



LAMPTON-LOVE, INC.

P. O. BOX 1607 • JACKSON, MISSISSIPPI 39215-1607
Mirror Lake Plaza
2829 Lakeland Drive, Suite 1505 • Jackson, Mississippi 39232
(601) 933-3400 • Fax (601) 933-3420

Date: February 7, 2011
To: All Branch Managers
From: Gene Maddox
Subject: Branch Office Monthly Safety Meeting – February 2011

Company policy requires that each branch office hold a minimum of one safety meeting each month with the documentation of the material covered and the attendance being recorded on the "Monthly Safety Meeting Minutes and Attendance Record" (see attached form). **Please detach this form, fill out and mail or fax a copy to Polly Cox. Please keep the original for your records.**

Note: ONLY the Monthly Safety Meeting Minutes and Attendance Record is to be sent in.

To assist you in complying with this requirement, the following subjects are for your Monthly Safety Meeting, for the month of February 2011. You may add topics, **but please document the following topics:**

1. News Briefs!!! (Bills of Lading: Valuable Proof of Proper Odorization)
(2 pages)
2. Safety Meeting: (Power Take-Off Safety) (2 pages)

It is recommended that you thoroughly read this material prior to your meeting.

It is strongly recommended that you use the 3-ring binder to store all of your "2011 Monthly Safety Meetings"!!! This material may be referred to or used to train new employees. This manual should be kept in an area of the office that is easily accessible to all employees.

Be Smart.... Be Safe and Be Courteous!!!



Gene Maddox
Safety Director
Lampton-Love, Inc.
Office: 800-647-2434 or 601-933-3416
Cell: 662-633-2755
E-mail: gmaddox@lamptonlove.com



PROPANE
EXCEPTIONAL ENERGY

NEWS BRIEFS!!!

(This monthly “column” will include short newsworthy topics, which will serve as a friendly reminder to us all)

BILLS OF LADING: VALUABLE PROOF OF PROPER ODORIZATION

When a propane accident occurs, propane marketers are often named as defendants in the subsequent litigation. This is true even when it appears that the marketer adhered to and followed the applicable codes and regulations.

While each case is different, one constant remains: whether the propane was properly odorized will be a theory of liability considered by plaintiff's counsel. What direction and how successful that theory is often depend on the records created and retained by marketers. Of critical importance in this paper trail are the bills of lading.

Propane is typically odorized at a refinery, processing plant, or pipeline terminal before it is shipped to the bulk plant. Both NFPA 58 and the Department of Transportation (DOT) set safety standards regulating the addition of odorants. Although other odorants may be used, the most commonly used is ethyl mercaptan. NFPA 58 states that one pound of ethyl mercaptan per 10,000 gallons of propane has been shown to produce an effective odorant level. For this reason, propane should be odorized to a level equal to or greater than this recommendation.

The bills of lading associated with a propane gas purchase usually specify the level of odorant that was added to the propane gas. Therefore, these documents are a helpful tool to dispute an improper odorant claim. Also, the bills of lading may be accepted as proof by a Court that the propane was properly odorized which could result in a dismissal of the odorant claim prior to trial.

During discovery, plaintiff's attorneys will seek production of any and all documents to support the marketer's position that the propane was properly odorized. The bill of lading is a potentially self authenticating document that can be produced which proves that the odorant levels were appropriate. For these reasons, marketers should always retain copies of each bill of lading.

The DOT, 49 CFR §177.817, also requires that the bills of lading associated with a propane gas purchase be retained for a period of one year following acceptance by the initial carrier. Since many state's statute of limitations for personal injury and property damage exceeds the DOT's one year mandate, however, marketers should retain copies of the bills of ladings for as long as practically possible. To reduce the amount of physical paper that must be stored, the DOT does permit an electronic copy of the bills of lading to satisfy the retention requirement.

Although the bills of lading will help defend against an improper odorant claim, it should not be used as a substitute for the sniff test. A documented sniff test is required by NFPA 58 (2008 ed.) at Chapter 4.2. The sniff test should always be conducted at the point of delivery or installation and documented by the individual completing the test. The marketer should then ensure that the sniff test document is preserved as a part of its records. The sniff test records, coupled with the

bills of lading, are powerful pieces of evidence that can be used to refute an improper odorant claim.

Marketers will never be able to fully insulate themselves from the potential of litigation. It is an unfortunate part of the propane business. By keeping proper records, however, the chance of a successful defense is dramatically increased. This is not true only for improper odorant claims, but rather virtually all claims marketers may face in a litigation setting. Therefore, accurate and organized recordkeeping should be a vital component of the marketer's practice. Even if a claim never arises, it is always better to be safe than sorry when considering document retention policies.

FEBRUARY 2011 SAFETY MEETING

POWER TAKE-OFF SAFETY

The power take-off (PTO) system on a cargo tank motor vehicle is perhaps the most useful, yet dangerous set of components a driver comes in contact with on a daily basis. A PTO system harnesses the power of the truck engine to drive the truck's fuel transfer pump. This is typically accomplished by a transfer unit attached to the side of the transmission. This transfer unit turns a PTO shaft that 'drives' the transfer pump. The rotating PTO shaft is perhaps the biggest danger to the driver or other person in the area. In this meeting we will discuss the dangers and safety measures all drivers should remember while working around this equipment.

Case Study: A propane transport driver in West Texas made the decision to take a closer look at an operating PTO. His light jacket became entangled and pulled him into the rotating shaft. The shaft instantaneously ripped off his left arm and part of his shoulder. His other arm received compound fractures. He lost almost half his blood volume before he was found in the early morning hours by a deputy sheriff. Miraculously, he survived!

There are two major hazards associated with PTO's, entanglement and mechanical failure.

Entanglement occurs when a person comes in contact with the rotating PTO shaft. A typical PTO shaft rotates between 540 and 1,000 rpm and it only takes 3 seconds to wrap 20 feet of rope! If your hair or a shoe string became entangled you wouldn't have any time to react. It only takes one loose thread or a few strands of hair to start the tragic chain reaction of ugly events to follow. Bruises, contusions, loss of skin and muscle mass, broken bones, scalping and even death can occur when entanglement occurs. PTO entanglement results in some of the most grievous injuries ever encountered in the workplace.

Mechanical failure occurs when some part of the PTO system fails (typically the drive shaft) and either causes personal injury to people in close proximity to the failure or subsequent damage to surrounding components such as the cargo tank. Mechanical failures can occur without injuries but the potential for widespread damage and injuries are magnified if the failure causes a propane leak.

Listed below are some precautions that all drivers and propane employees should take when working around PTO assemblies:

- ❖ Keep a safe distance from the shaft when rotating. Never place any part of your body inside the frame rails of a bobtail during pumping operations.
- ❖ Frequently inspect the condition of the shaft's u-joints, grease them with approved grease compounds according to manufacturer's recommendations.
- ❖ Keep children, animals and other unauthorized personnel away from an operating truck.

- ❖ Be aware of damage that could occur when driving your truck. Road debris could damage PTO components while operating on the highway. Inspect your PTO system prior to engaging it.
- ❖ Listen for odd noises coming from the PTO during operation. Peculiar noises could indicate an impending failure.
- ❖ Follow manufacturer's instructions for maintenance and adjustments.
- ❖ If your PTO shaft is enclosed inside a shielding system never remove it and make repairs as required!
- ❖ Never perform repair operations under the vehicle while the PTO shaft is operating.
- ❖ Never over speed a PTO assembly by increasing engine speed. Over speeding a PTO is dangerous and can damage sensitive components.
- ❖ Check for loose setscrews that attach u-joints yokes to the PTO shaft. Typically, these screws are held in place by safety wires but wires can fail causing the setscrews to loosen.
- ❖ Do not step on or lean over a PTO shaft.
- ❖ Always closely follow the manufacturer's instructions concerning how to engage and disengage a PTO assembly. PTOs that are improperly engaged or disengaged can be damaged, thereby creating a safety hazard and reducing service life.

PTOs provide hours and hours of trouble-free operation. It's very easy to forget just how powerful and even deadly they can become if not treated with the utmost respect. The next time you find yourself working around a PTO take that extra measure of precaution to protect yourself and others around you.

FEBRUARY 2011

MONTHLY SAFETY MEETING

MINUTES & ATTENDANCE RECORD

Company Name: _____

City: _____ State: _____

Date: _____ Time Started: _____ Time Finished: _____

Instructed By: _____ Number Attending: _____

Subject Covered and Comments:

By my signature below, I certify that I attended and participated in this Safety Meeting and I understand the material presented.

Employee Name (Please print)	Employee Signature	License Expires*	Endorsements **	DOT Physical Expires ***
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				
11.				

* List driver's license expiration date in this column.

** Check licenses for proper endorsements and re-testing. (For example: "HazMat") List endorsements in this column.

*** List DOT physical expiration date in this column.

By my signature below, I hereby certify that the employees listed above have been trained in accordance with the applicable regulations and curriculum for this monthly safety meeting.

Instructor's Signature: _____ Date: _____

Mail or fax this sheet only to: Lampton-Love Inc.
 Gene Maddox/Polly Cox
 P.O. Box 1607
 Jackson, MS. 39215-1607
 Fax #: 601-933-3420