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Date: March 7, 2007
To: All Branch Managers
From: Gene Maddox
Subject: Branch Office Monthly Safety Meeting – March 2007

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 it 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 suggested for your Monthly Safety Meeting, for the month of March 2007. You may add topics, but please document the added topics as well:

1. Brief News Briefs!!! (2 pages)
2. Common Sense (1 page)
3. Railroad-Highway Grade Crossings (2 pages)
4. Cargo Tank Remote Shutdown (1 page)

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 "2007 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!!!

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PROPANE
EXCEPTIONAL ENERGY

BRIEF NEWS BRIEFS!!!

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

But I have an excuse for not taking my Random Test: It happens all the time. You tell a driver that he or she has to go for a DOT random test, and the driver claims something came up and he or she can't go at that time. Most supervisors have heard such excuses as child care issues, car trouble, after work and during work appointments, family emergencies and driver illness. Even though some might be legitimate reasons why the driver is not available, the Federal Motor Carrier Safety Regulations (FMCSRs) clearly state that once a driver is notified, he or she must *immediately* proceed to the collection site. To do anything other than that is a refusal to be tested, including finishing a run or other work-related activities, and going later.

The Department of Transportation (DOT) issued the following Interpretation of 382.305 on the most extreme of "unforeseeable" circumstances:

- If a driver has been notified of his/her selection of random drug and/or alcohol testing and the testing cannot be completed because of "unforeseeable obstacles" at the collection site (i.e. collection site closed, collector unavailable when driver shows up, emergency such as a fire, natural disaster, etc.....), what is the carrier's responsibility?
 - ❖ In accordance with 382.305(i)(3) and 382.305(i), each driver selected for testing shall be tested during the selection period; and upon notification of selection for random alcohol and/or drug testing proceed to the collection site immediately. In instances of "unforeseeable obstacles" the driver shall immediately contact the employer's DER for instructions to an alternative collection site. These "unforeseeable obstacles" do not negate the employer's responsibility of ensuring that the required test be administered.
- Defining the situation: It is important that during the issuance of educational materials (382.601) drivers understand the definition and consequences of a refusal to be tested. If they understand that it holds the same ramifications as a positive test, they will be quick to act when told to go to the collection site. There have been some misperceptions by many drivers and supervisors that drivers can go at the end of the shift after they've been told, or that they have an allotted time frame to make it to the collection site such as one hour, two hours, etc. These myths about drug testing should be addressed when a driver enters your program and when a supervisor becomes the designated employer representative.
- Preventative actions: Notifying a driver at the end of his or her scheduled shift could set your driver up for failure. If he or she really has appointments after work or children to pick up, you might find a reliable driver refusing out of necessity, not alcohol or controlled substance use. By notifying the driver during the course of his or her normal working hours, the driver will have no reason to refuse, especially if the notification is early enough that any wait time at the collection site still places the driver within his or her shift. Be sure to check any personal time-off requests before sending the driver. If he or she is leaving for an appointment or is taking a half-day of vacation, etc., it might be wise to set the notification aside and surprise the driver during another shift. You have until the end of the testing cycle to complete the test, so you won't have to feel rushed if

it is early in the period. Another policy that could pose a problem, although allowable under the FMCSRs, is the off-duty drug test notification. If you have such a policy, alerting a driver on a day off or during a lay off or leave of absence could result in a refusal due to the driver's other commitments or lack of personal transportation, child care or so forth.

Dangerous Distractions: According to the National Safety Council, workplace accident investigations reveal that on-the-job distractions are often the cause of personal injury. We've all heard the statistics about cell phones and driving, but what about the intangible distractions?

- **Time:** Don't let the clock determine whether to do a job safely. No deadline is so important that you need to take shortcuts with safety. If you feel pressure to get too much done in too little time, talk to your supervisor about time management techniques.
- **Personal Problems:** Problems with relationships, children or finances are just a few of the things that can keep you from concentrating on your job. Any issue that makes you lose attentiveness (not to mention sleep) is a problem that you need to deal with now. Talk to your employer about counseling, or contact your employee assistance program.
- **The Talker:** Got a gabber next to you? Not only can this person reduce your productivity, but he or she can also put you at risk for injury. Put an end to the talking by stopping what you're doing and then telling the person that you need to concentrate. If the person continues, see your supervisor about resolving the situation.
- **The Bottom Line:** Distractions lead to accidents. Accidents lead to injury. Keep yourself safe by concentrating on the task at hand.

How Your Heart Calls for Help: If you pictured a heart attack, what would it look like? Images of clutching your chest and keeling over from sudden intense pain might come to mind first. But a heart attack does not always look like an emergency. The signs of many heart attacks can be subtle. Some start slowly with only mild pain or discomfort. Knowing these *more common warning signs* could save your life. Most heart attacks involve **chest discomfort**, which may feel like uncomfortable pressure, squeezing, fullness or pain in the center of the chest. The discomfort lasts for more than a few minutes or goes away and comes back.

- Other upper body discomfort may include pain or discomfort in one or both arms, the back, neck, jaw or stomach.
- Shortness of breath can occur before or during chest discomfort.
- Other symptoms include breaking out in a cold sweat, nausea, vomiting, or light-headedness. A heart attack can also easily be mistaken for severe indigestion. Heart attack signs may differ for women. Although the most common symptom for women is chest pain or discomfort, women are somewhat more likely than men to experience some of the other symptoms, particularly shortness of breath, nausea or vomiting, and back or jaw pain.
- Don't wait, for women or men, experts say starting treatment in the first hour of a heart attack is critical. If you even think you're experiencing symptoms, don't take chances. Seek emergency medical treatment right away.

Common Sense

We have all used the term "Common Sense." Most likely when something untoward is explained by saying, "He should have used common sense and this would not have happened." However, common sense, or the lack thereof, is a simplistic way of avoiding the search for the underlying truth. The following are thoughts on common sense that need to be considered.

1. Common sense is not universal. It is the sum of an individual's background, training, education, culture, and experience. No two individuals are alike; therefore, their concepts of common sense are not identical.
2. Even people with good common sense do not know everything. To overcome gaps in knowledge and experience, programs and procedures are tools used to spread collective knowledge.
3. Common sense puts the focus on the most obvious variable when there may be numerous important variables. Common sense narrows the focus and may neglect other subsidiary hazards which can kill.
4. Common sense is not so common. It is lapses in judgment that are common.
5. Common sense is deterministic. It suggests that cause and effect go hand in hand. Which is correct; "We have always done it this way and that is why no one has ever been hurt" or "We are lucky so no one has ever been hurt."
6. Using common sense assumes that hazards are obvious. Hazards are often hidden, difficult to find, and often not discovered until it is too late. A safety system builds in redundant protection. Workers are never in as much control as they think.
7. Common sense safety suggests you can eliminate risks. A safety process acknowledges that you can only manage and minimize risks. – IOMA's Safety Director's Report, May 2002
8. Common sense implies a common body of knowledge about life that virtually any reasonable person of moderate experience has acquired. – Hughes, Ginnett, & Curphy
9. Which is common sense? "Absence makes the heart grow fonder!" or "Out of site, out of mind!"
10. How about "Time is Money, Money Talks, Talk is Cheap."
11. One of the chief services which mathematics has rendered the human race in the past century is to put "common sense" where it belongs: on the topmost shelf next to the canister labeled "discarded nonsense." – Eric Temple Bell
12. Common sense is the collection of prejudices acquired by age 18. – Albert Einstein.
13. If Common Sense is good, what about Horse Sense?
14. Killer Phrases: We tried that before. It's not in the budget. It needs more study. Let's form a committee. That is not our problem. Be practical. – Perry Smith. Also - That is not the way we have always done it. Use common sense.
15. Regulations may not make common sense, nevertheless, compliance is required.

A Job Well done is Inherently Safe

Railroad-Highway Grade Crossings

I would like to make you aware of an accident that happened in Alabama on February 2, 2007 which involved a Blossman bobtail and a train. There was a collision and the bobtail was dragged down the tracks about 300 ft before turning bottom side up and catching fire. The driver was thrown from the vehicle and was later found under the barrel of the truck. He left behind his wife and five children. The train had no physical damage.

The above should remind us that this could happen to us if we do not follow rules and regulations set forth by DOT which states that a CMV must stop at all railroad crossings. Therefore failing to stop at a Railroad grade crossing while operating a CMV is a disqualifying offense. Offenses include:

1. Failing to have sufficient space to drive through the crossing without stopping;
2. Failing to obey a traffic control device or the directions of an enforcement official at the crossing
3. Failing to clear a crossing because of insufficient undercarriage clearance.

Disqualification periods are:

1. First violation – not less than 60 days
2. Second violation within 3 years – not less than 120 days
3. Third or subsequent violation, in separate incidents, within 3 years – not less than 1 year

Please note that employers who knowingly allow violations of railroad crossing regulations can be fined up to \$10,000.

Also please see the attached, SUBPART B – DRIVING OF VEHICLES, 392.10 Railroad grade crossings; stopping requirements taken from the FMCSR hand book.

Question 3: How may the motor carrier determine safe loading when a shipper has loaded and sealed the trailer?

Guidance: Under these circumstances, a motor carrier may fulfill its responsibilities for proper loading a number of ways. Examples are:

- a. Arrange for supervision of loading to determine compliance; or
- b. Obtain notation on the connecting line freight bill that the lading was properly loaded; or
- c. Obtain approval to break the seal to permit inspection.

Question 4: Is there a requirement that a driver must personally load, block, brace, and tie down the cargo on the property carrying CMV he/she drives?

Guidance: No. But the driver is required to be familiar with methods and procedures for securing cargo, and may have to adjust the cargo or load securing devices pursuant to §392.9(b).

§392.9a Operating authority.

(a) **Registration required.** A motor vehicle providing transportation requiring registration under 49 U.S.C. 13902 may not be operated without the required registration or operated beyond the scope of its registration.

(b) **Penalties.** Every motor vehicle providing transportation requiring registration under 49 U.S.C. 13902 shall be ordered out-of-service if determined to be operating without registration or beyond the scope of its registration. In addition, the motor carrier may be subject to penalties in accordance with 49 U.S.C. 14901.

(c) **Administrative Review.** Upon the issuance of the out-of-service order under paragraph (b) of this section, the driver shall comply immediately with such order. Opportunity for review shall be provided in accordance with section 554 of title 5, United States Code not later than 10 days after issuance of such order.

[67 FR 55165, Aug. 28, 2002]

§392.9b [Removed.]

Subpart B — Driving of Vehicles

§392.10 Railroad grade crossings; stopping required.

(a) Except as provided in paragraph (b) of this section, the driver of a commercial motor vehicle specified in paragraphs (1) through (6) of this section shall not cross a railroad track or tracks at grade unless he/she first: Stops the commercial motor vehicle within 50 feet of, and not closer than 15 feet to, the tracks; thereafter listens and looks in each direction along the tracks for an approaching train; and ascertains that no train is approaching. When it is safe to do so, the driver may drive the commercial motor vehicle across the tracks in a gear that permits the commercial motor vehicle to complete the crossing without a change of gears. The driver must not shift gears while crossing the tracks.

- (1) Every bus transporting passengers,
- (2) Every commercial motor vehicle transporting any quantity of a Division 2.3 chlorine.
- (3) Every commercial motor vehicle which, in accordance with the regulations of the Department of Transportation, is required to be marked or placarded with one of the following classifications:

(i) Division 1.1

(ii) Division 1.2, or Division 1.3

(iii) Division 2.3 Poison gas

(iv) Division 4.3

(v) Class 7

(vi) Class 3 Flammable

(vii) Division 5.1

(viii) Division 2.2

(ix) Division 2.3 Chlorine

(x) Division 6.1 Poison

(xi) Division 2.2 Oxygen

(xii) Division 2.1

(xiii) Class 3 Combustible liquid

(xiv) Division 4.1

(xv) Division 5.1

(xvi) Division 5.2

(xvii) Class 8

(xviii) Division 1.4

(4) Every cargo tank motor vehicle, whether loaded or empty, used for the transportation of any hazardous material as defined in the Hazardous Materials Regulations of the Department of Transportation, Parts 107 through 180 of this title.

(5) Every cargo tank motor vehicle transporting a commodity which at the time of loading has a temperature above its flashpoint as determined by Sec. 173.120 of this title.

(6) Every cargo tank motor vehicle, whether loaded or empty, transporting any commodity under exemption in accordance with the provisions of Subpart B of Part 107 of this title.

(b) A stop need not be made at:

(1) A streetcar crossing, or railroad tracks used exclusively for industrial switching purposes, within a business district, as defined in §390.5 of this chapter,

(2) A railroad grade crossing when a police officer or crossing flagman directs traffic to proceed,

(3) A railroad grade crossing controlled by a functioning highway traffic signal transmitting a green indication which, under local law, permits the commercial motor vehicle to proceed across the railroad tracks without slowing or stopping.

(4) An abandoned railroad grade crossing which is marked with a sign indicating that the rail line is abandoned,

(5) An industrial or spur line railroad grade crossing marked with a sign reading "Exempt." Such "Exempt" signs shall be erected only by or with the consent of the appropriate State or local authority.

[33 FR 19732, Dec. 28, 1968, as amended at 35 FR 7801, May 21, 1970; 38 FR 1589, Jan. 16, 1973; 40 FR 44555, Sept. 29, 1975; 45 FR 46424, July 10, 1980; 47 FR 47837, Oct. 28, 1982; 59 FR 63924, Dec. 12, 1994; 60 FR 38746, 38747, July 28, 1995]

March 2007 Safety Meeting

Cargo Tank Remote Shutdown

As you know, bobtail and transport truck drivers alike must be operating cargo tank motor vehicles equipped with remote shutdown capabilities. The purpose of this technology is to remotely shutdown all cargo tank internal valves and truck engine in the event of uncontrolled release of propane downstream of those valves. The purpose of this safety meeting is remind drivers of their responsibilities with respect to this important safety requirement.

DOT Regulations—What They Say...

(n) "*Emergency shut down.* If there is an unintentional release of product to the environment during unloading of a liquefied compressed gas, the qualified person unloading the cargo tank motor vehicle must promptly shut the internal self-closing stop valve or other primary means of closure and shut down all motive and auxiliary power equipment." 49 CFR 177.840 (n)

(o) "*Daily test of off-truck remote shut-off activation device.* For a cargo tank motor vehicle equipped with an off-truck remote means to close the internal self-closing stop valve and shut off all motive and auxiliary power equipment, an operator must successfully test the activation device within 18 hours prior to the first delivery of each day. For a wireless transmitter/receiver, the person conducting the test must be at least 45.72 m (150 feet) from the cargo tank and may have the cargo tank in his line of sight." 49 CFR 177.840 (o).

The regulations are clear in the above two paragraphs; have your remote shutdown available at all times during off-loading and perform daily tests to ensure the truck's shutdown capabilities work as designed.

Helpful Compliance Tips

Listed below are some suggestions/thoughts that should help you in your compliance efforts:

1. Perform a high-quality daily inspection of your truck at the beginning of your shift and immediately afterwards.
2. During your pre-trip inspection, test your remote control at 150 ft. line-of-site from the cargo tank.
3. Mark off the 150 ft. distance in your parking lot. Many drivers measure the distance with a tape measure and hang a sign or flag on a fence post to mark this distance. Its much easier to persuade a zealous DOT official if this distance is marked.
4. It is suggested that this test be documented on your vehicle report. Some vendors like J. J. Keller and Associates have a daily inspection report that documents this test.
5. Keep at least one extra battery in the cab of your truck in case the remote control's battery goes dead.
6. Remember to always have your remote control with you anytime you leave your truck. Drivers have been cited by the DOT on numerous occasions because they didn't have their remote control in their possession.
7. When you do the test, make sure the engine shuts off and all internal valves, including the 1 1/4" valve on the rear head of the cargo tank closes.
8. During your pre-trip inspection always pay attention to the condition of the truck's remote shutdown antenna. These devices are often damaged by trees or other hazards. Replace or repair as necessary.
9. Protect your remote control device from water and the elements. Use a protective cover to protect the unit when you are wearing it or stowing it in your truck.
10. Be careful to protect the remote shutdown components like wires and control boxes that are oftentimes located under or behind the passenger seat in the cab. Tools and equipment can damage these delicate components and render your shutdown system inoperable.
11. If you accidentally drop your remote control immediately test it to determine if it still is in operable condition. If not, replace or repair the unit. Never load or off-load product unless the remote control is inoperable.
12. While loading or off-loading propane have your remote with you at all times. Be prepared to use your remote control to shutdown your truck and close the internal valves at the first sign of problems.

Special Note: Remote shutdown equipment is designed to operate only when the PTO or parking brakes are engaged or both. Here's the issue; you don't want your truck to shutdown as you're traveling down the highway if you accidentally push the shutdown button on the remote control. Also, you don't want to have one of your "friendly" competitors shut you down by using their own remote control if they happen to be on the same radio frequency as your remote, not likely, but possible. Check your remote control for proper operation by trying to shut down the truck when it is idling, the PTO disengaged and the parking brakes released. If it shuts down, the wiring is incorrect on the truck and should be taken in for repairs. Note: some inexpensive shutdown systems cannot be configured as discussed above, check with your truck fabricator if you have questions.

MARCH 2007
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.
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