure

DATE: August 1, 2005

The Kentucky Department for Public Health has been in the process of developing a standard for mercury, which would be considered safe for human exposure. This established number, will be Kentucky's guidance for mercury cleanup levels and removal action levels (RAL).

For mercury spills/events in public settings such as schools, hospitals, shopping malls, etc., the level of **1.0 ug/m³ or 1.0 microgram mercury per cubic meter** is considered safe for human exposure. This level is actionable for cleanup levels and removal action levels. This level is based partially on the ATSDR (agency for toxic substances and disease registry) document titled, Suggested action levels for indoor mercury vapors in homes or business with indoor gas regulators.

Regarding an event, readings of 1.0 ug/m³ or less will need to be realized/documented prior to allowing reentry to affected areas.

The following additional guidelines are provided by the United States Environmental Protection Agency Region 4 and are the most current recommendations regarding mercury response. Date provided July 20, 2005.

Air Cleanup Levels and (elemental mercury)

Commercial/Industrial: Cleanup Level of 3ug/m³ and RAL of 3.0ug/m³

This cleanup level is based on the ASTDR document.

Personal Items: Cleanup Levels of 1-10 ug/m³ (Case Specific)

The value for personal items is based on the above referenced ASTDR document. It should be noted that if large items (i.e., couch, chair, mattress, etc.) are involved, the cumulative effect of bringing those items back inside a building may cause the air in the living space to exceed the cleanup level.

Page 2

Vehicles – Buses and private owned vehicles: Cleanup Levels of 1-10 ug/m³ (case specific)

For buses and privately owned vehicles, the levels are based on EPA discussions with ATSDR and the technical practicability of cleanup of vehicles.

Soil RALs and Cleanup Levels (inorganic mercury)

Residential - Cleanup Level of 23mg/kg and RAL of 70 mg/kg

For Reference: This level is calculated from the IRIS reference dose (RfD) of 3×10^{-4} mg/kg/day for mercuric chloride, the same residential exposure assumptions used in the EPA Region 9 PRG table 3, and is based on a HQ level of 1.0. The RAL was calculated from this same RfD and exposure assumptions, but using an HQ level of 3.

Industrial/Commercial – Cleanup Level of 310 mg/kg and RAL of 930 mg/kg

For Reference: This level in soil is calculated from the IRIS RfD of 3×10^{-4} mg/kg/day for mercuric chloride, the same industrial exposure assumptions used in the Region 9 PRG table, and is based on a HQ level of 1.0. The RAL was calculated from this safe RfD and Exposure assumptions but using a HQ level of 3.

All above recommendations assume that all the visible metallic mercury has already been removed or is not present.

This office will be developing guidelines for small mercury spills. These draft guidelines when followed and documented by some commercial establishments such as hospitals and health care facilities, may negate the need for operation shutdowns and/or costly response in some cases. We will keep you posted as we draft these and offer the opportunity for comment.

Thank you for your time and attention to this matter, and please feel free to provide this document to others in your agency which may benefit from the information. Special thanks to EPA region 4 for providing much of the background information. If we may be of further assistance, please feel free to contact me at (502) 564-7398, ext. 3716.

Cc: Local Health Departments
Dr. Kraig Humbaugh (KY DPH)
Henry Spiller (KY Poison Control Center)
Bill Burger (KY EPPC)
David Leo (KY EPPC)
Joe Schmidt (KY EPPC)
Art Smith (EPA Region 4)
Glen Adams (EPA Region 4)
Colleen Kaelin (KY DPH)

Truck or Train Wreck Guidance

Truck and train wrecks can occur at any time. The Health Department's primary responsibility is with haulers transporting foods, drugs, or cosmetics, with a support role being played for wrecks involving hazardous materials. Preplanning for this role prior to such an event is essential. You need to have a notification and support system in place with area first responders before an event occurs. Immediate notification by the first responders to your home or office of the location, time and contents of a wrecked truck or train is critical to your response.

PREPARING FOR THE EVENT:

- Contact local first responders, advise them on the types of wrecks you should be contacted about and establish a notification procedure should an event occur. Provide them with after hours contact information or alternate contact information should you be unavailable.
- Keep available at your home and office contact information, including after hours numbers, for support agencies such as local and state police, Disaster and Emergency Response, USDA, Alcohol Beverage Control, Drug Enforcement and Professional Practices Branch, and State Food Branch Personnel. See attached form.
- Keep a kit of essential items including proper identification, quarantine forms, quarantine tags, contact numbers, and emergency response guidance sheets available in your home and office.
- Such incidents may involve extended periods of time outdoors, so dress appropriately for field work.

INITIAL RESPONSE TO THE EVENT:

- *****NEVER APPROACH DIRECTLY OR ENTER INTO ANY TRANSPORT VEHICLE UNTIL YOU HAVE BEEN GIVEN SAFETY CLEARANCE FROM THE PERSON IN CHARGE OF THE ACCIDENT AND THE TRANSPORT VEHICLE IS UPRIGHT AND SECURED.
- Once notified of the wreck consult the local map for location and potential areas affected. Keep in mind that liquid spills and train wreck may involve other materials that could pose additional hazards to the environment or nearby residents. If potential hazards are present, relay this information to the proper agency.
- Upon arrival at the scene report immediately to the police or person in charge.
- Review the shipping manifest carried by the truck driver or train engineer to determine what products are involved and which rail cars they are in if a train is involved. If the manifest is not available due to destruction or loss during the wreck, officials can typically obtain one by contacting the trucking firm.
- Determine from the manifest if products are involved that fall under dual jurisdiction such as alcohol, drugs, or USDA regulated products. Notify the appropriate agency or contact the Food Safety Branch for assistance in determining jurisdiction.

- Determine from the manifest if products are involved that require temperature control. When the product temperature can not be immediately assessed, record the weather conditions and outside air temperature. This may help later when determining how long product has been out of temperature.

TRUCK OR TRAIN WRECKS INVOLVING REFRIGERATED PRODUCTS:

- If the cargo area is still sealed and there is no visible exterior damage to the transport unit and the refrigeration equipment on the vehicle is still functioning, you may enter the cargo area to check the contents for impact damage such as shifting of cargo, breakage, punctures, dents or leakage of refrigerant or other toxics or fluids. Products requiring temperature control should be randomly sampled to assure that proper holding temperature is being maintained. The temperature and time of sampling should be documented.
- In cases where the refrigeration equipment on the vehicle is not functioning, do not enter the cargo area at that time, to prevent the rapid loss of remaining cooling. Place the entire cargo under blanket quarantine, using Quarantine Form DFS 222, until a refrigerated transfer/salvage vehicle arrives on site. Then you may enter the cargo area and check contents for impact damage, cross-contamination, adulteration and product temperatures before allowing transfer of any cargo.
- In cases where there has been no damage to the transport trailer and the product is free from any evidence of contamination, the product may be immediately released to a representative of the transport company for removal and reentry into commerce as soon as appropriate transport can be secured. Ambient air temperature of any transport vehicles should be assured before allowing release of products.
- Where there is visible exterior damage to the transport unit or when there is damage to the cargo, the health department should do an immediate blanket quarantine of the entire contents, until a full assessment of the damage can be made.

QUARANTINE OF PRODUCT:

- KRS 217.115 of the Kentucky Food Drug and Cosmetic Act gives the agent of the Cabinet the authority to quarantine product which they know or suspect of being adulterated. Proof of adulteration is not required in order to place product under quarantine.
- The Quarantine Notice (DFS 222) should be issued to the owner of the product or to the trucking representative if they are available. If neither is available, the quarantine notice may be issued to the wrecker service or to the person in charge of the cleanup or accident site.
- Depending on the circumstances and location of the accident, quarantined product may be immediately assessed on site for product damage and possible salvage or it may be transported under quarantine to another secure location for further evaluation. Products requiring temperature control should be transported and held under refrigeration during the damage assessment in order to prevent further loss, whenever possible.

Revised 3/20/07

- Whenever quarantined product is being diverted out of county or transferred to another health official's jurisdiction for product evaluation, you should take the following actions to maintain quarantine integrity of transported product.
 - Secure the transport vehicle description, license number, driver's identity, destination (company name, address, telephone number), and estimated time of arrival.
 - If refrigerated transport, check cargo area air temperature to assure safe temperature.
 - Check off quarantined items released for transport on your quarantine forms and add statement that cargo is to remain in the vehicle until released for inspection by health official at the destination site. Give copy to the driver.
 - Seal cargo area of transport vehicle once loading is complete with some method of seal which will indicate tampering and record the truck seal number when it is applicable. When cargo is being transported in an open unit such as by flat bed trailer or dump truck, the inspector should provide the transporter with a copy of the quarantine paperwork, which documents as best as is possible, the items held under quarantine. The inspector may also utilize photos, quarantine tags or tape to further insure the cargo is not altered in route.
 - Notify the health officials at the destination point immediately by telephone and provide the necessary information so that they can meet the transport vehicle upon arrival to its destination. Contact the Food Safety Branch if assistance is needed in locating the health officials.

DAMAGE ASSESSMENT/SALVAGE/VOLUNTARY DESTRUCTION/RELEASE OF PRODUCT:

- See attached damage assessment guidance.
- Once the damage assessment has been made, contents which are not salvageable due to exterior package damage, temperature abuse, adulteration, or possible cross contamination shall be recorded on the Voluntary Destruction Form DFS-222; or held under continued quarantine until an alternate disposal method can be determined which assures the product does not reenter the food supply chain. The exact location and method of disposal and destruction shall be recorded on DFS-222.
- When voluntary destruction action is taken against damaged unsalvageable products, written agreement of the cargo owner, freight carrier or insurer must be obtained before the product is transported to an approved disposal site (waste incinerator, landfill, etc) and before product is destroyed. You, another health official or a law enforcement agent must accompany cargo that is to be destroyed to the destruction site and final destruction must be witnessed.
- Salvaged cargo which meets safe temperature requirements, has no visible damage to contents and has sound container integrity (no leakage, dented seams, or punctures) should be segregated from unsalvageable product and may be released for transfer. Product released from quarantine shall be documented on Form DFS 222 and the party assuming control of the product noted.

COMBINED REFRIGERATED AND NON-REFRIGERATED CARGO SECTIONS:

- Proceed as above for refrigerated section.
- For non-refrigerated sections inspect cargo for leakage, broken containers, punctures, burns, seam dents, adulteration and cross-contamination. Food products in paper or plastic bags should be examined for damage from liquid spillage or other cargo. Check bulk cartons or cases of individual cans, bottles boxes, or bags which may show no exterior evidence of damage for concealed damage. Quarantine all damaged cargo and proceed as above. Release salvageable or undamaged cargo for transfer.
- Note, mixed cargo shipments of food and non-food items, toxic chemicals may be present. Be aware that food or other products may have been contaminated by fumes or aerosols which may not be visually detectable (ruptured aerosol spray containers of pesticides for example). If such contamination is found or suspected, all affected cargo should be segregated. Testing may be necessary to determine contamination. Also use caution with bleaches, ammonia, or other reactive materials which can produce poisonous or explosive vapors.

WRECKS INVOLVING ALCOHOL, DRUGS, MILK OR USDA REGULATED MEATS:

- In truck wrecks involving exclusively USDA regulated product, such as pork, beef, chicken or ratites, the health department should contact USDA and proceed as advised. When USDA cannot be immediately reached for consult, such as after hours, holidays and weekends, the LHD should proceed in a manner similar to that involving other FDA regulated foods.
- Mixed cargo loads containing only portions of USDA regulated products may be handled the same as other FDA regulated food items and may be quarantined, voluntarily destroyed, or released without prior notification to USDA.
- In all wrecks involving co-mingled product loads containing all or portions of USDA regulated products, the health department should notify the Food Safety Branch, so that a courtesy notice may be forwarded onto USDA as soon as practicable.
- In wrecks involving fluid milk as the exclusive cargo, the LHD should contact the Milk Safety Branch and proceed as advised. Milk can be particularly hazardous to aquatic life if it is allowed to enter into a waterway.
- Where the wreck involves alcoholic beverages as all or a portion of the cargo the health department shall place the product under quarantine, however do not release these products for transport or arrange voluntary destruction. Instead, contact the Department of Alcoholic Beverage Control (ABC) as indicated and release such cargo to their agents for their own action. For wrecks that occur after normal business hours, the ABC Officers can generally be notified by contacting the Kentucky State Police.
- The Drug Enforcement and Professional Practices Branch, operates under the authority of Kentucky Food Drug and Cosmetic Act, therefore where the wreck involves drugs as all or a portion of the cargo handle as below:
 - Over-the-counter medications may be handled as any other food item and may be quarantined, voluntarily destroyed or released by the health department personnel without prior notification to the Drug Enforcement Branch. When large amounts of over-the-counter medications are involved, please notify the Food Safety Branch of the actions taken.

Revised 3/20/07

- In wrecks involving controlled substances and prescription medications, the local health department may place the products under quarantine; however they should not release these products for transport or arrange voluntary destruction, but should instead, contact the Drug Enforcement and Professional Practices Branch and release the cargo to their agent for their own action.

HAZARDOUS MATERIAL INCIDENTS:

- The health department should, upon notification of a hazardous materials incident, report the incident to the proper authorities and should evaluate if further involvement by their office is indicated.
- Some local health departments have Hazardous Material Specialists who are actively involved in such incidents. Other health department personnel shall respond to such events only to the level of their training or expertise.

FINAL REPORT:

- Following the conclusion of action taken by the health department, all quarantine notices and other actions shall be entered into the data collection system.
- Local health departments should prepare a brief report of the incident, including a time line of events and actions taken and forward those to the Food Safety Branch.

CONTACT INFORMATION

Kentucky State Police:

Emergency and DUI Hotline 1-800-222-5555

KSP website: <http://www.kentuckystatepolice.org/contact.htm>

County Law Enforcement:

Kentucky Emergency Management:

Operation Desk: 1-800-255-2587

KyEM website: <http://kyem.ky.gov/about/regionalresponseoffices.htm>

Local County Emergency Management Director:

State Food Safety Branch:

Daytime Phone: 502-564-7181

After Normal Business Hrs. contact Food Safety Branch via the KY Emergency Management

Duty Officer at: 1-800-255-2587

Area Food Safety Branch Personnel:

Retail Food:

Food Manufacturing:

Milk Safety Branch:

Daytime Phone: 502-564-3340

After Normal Business Hrs. contact Food Safety Branch via the KY Emergency Management

Duty Officer at: 1-800-255-2587

USDA Contact Info:

USDA –FSIS- OPEEP- 859-233-2539

24 Hour Contact 215-292-7696

USDA-FSIS OFO Meat Inspection 1-800-282-3029

FDA- Cincinnati District

24 Hour Hotline: 301-443-1240

Kentucky Office of Alcohol Beverage Control:

Daytime Offices: 502-564-4850

After Hrs. contact ABC Officer through KSP

Drug Enforcement and Professional Practices Branch:

For Controlled Substances Only

Daytime: 502-564-7985



KENTUCKY FOOD SAFETY BRANCH
TRUCK/TRAIN WRECK INCIDENT REPORT

INCIDENT INFORMATION:

Inspector Responding: Date:
Location of Incident :
Time of Incident:
Time Reported To LHD By Whom:

CARRIER INFORMATION:

Name of Transport Company:
Contact Person:
Address
Address
Vehicle Plate/ID # State
US DOT # Driver's Name:
Driver's License #

TRANSPORT UNIT DESCRIPTION (CHECK ALL THAT APPLY)

Box Trailer - Refrigerated
Box Trailer Non-refrigerated
Rail Car, please specify #
Tanker/Food
Tanker/Hazardous Materials
Other, please specify

Describe:

PRODUCT DESCRIPTION (CHECK ALL THAT APPLY)

Food
Temperature Controlled Product (TCP)
Drugs, please specify OTC or Controlled products USDA
Regulated Product, Only Co-mingled Load
Alcohol
Co-Mingled Product Food/Non-Food
Other

Describe:

Manifest Available Yes No

Temperature of Product & Time

Sampled:

Ambient Air Temperature Where Product Temp. Not Available:



**CABINET FOR HEALTH AND FAMILY SERVICES
DEPARTMENT FOR PUBLIC HEALTH**

Steven L. Beshear
Governor

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Janie Miller
Secretary

**WATER EMERGENCY OPERATIONAL PROCEDURES
FOR RETAIL FOOD ESTABLISHMENTS**
Revised September 2007

During a water supply emergency (W.S.E.), including boil water advisories/notices, chemical contamination, or pressure reduction, water may serve as a source of contamination for food, equipment, utensils and hands. Unsafe water is also a vector in the transmission of disease. Therefore, in order to provide protection to consumers and employees, water shall be obtained from sources regulated by law and shall be handled, transported and dispensed in a sanitary manner.

NOTE: In case of chemical contamination or total loss of pressure, the establishment shall close immediately. When chemical contamination occurs, the establishment shall not reopen until samples, jointly approved by the Cabinet or local health department and the Division of Water, Environmental and Public Protection Cabinet, justify reopening.

WHEN A NON-CHEMICAL W.S.E. OCCURS, THE ESTABLISHMENT SHALL CEASE OPERATING AND NOT RESUME OPERATION UNTIL THE CABINET OR LOCAL HEALTH DEPARTMENT INSPECTOR ASSURES THAT SAFE OPERATIONAL PROCEDURES INCLUDING THE FOLLOWING ARE IN PLACE:

1. **DRINKING WATER:** Use bottled water only; post "DO NOT DRINK" signs, or, disconnect fountains.
2. **ICE** must come from commercially approved facilities outside the affected area. Ice machines that are directly connected to the water systems must not be used. Shut the machine down, and leave the unit off until the water is OK again, then clean and sanitize the unit following manufacturer's suggested guidelines. Make ice for one (1) hour and dispose of the ice.
3. **NO FOUNTAIN DISPENSED DRINKS** – canned or bottled drinks only.
4. **COFFEE AND TEA** shall be made from bottled water, or from water that is boiled for three (3) minutes before brewing or steeping.
5. **TAP WATER** shall not be used as an ingredient in food during a non-chemical W.S.E. unless boiled for three (3) minutes or heated during the cooking process to no less than 160°F for twenty (20) minutes.
6. **FRESH FRUITS AND VEGETABLES** may be used if processed outside the W.S.E. affected area and are washed in an approved manner. Pre-packaged, ready-to-eat salad foods may also be used. In-place spray units and units which periodically spray water on products to maintain freshness must be shut down, and these units may not be used until the emergency has been resolved. Remember to clean and sanitize before use.
7. **SINGLE SERVICE EATING AND DRINKING UTENSILS** may be substituted for reusable dishes and utensils.

8. **FOR HANDWASHING** use heated bottled water or safe water hauled from an approved supply or, use tap water followed by a hand sanitizer. The handwash water shall be dispensed from a container with a spigot.
9. **COOKING UTENSIL AND EQUIPMENT WASHING:** In three (3) compartment sinks – washing, rinsing and sanitizing procedures shall be followed with a chlorine sanitizing solution of 50 to 100 ppm (not to exceed 200 ppm) or other approved chemical sanitizer to be used and mixed in accordance with manufacturer’s guidelines. Sanitizing solution shall be used in the third (3RD) compartment of the three (3) compartment sink. Automatic dishwashers, sanitizing with chemicals or hot water, can continue to be used provided the machine is operated in accordance with manufacture’s instructions.
10. **FOOD CONTACT SURFACES** required to be cleaned in place shall, after cleaning, be sanitized with a solution of chemical sanitizer as described in No. 8 above.
11. After the W.S.E. is officially lifted, any equipment (ice machines, beverage dispensers, etc.) that is connected to the establishment’s municipal supply, shall be flushed, cleaned and sanitized and the municipal water supply allowed to run until clear with a chlorine residual. Any in line filters shall be replaced and the first batch of ice or other product containing water from the affected supply shall be discarded. Follow manufacturer’s suggested sanitizing procedures in operator’s manual.

The health department, in consultation with the Food Safety Branch, may modify or alter the above W.S.E. guidelines as deemed necessary to protect the consumer’s health.

FOR MORE INFORMATION CONTACT _____
(CONTACT PERSON)