



Important Message to our fellow Business Owners, Clients and Communities

We are following the latest guidance from the Centers for Disease Control (CDC), the World Health Organization (WHO), local governments, and public health agencies and are prepared to navigate these challenging circumstances with everyone's safety in mind.

Our physical office remains open to continue to serve our clients during this evolving situation. Social distancing protocols, class size limitations, and pre-entry screening will be used as long as they are recommended. We continue to adhere to the following recommendations:

- Capacity is limited to not more than 10 people at a time in one area.
- Our staff disinfects all common surfaces after each class
- Masks may be required when social distancing cannot be maintained
- 1st Aid/CPR courses will require each student utilize their own mannequin. There will be no sharing of supplies of mannequins during class.
- Respiratory fit tests, drug test collections, and alcohol breath collections will be conducted according to the current best practices.

Our sincerest gratitude for your business and the opportunity to serve you. Considering the current global situation surrounding the Coronavirus (COVID-19) pandemic, we wanted to reach out and share the actions [MJS Safety LLC](#) is taking to keep your operations up and running.

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Because information regarding COVID-19 and its widespread effects is ever-changing, articles in this month's newsletter referring to COVID-19 will show the release date of the information. We will do our best to pass along the most current information. However, if an article relates to you or your industry directly, you may want to check for any updates that might affect you.

Here are some of the many helpful Resource links:

- [CDC – Centers for Disease Control](#) – Important info: [COVID-19 vaccine](#)
- [CDPHE – Colorado Department of Public Health and Environment](#)
- [WHO - World Health Organization](#)
- [Water and COVID-19 Frequently Asked Questions](#)
- [OSHA Guidance on Preparing Workplaces for COVID-19](#)
- [OSHA Alert — Prevent Worker Exposure to Coronavirus \(COVID-19\)](#)
- [DOL Resources to help Workers and Employers Prepare for the COVID-19 virus](#)
- [Colorado Works — Temporary Assistance for Needy Families \(TANF\) program](#)
- [Colorado PEAK - Medical, Food, Cash, and Early Childhood Assistance programs](#)
- [Covid19.colorado.gov](https://www.covid19.colorado.gov)



COLORADO
Department of Revenue

Important Updates from the State of Colorado/ Colorado Department of Revenue

Home page for Colorado Department of Revenue – Division of Motor Vehicles - [link](#)

→ Please see the Home page for detailed information on what will be required prior to visiting one of the locations. Here's the [link](#) for complete details.

▶ [Training Summary / Class Schedule](#) • TRAINING CENTER - 1760 BROAD ST, UNIT H, MILLIKEN, CO 80543 • [read more...](#)

→ **Distance Learning & Video Conference classes:** *We are excited to announce that PEC will be allowing us to temporarily offer Safeland and the PEC H2S Clear courses via video conferencing until the end of May. We are also able to offer the 1st aid/ CPR classes with an online blended learning option, and remote skills verification – as well as our In-House H2S Awareness Course. Ask about other distance learning opportunities for more information.*

→ **Video Conference Courses Must Be Scheduled Separately and Are Available Upon Request.**

OSHA / CONSTRUCTION NEWS SUMMARY

▶ **COVID-19 Q&A** [read more...](#)

▶ **Visit OSHA's COVID-19 Frequently Asked Questions page...** [read more...](#)

▶ **OSHA's Recordkeeping Requirements During the COVID-19 Pandemic**

OSHA has issued temporary enforcement guidance related to the COVID-19 pandemic for [Recording and Reporting Occupational Injuries and Illnesses](#) required under *29 CFR Part 1904*. [read more...](#)

▶ **OSHA's National Safety Stand-Down To Prevent Falls in Construction – May 3-7** [read more...](#)

▶ **The Seven Steps of Confined Space Rescue**

When working in confined spaces, an important question for safety professionals to consider... [read more...](#)

▶ **Legal Case Involving Utility Hit that WAS Marked by 811**

Each year Colorado 811 observes and celebrates April as National Safe Digging Month [read more...](#)



▶ **Emergency Standard and National Emphasis Program on COVID-19**

Although there has been anticipation of an emergency standard for COVID-19 by OSHA, there is no standard at this time... [read more...](#)

▶ **How to Properly Fit and Adjust a Fall Arrest Harness**

In order for a personal fall arrest system to effectively protect workers in the event of a fall, it's critical that the harness fits properly and is worn as intended. [read more...](#)



▶ **New York Legalizes Recreational Cannabis**

On March 31, 2021, Governor Andrew Cuomo of New York signed into law S00854, also known as the "Marihuana Regulation and Taxation Act" ([The Act](#)), legalizing adult-use cannabis in the state. [read more...](#)

▶ **Counterfeit Respirators**

Federal agents have seized more than 10 million fake 3M brand N95 masks in recent weeks... [read more...](#)



▶ **When Should You Replace Your Personal Protective Equipment?**

On dangerous or risky job sites, and within certain environments, personal protective equipment (PPE) must be worn at all times. [read more...](#)



▶ **Lone Worker Risk Management: Apply the 4 Ps**

Whether you are working for a large corporation with thousands of employees or a small business contractor with a handful of employees, there are times that will require employees to be lone workers. [read more...](#)

▶ **Remote Project Sites Require Comprehensive Emergency Response Plan**

Construction, mining, oil and gas drilling, and even some scientific and technical experimental ventures often place heavy industry and inherently hazardous work in locations far from conventional emergency response. [read more...](#)

look what else is new @ MJS Safety...

ENVIRONMENTAL NEWS SUMMARY

▶ **Southern Ute Reservation could get a Zero-Emission Power Plant that Runs on Fossil Fuels** [read more...](#)

▶ **Reduce Your Chemical Footprint...** [read more...](#)

TRANSPORTATION NEWS SUMMARY

▶ Annual Roadcheck Inspection Blitz to Focus on Lighting, HOS Compliance

The annual 72-hour **International Roadcheck** inspection blitz will be held May 4-6... [read more...](#)



▶ July's Operation Safe Driver Week looking for speeders

This year's **Operation Safe Driver Week** will be held July 11-17 [read more...](#)

▶ DOT HM-181 Requirements: *Are You in Compliance?*

As a safety professional, it is difficult to keep up with changing OSHA regulations... [read more...](#)

▶ Six Years of Inaction on Hair Testing is Six Years Too Many

On June 25, 2015, a truck driver with methamphetamines in his system collided... [read more...](#)

▶ Recent Report on Rest Areas Criticized by Truck Stop Group

A report that suggests a longstanding prohibition on commercial services at interstate rest areas should be lifted is being opposed by a group representing private truck stops. [read more...](#)

▶ Speed Limiters, Crash Avoidance Systems Among NTSB's 'Most Wanted' Safety Improvements

Five highway safety-related items are included on the NTSB's updated "Most Wanted List" of transportation safety recommendations... [read more...](#)



▶ Recruiting Vets for Trucking Tech Jobs Takes Effort, Dept. of Labor Rep Says

Recruiting military veterans for maintenance positions in trucking fleets' repair shops is an oft discussed industry goal... [read more...](#)

▶ FMCSA Warns of Companies Posing as Official Agencies

Federal Motor Carrier Safety Administration officials posted a warning to truckers on April 8 to be aware of "predatory" companies that pose as government agencies. [read more...](#)



▶ Truck Parking Legislation Introduced in US House

The **Truck Parking Safety Improvement Act** aims to ameliorate a shortage of available parking nationwide. [read more...](#)

MSHA NEWS SUMMARY

▶ Summer Is Coming - Prepare To Mine In The Heat – Three Steps To Take Now

In the mining industry, equipment must perform in some of the world's toughest conditions, whether at the surface or underground. [read more...](#)



MONTHLY SAFETY & HEALTH TIP NEWS SUMMARY

▶ Traumatic Brain Injuries: *Prevention Measures Every Employer Should Take to Protect Workers*

BIAA says traumatic brain injuries occur almost three million times a year with extensive long-term risks attached. [read more...](#)



MJS Safety OFFERS DRUG & ALCOHOL TESTING
to comply with DOT/FMCSA, PHMSA & Non-DOT requirements.

We offer an in-house drug testing consortium pool with customer service that cannot be beat.

We also provide assistance with 3rd party Drug Testing Compliance Auditing through NCMS, TPS Alert & Veriforce, as well as DISA account management.

“Training Spotlight”

(there will be a different course featured monthly)

OSHA 10 OUTREACH HOUR FOR GENERAL INDUSTRY OR CONSTRUCTION

The OSHA 10 Hour course is designed to cover hazard recognition and mitigation for employees in General Industry and Construction. Both courses cover the INTRODUCTION TO OSHA and other specified required course content of the current OSHA OUTREACH GUIDELINES. Upon completion students receive a Department of Labor OSHA Outreach card. This class is for 10 contact hours, not including lunches and breaks. Per OSHA guidelines this class must be a 2 day course with no more than 7.5 hours in one day. There is a 3 person minimum for the class per OSHA's current guidelines. This course requires a minimum of 3 people to conduct.

For all of our Course Offerings visit the [MJS Safety website](#)

► **MJS Safety also offers custom classes to fit the needs of your company** ◀

SOURCES FOR THIS ISSUE INCLUDE:

- OSHA
- FMCSA
- USDOL
- ISHN
- Overdrive
- CCJ
- NUCA
- OHS
- ttnews
- CPR News
- EHS DailyAdvisor
- OccuSafe
- BIA of America
- Rock Products
- American Society of Safety Prof.
- ASSP
- Miller Nash
- Graham & Dunn
- PK Safety
- Royce McCammon
- EHS Mgmt.
- Colorado 811

Schedule of classes May 2021: • **TRAINING CENTER - 1760 BROAD ST, UNIT H, MILLIKEN, CO 80543**

• **SEE [MORE INFORMATION](#) FOR Distance Learning & Video Conference classes**

- ***PEC Safeland Basic Orientation: May 7, 18, 27; 8 – 4:30;**
This class is available through video conference instructor led distance learning through 6/30/2021 - only upon request
- ***First Aid/CPR/AED/BLOODBORNE PATHOGENS (We offer MEDIC FIRST AID): May 14; 8 — noon;**
This class available for blended learning (online) with remote or in-person skills assessment
- ***Hydrogen Sulfide Awareness [ANSI Z390 -2017 Course]: May 14; 12:30 – 4:30;**
This class available via Instructor Led video conference

[**For any last minute schedule updates, go to www.mjssafety.com**]

► **NEED ANY OF THESE CLASSES IN SPANISH? CONTACT carriejordan@mjssafety.com TO SCHEDULE TODAY** ◀

To sign up for one of these classes, or inquire about scheduling a different class
Call Carrie at 720-203-4948 or Jeremy at 720-203-6325

— FEATURED TRAINING PROGRAMS —

- Safeland Basic Orientation
- Hydrogen Sulfide Awareness
- First Aid/CPR
- OSHA 10 Hour for General Industry or Construction
- Confined Space for Construction
- Competent Person for Excavations
- HAZWOPER 8, 24 & 40 hr Courses

Order
First Aid & other Safety Supplies
www.mjssafety.com
Jeremy
720-203-6325
Carrie
720-203-4948

Unable to attend a class?

MJS Safety offers multiple “[ONLINE TRAINING COURSES](#)”

including
OSHA Construction, General Industry, Environmental, Hazardous Waste Public Safety, DOT, Human Resource, and Storm Water & ISO

or you can

Need Help With

- ISNetworkd
- PEC/Veriforce
- NCMS
- Avetta/BROWZ
- TPS ALERT

CALL US!!!

Schedule training at our Training Center in Milliken... or On-Site at your facility



OSHA / CONSTRUCTION

COVID-19 Q&A



Will employers have additional time to complete annual training requirements because of mandated social distancing and other restrictions enacted during the coronavirus pandemic?



OSHA issued [interim guidance](#) on using discretion in enforcement when employers make good faith efforts to comply with OSHA standards during the pandemic.

▶ **MJS Safety can help guide you through the requirements. Call us!** ◀

Visit OSHA's [COVID-19 Frequently Asked Questions page](#)

(questions are grouped by topic)

OSHA's Recordkeeping Requirements During the COVID-19 Pandemic

OSHA has issued temporary enforcement guidance related to the COVID-19 pandemic for [Recording and Reporting Occupational Injuries and Illnesses](#) required under *29 CFR Part 1904*.

For more information see the [Enforcement Memoranda](#) section of OSHA's [COVID-19 Safety and Health Topics page](#).

May 3 - 7 — OSHA's 8th Annual National Safety Stand-Down To Prevent Falls in Construction

As new data shows, falls continue to be the number one cause of workplace fatalities in construction. The most recent data from the Bureau of Labor Statistics shows that between 2018 and 2019, fall fatalities in the industry increased from 337 to 413, which makes it more important than ever to re-focus on fall hazard awareness and the prevention of falls, particularly as employers and employees continue to deal with the COVID-19 pandemic.

OSHA has scheduled the eighth annual [National Stand-Down to Prevent Falls in Construction](#) for May 3-7, 2021. OSHA encourages construction employers and other stakeholders to join the event to promote awareness and training to address one of the industry's most serious dangers.

A **Safety Stand-Down** is a voluntary event for employers to talk directly to employees about safety. Any workplace can hold a **Stand-Down** by taking a break to focus on "*Fall Hazards*" and reinforcing the importance of "*Fall Prevention*".

Employers of companies not exposed to fall hazards, can also use this opportunity to have a conversation with employees about the other job hazards they face, protective methods, and the company's safety policies and goals. It can also be an opportunity for employees to talk to management about fall and other job hazards they see.

"Workers suffer serious and fatal injuries from falls and have a devastating impact on families and businesses," said Principal Deputy Assistant Secretary of Labor for Occupational Safety and Health James Frederick. "This important collaboration with the construction industry encourages employers to learn how to better control fall-related hazards and improve their safety and health programs."

Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful workplaces for their employees.

OSHA's role is to help ensure these conditions for America's working men and women by setting and enforcing standards, and providing training, education and assistance.

The Seven Steps of Confined Space Rescue



When working in confined spaces, an important question for safety professionals to consider is what to do if someone becomes injured, incapacitated or trapped in a space and has to be rescued.

The steps below will help guide safety professionals through preparing for and executing a confined space rescue in a timely manner.

1. Conduct rescue drills

One of the best ways to prepare is to practice. There are many theories about the best practices for confined space rescue and rescue drills allow OSH professionals to put those theories to the test.

Rescue drills provide personnel the experience of working through different scenarios in order to familiarize themselves with situations they could encounter in confined spaces. Conducting rescue drills helps prepare teams for working in confined spaces, and when necessary, rescuing coworkers.

2. Understand that rescues fall into two categories

There are time-sensitive and non-time-sensitive rescues. Time-sensitive or “emergency” rescues typically involve oxygen-deficient atmospheres where there is a small window of time, typically six minutes, to get someone out.

An example of a non-time-sensitive rescue would be a situation in which someone falls and breaks an ankle going into a confined space. In these types of circumstances there are sufficient O₂ levels and, therefore, the rescue is not as time-sensitive and can be conducted without the use of supplemental oxygen.

Understanding both types of rescues helps safety professionals develop strategies for implementing and executing an appropriate response.

3. Make every entrant wear a full body harness

Of all the equipment involved in confined space rescue, perhaps the most important is the full body harness. Many rescues require lifting equipment to remove a person from a confined space, and that lifting equipment will need to attach to a full body harness.

The harness plays an important role in both vertical rescues to help lift a worker out of a space, and horizontal rescues to help place the worker on a stretcher or rescue board.

Without a full body harness, rescues can become much more difficult and time-consuming. Workers do not want to have to place a full body harness on an inert body, particularly if it is a time-sensitive rescue.

4. Survey confined spaces for rescue

Rescuing someone in a timely manner requires an in-depth knowledge of the parameters of the confined space. Depending on the configuration and location of a space, the OSH professional may need to adjust the rescue strategy.

In the chemical industry for instance, the traditional tripod used to lift workers out may not be feasible in all confined spaces. As such, anchor eyebolts may need to be installed over the confined space entry points for vertical rescues. Surveying beforehand will help determine the proper tools and techniques for working within a confined space, and getting someone out in a rescue situation.

5. Survey openings

Along with surveying confined spaces, it's also important to survey and assess openings. Some may think that a rescue person with a self-contained breathing apparatus (SCBA) can fit into any confined space, and/or be able to move freely within it. In many instances, that is not the case.

Surveying openings provides an assessment of how much room workers and/or rescuers will have to enter a confined space, and what types of equipment they will be able to bring with them.

6. Meet with local authorities about rescue capabilities

It is important to remember that it is not always possible to rely on 9-1-1 for a confined space rescue solution. Depending on the situation, authorities may not have the manpower or capability to perform a rescue.

Understanding the capabilities of local authorities helps safety professionals develop rescue plans suited to each particular situation. If local authorities are not able to assist, the OSH professional must adjust accordingly to ensure that the proper personnel are in place to respond to an emergency.

7. Have a rescue team

In many rescue situations, workers think that they can hook a person up to the line on the rescue winch and don't need a rescue team. While this strategy might work in situations where someone goes straight to the bottom of a confined space and does not move, those types of incidents are rare. Furthermore, if there is more than one entrant, that strategy is not feasible.

Safety professionals need to ensure that they have fully equipped and trained confined space rescue team (CSRT) ready to respond in an emergency situation. Regardless of the confined space or opening, a rescue team needs to be prepared and ready to respond in a timely manner if someone is injured, trapped or incapacitated.

CSRTs could be qualified members of an employer's own team, local emergency response or an outside contractor. The team's makeup will depend on several factors including budget, local resources and the availability of qualified personnel.

ANSI/ASSP Z117.1-2016 provides minimum safety requirements for entering, exiting and working in confined spaces at ambient atmospheric temperature. The purpose of Z117.1-2016 is to establish minimum requirements and procedures for the safety and health of employees who work in and in connection with confined spaces. ([Purchase a copy](#) of ANSI/ASSP Z117.1-2016)

MJS Safety can provide **Confined Space Rescue Training — Stand by Services — Equipment Rental**

Give us a call!!

A Legal Case Involving Utility Hit that WAS Marked by 811



Each year Colorado 811 observes and celebrates April as National Safe Digging Month. This year Colorado 811 and the [Underground Damage Prevention Safety Commission](#) partnered with the state and Colorado Governor Jared Polis to secure a [Proclamation \(pdf\)](#) declaring April as Safe Digging Month.

Washington state strengthened its "Call Before You Dig" laws about five years ago to create a much stricter regime, with significant penalties for property owners, utility providers, and contractors that fail to comply with its requirements. And now they've got one of the first published decisions under the new regime, which holds that the new Call Before You Dig law creates strict liability for violations.

In this case, an excavator struck a power line, the utility sought to hold it liable, and the excavator sued the owner, claiming that the owner had misrepresented the location. The plaintiff excavator had called 811, and did have the utilities located and marked, but claimed that it had relied on Federal Way's assurances that the power lines had been relocated, and so sought to have Federal Way pay for the damages.

The court of appeals agreed that the undisputed evidence showed that the excavator had performed its work within the tolerance zone of the utility locator's marking (i.e., too close to the surface markings). The excavator argued that under the Call Before You Dig law excavators have only a duty of reasonable care, and that the excavator had exercised reasonable care when it relied on Federal Way's representation about the utility lines being relocated, which led the excavator to dig too close to the boundaries marked by the utility locator.

The court of appeals agreed that excavators always have a duty to exercise reasonable care under [RCW ch. 19.122](#), but held that the statute also sets forth certain actions that excavators "must" take in order to meet that standard of care. As set forth in the statute, an excavator must (1) determine the precise location of underground utilities that have been marked (by a utility locator or the owner), (2) plan the excavation so as to avoid damage or interference with the underground utilities, and (3) provide subjacent and adjacent support for the utilities as may be reasonably necessary [RCW 19.122.040\(2\)](#). The court of appeals held that "if an excavator damages a marked utility line because of its failure to determine the utility line's 'precise location,' then the excavator has, by definition, failed to act with reasonable care."

Essentially, the court of appeals says that once the utility corridor is marked on the surface, it is up to the contractor to figure out just where the utilities are and make sure that they don't get damaged. On the bright side (for the contractor facing strict liability), the court of appeals found that despite Federal Way's reliance on the Call Before You Dig statute to defend itself (which statute also says an award of attorney's fees to the prevailing party is mandatory), the contractor had sued only for breach of contract, and the contract required each party to pay its own attorney fees in that instance. So, the court of appeals vacated Federal Way's \$22,000 judgment for attorney fees against the contractor.

Before You Dig, call [811](#), and click on your state for guidance.

Emergency Standard and National Emphasis Program on COVID-19

April 2021 - Although there has been anticipation of an emergency standard for COVID-19 by OSHA, there is no standard at this time and there are no plans to publish a temporary standard in the near future. With a new administration and OSHA director, Joseph Hughes, Jr. in Washington, there may be progress in that direction. Meanwhile, OSHA has started a [National Emphasis Program \(NEP\)](#) which went into effect on March 12, 2021. A NEP is used by OSHA to temporarily focus their resources, including inspections, on a particular safety and health issue or high hazard industry.

Although there is no specific standard, OSHA has used the Personal Protective Equipment standards to assess employee exposures to COVID-19 along with the "General Duty Clause," which requires employers to furnish to each worker "employment and a place of employment, which are free from recognized hazards that are causing or are likely to cause death or serious physical harm." In a recent case, OSHA fined a tax preparation company \$136,000 for forbidding employees from wearing masks. It also provides many resources such as the just released "[Protecting Workers: Guidance on Mitigating and Preventing the Spread of COVID-19 in the Workplace](#)".

For those employers who want specific requirements, some state OSHA programs have published their own COVID-19 standards which may be useful, although not required by other states. Cal/ OSHA has an emergency temporary standard that requires a written COVID-19 program. It includes a system of communicating information to employees, symptom reporting system, procedures to accommodating employees with medical or other conditions, access to testing, and hazard communication.

The standard also calls for the identification and evaluation of COVID-19 hazards, investigation and response to illness cases, correcting unsafe or unhealthy conditions, work practices, policies and procedures in a timely manner, effective training, physical distancing, face coverings, engineering and administrative controls, personal protective equipment, reporting and recordkeeping, temporary exclusion of infected employees, and return to work. Cal/ OSHA also provides a model COVID-19 program.

Although OSHA has been absent in providing a temporary standard for COVID-19, there are state OSHA programs that have done so. Employers who want start or continue efforts to protect their workers should use these [important resources](#).

➤ Be well, be smart, be 6 feet apart! ⬅

How to Properly Fit and Adjust a Fall Arrest Harness



In order for a **personal fall arrest system** to **effectively protect** workers in the **event of a fall**, it's **critical** that the **harness fits properly** and is worn as **intended**. In support of the **OSHA-NIOSH-CPWR Campaign to Prevent Falls and National Safety Stand-Down** on **May 3-7, 2021**, CPWR partnered with the **National Roofing Contractors Association (NRCA)** to provide an **educational webinar** on this topic. If you **missed this 30-minute presentation** on **April 28th at 1 p.m.**, here is **information** that will be **helpful**.

Wearing and adjusting a fall arrest harness is an **important part** of your job if you **plan on working** above **ground level**, such as on the **side of a tower**, ledge, or **elevated platform**. Everyone on your **team** should feel confident about **putting on** and **adjusting their harness** to prevent **accidents and falls on the job**. Knowing how to **properly adjust a harness** will also help your **team stay comfortable**, so they can **do their jobs** safely and **efficiently**.

Learn more about basic fall protection safety and how to properly attach and adjust a fall harness.

Finding the Right Fall Arrest Harness

The first step is to find a fall harness that suits the needs of you and your employees. Using poorly made or ergonomically incorrect equipment may leave your employees vulnerable on the job. They may have trouble adjusting their harness, which can lead to uncomfortable working conditions and potential safety hazards. The harness should be easy to use and fit comfortably over the body, so your employees can focus on the task at hand.

Wearing and Adjusting the Harness

1. As a first step, grasp the harness by the back (dorsal) d-ring, and give it a good shake. Make sure that the straps are hanging straight, and that the harness is right side up.
2. To start, put your arms through the shoulder loops and leg straps. Make sure both shoulder loops are vertical and spread out evenly across the chest.
3. Attach the waist belt by inserting the male connector into the female connector. Do the same for each of the shoulder straps.
4. All straps should be snug and pulled tight. Adjust the straps until the harness fits comfortably on the body. Make sure both leg straps have been secured properly.
5. Once you're wearing the harness and all buckles have been attached, stand up and try moving in any direction. The harness should feel centered and snug without limiting your range of motion.
6. If there are any loose straps or buckles, use keepers or tie-down straps to keep them secure and out of the way, otherwise, these straps may get caught in moving parts or machinery.

You **should never walk** around with your **buckles** or straps **undone**. There's **always a chance** you could **forget to reattach** your buckles or **straps**, leaving you **vulnerable** in the air. If you **notice one** of your **colleagues walking** around with their **harness not fully attached**, remind them to **buckle up**. Finally, **attach your harness** to your **lanyard** and an **appropriate anchorage** point. According to **OSHA**, all **anchorage points** must be **able to support** at least **5,000 pounds**.

To **improve fall safety**, have your **team practice putting on and adjusting** their **safety harnesses**. If anyone **has any questions** or something **doesn't feel right**, encourage them to **speak up** before sending them **up in the air**.

MJS Safety performs **fit-testing** for **Fall Arrest Harness Systems** as well as **Respirators**. We're here to make sure you have everything you need to keep your team safe on the job. **Give us a call!!**

New York Legalizes Recreational Cannabis

On **March 31, 2021**, Governor **Andrew Cuomo** of **New York** signed into law **S00854**, also known as the "**Marihuana Regulation and Taxation Act**" ([The Act](#)), legalizing **adult-use cannabis** in the state.



Law **S00854** has **required employers** to become **familiar with**, and **implement the guidelines** under "**The Act**" as it **pertains to their company and employees**.

The **states that have previously legalized marijuana** are **Alaska, Arizona, California, Colorado, Illinois, Maine, Massachusetts, Michigan, Montana, Nevada, New Jersey, Oregon, South Dakota, Vermont, and Washington**.

It's **important to point out** that even in **states where pot is legal**, there are **several laws** about **how much you're allowed to carry on you, keep in your house, and transport** — obviously, **DUI's** come with **their own set of legal consequences**.

But there are **important differences**: Some states, like **Vermont**, allow **only growing** in the home, **whereas others, like Washington**, do not **allow for home-growing of cannabis plants** except for **special circumstances**.

MJS Safety would like to **remind, and encourage companies** to **revisit their drug testing policies** and how the **laws in their state** affect them.

Counterfeit Respirators

Federal agents have **seized more than 10 million fake 3M brand N95 masks** in recent weeks, the result of an **ongoing investigation** into **counterfeits sold** in at **least five states** to **hospitals, medical facilities and government agencies**.



The **most recent seizures** occurred **recently** when **Homeland Security agents** intercepted **hundreds of thousands of counterfeit 3M masks** in an **East Coast warehouse** that were set to **be distributed**, officials said.

Read a **very informative guide** that was put together for **health care workers ...**

Fake Face Mask Guide for HPAE Members

Visit the [3M website](#) for more information. See the **3M Counterfeit Mask Alert** ([pdf](#)).

When Should You Replace Your Personal Protective Equipment?



On dangerous or risky job sites, and within certain environments, **personal protective equipment (PPE)** must be **worn at all times**. It makes **perfect sense**, because the **gear** is designed **specifically** to **mitigate severe** or **fatal accidents**. **Helmets**, for example, **protect** the head from **falling objects**, overhead fixtures, and **much more**.

Some other **notable PPE items** include **eyewear**, steel-toed or **reinforced boots**, gloves, **face shields**, respiratory **equipment**, and high-visibility **vests**. While some of these **may not necessarily** expire, all **protective gear** must remain in **top-notch** and safe **working condition**.

Rips or **tears** in gloves are **going to render** them **useless** when working with **dangerous chemicals** or materials. Therefore, the **gear** must be **regularly inspected** and replaced, if and **when failures** or damage are **discovered**.

Unfortunately, **identifying** the **replacement period** isn't always **straightforward**. Some gear **may not show** visible **damage**, even when the **time is right**.

How to identify the right time to replace PPE

As mentioned, it may not always be possible to see when gear needs to be replaced on the surface level. Replacing it too early would mean wasting gear and financial losses from paying for the new equipment. Replacing it too late could mean injuries or even death for the involved workers. Here are some tips on choosing the right time.

Establish inspection protocols and standards

The first step is to either assign a few workers specifically for PPE inspections or to delegate the work to each individual on the team — every person is responsible for their equipment, in other words.

Then, you must define an audit period, whether that's before a shift starts every day or night, or before the gear is doled out.

Inspectors should follow a standard process to identify potential damage and failure points. If and when a negative factor is found, the gear should immediately be taken out of circulation. Bear in mind, it's necessary to have extra replacement gear on hand for when this inevitably occurs.

Here's what inspectors should be looking for:

- Discoloration or material degradation
- Rips, tears, holes, cracks, indentions, or visible damage
- The age of the gear compared to the manufacturer's expiration date
- How many owners the gear has had
- Missing components such as fuel, filters, or other resources
- Failing straps, locks, adapters, or security devices

Don't forget that items that have been in storage for a long time may have deteriorated, even if they were not used often. This is common with certain types of gear, including fall protection equipment.

Create a PPE grading system

By establishing a grading system that applies to all PPE, you and your team can instantly discern the conditions of said gear.

Always set a threshold for when the equipment needs to be replaced. If a helmet is inspected and defined as "Grade C," for instance, it might be necessary to replace it until it can be fixed. It may otherwise need to be disposed of.

Moreover, certain grades and conditions should be relegated to various job sites, tasks, and environments. At a site where gloves are optional, lower-grade gear may be acceptable to use. On a major project site where objects and materials are constantly in motion and headgear is critical, higher grades must always be used.

BYO vs. official-issue PPE

Was the equipment supplied personally, or was it issued from company inventory? This may seem insignificant, but it does play a role, especially during inspections.

Personal gear may leave the job site, and workers may take it home with them or potentially use it elsewhere. Officially issued gear may be kept on-site or in company-owned storage and divvied out before work starts. Official gear may also go back and forth with the workers, which poses another series of potential issues. Worse still, official gear may wear faster depending on how it's treated.

The scenario and source both need to be identified and factored into the inspection and standards process.

Refer to OSHA Guidelines

For certain equipment, like safety harnesses and helmets, [OSHA has requirements](#) regarding inspection, handling, and acceptable condition. Make sure you and your team understand what those requirements are, and ensure they are met at all times. At the very least, some of the guidelines can be incorporated into your inspection and replacement process.

Take action after an incident

Whether the employee is hurt or not, if there is an incident, the affected equipment should almost always be replaced. Under rare circumstances, it may be possible to retain the gear after a close inspection, but it depends on the incident.

If a heavy object falls on a worker's helmet, for example, it should be replaced. After such an impact, the materials may be compromised even if there's no visible damage.

Don't forget about stationary equipment

Personal protective equipment doesn't just come in wearable form. It may also be stationary. With heavy machinery and volatile systems, workers may remain behind a protective shield. These are often overlooked even when they show signs of significant wear or damage. Inspect, repair, and replace stationary protective equipment just as you would wearables.

Consistency is key

A lapse in judgment is often what results in a mistake or accident. The same is true for equipment. It may seem like a hassle, having to inspect or replace gear constantly, but it's much better to be safe than sorry, especially when there are lives on the line.

Encourage your crews, managers, and everyone working at a site or facility to remain vigilant. They should be wearing the necessary gear at all times. Their gear should always be inspected before a shift or major project starts. It should be replaced if it's damaged or compromised. It should also be replaced when there is an accident.

If these guidelines are followed, you'll know exactly when personal protective equipment needs repair or replacement.

Lone Worker Risk Management: Apply the 4 Ps



Whether you are working for a large corporation with thousands of employees or a small business contractor with a handful of employees, there are times that will require employees to be lone workers. During these times, a lone worker must make many decisions to successfully complete a task on time. To work safely, these employees need to assess the degree of risk and determine the best course of action to mitigate that risk.

Lone worker risk management (LWRM) is a systematic approach used to consistently determine the best response to a given set of circumstances. An employee's intentions are based on this approach. LWRM is about gathering information, analyzing it, and making decisions, which aren't as straightforward as an apprenticeship, or skill set training. Learning how to anticipate a situation and react in myriad types of situations while working may be the most challenging sequence a lone worker encounters during tenure.

The Four Ps

LWRM sounds good on paper, but it requires a method so lone workers can understand and use it in their job task. One practical application is the "Four Ps": pre-job, process, public, and programs. Each area consists of a set of challenges and opportunities that every lone worker will encounter. The Four Ps are used to evaluate a lone worker's current situation at key points during the task or when an emergency arises.

The Four Ps are based on the idea that lone workers have four variables—pre-job, process, public, and programs—that impact their environment and force them to make time-sensitive decisions in the field and on the move. This stems from the belief that human decision-making tends to be lagging instead of leading. A change must occur and be detected to drive a lone worker to make a risk management decision. For instance, many workers complete a job hazard analysis (JHA) before a job task, which anticipates risks that may be encountered during the job. Each risk is assigned a safeguard. If the job's risks cannot be reduced to an acceptable level, the job may be put on hold or canceled. Informal research shows that although JHAs are useful documents for reducing risk, they are almost never used outside of formal planning meetings. The Four Ps concept is an attempt to summarize the information that would be contained in JHAs and other available models to be used in a lone worker environment.

Pre-job

The "pre-job" can also be called the "job plan" or the "work order task." It contains the basic elements of job planning, associated hazards, procedures, special precautions, energy source controls, and personal protective equipment requirements. The pre-job should be reviewed and updated during the task. A delayed start due to emergent work, missing parts, or inclement weather may radically alter the job plan. The pre-job is about not only the job plan but also the events that surround the task and allow the worker to accomplish it. The pre-job should be continually modified and is especially responsive to changes in the three remaining Ps. The Four Ps check exists to remind the worker that the day's job task is subject to change at any time.

Process

The "process" is familiar to most workers. It consists of the usual array of mechanical and cosmetic issues that maintenance mechanics or operators can identify. With the introduction of remote operations and supervision, the process has expanded to include automation of controls, software currency, and cyberattacks, which were unknown a few years ago. The process's objective is to proactively identify, evaluate, mitigate, or prevent a hazardous energy release that could occur because of failures in the process. Lone workers should ask themselves:

- Do I understand the process design?
- Have these changes been approved?
- Is my training current?
- Is this a new technology?
- Do I understand the emergency programs?

Public

As a lone worker, have you ever taken the time to assess how the public can influence a job's risk or how you can influence the public's risk? Imagine you are a delivery person or a utility worker who needs to safeguard against an aggressive dog or a disgruntled customer. When thinking of the public's safety, what comes to mind? One thought might be "environment." The environment is the public's safety. Maybe you are a pipeline worker, a commercial driver, or a train conductor who transports hazardous chemicals. What happens if you have a loss of primary containment that harms the environment? Your employer should have developed and maintained an effective public safety program, but if not, I challenge you to make this a point of discussion at your next safety meeting.

Programs

In today's work environment, it is easy to experience information overload due to the number of "programs" your employer may have in place. You may constantly question whether you are following program requirements or wonder which program applies to the job task. Programs and other governing documents are developed and implemented to support employers in meeting laws and regulations and to provide tools to assist with protecting employees and the public. Workers should also consider what their capabilities are regarding last-minute changes in job task and their ability to make large-scale changes while working alone. The LWRM process is simple: At least four times before and during the job, a lone worker should review and consider the pre-job, process, public, and programs and make appropriate decisions. It is often said that the failure to make a decision is a decision. Under LWRM and the Four Ps, even the decision to make no changes to a current job is made through careful consideration of all risk factors present.

Remote Project Sites Require Comprehensive Emergency Response Plan

Construction, mining, oil and gas drilling, and even some scientific and technical experimental ventures often place heavy industry and inherently hazardous work in locations far from conventional emergency response.



This article is targeted to the project managers, site superintendents, planners, and health and safety professionals who are charged with overseeing or assisting work that happens in remote locations. This could include residential construction crews working on a cabin, a mining company working on a new site, an oil well drilling crew working in a remote area, loggers developing a new cut, a road construction crew establishing access to a new mine, or any other industry or construction that is located far away from rapid response to emergencies.

How well an organization plans for emergencies that may occur at these locations can be the dividing line between tragedy and success story, whether an employee's life is saved or lost, or if an operation and capital infrastructure is lost due to an incident. This article details the types of hazards site managers should plan for in rural areas, risk assessment, how rural emergency services operate, and how to work with those agencies to best plan for emergencies.

Hazards

Remote industry sites generally present all the same hazards as those located in an urban area, with potentially some added hazards unique to rural areas. Common industrial injury types include slips, trips, and falls, objects in eyes, burns, dropped objects, and struck by incidents can all occur, and can become more serious if treatment is distant. Vehicle crashes, especially run-off-road and rollover crashes, can be common. Fires and explosions are possible, and a fire occurring at a remote industrial site has the potential to spread into the surrounding land, potentially turning a small localized fire into a large wildfire.

Extractive industries such as oil and gas drilling, mining, and tunneling can often present unique hazards, requiring specialized skills to mitigate complex and potentially extremely dangerous incidents. Industries also create some hazards of a more technical nature, such as confined spaces or elevated platforms, where local resources may be insufficient to handle the incident.

Finally, medical emergencies remain an ever-present risk, and as some employees in these industries have less healthy lifestyles, this risk is likely more significant than would otherwise exist.

Capabilities of rural fire/EMS

The services provided by rural fire and emergency medical services (EMS) agencies in the United States are typically different than what would be expected in an urban area. An important distinction is that rural agencies are often staffed by individuals who volunteer their time

to serve, as opposed to many urban agencies that employ staff full-time.

Volunteer agencies typically have much smaller budgets, and correspondingly, often have less equipment and capability than their urban counterparts. While all agencies focus their training and capabilities to match their typical call load, rural call loads are typically small (fewer than a few hundred a year) and are often a mix of medical calls, vehicle crashes, and the very occasional fire. Due to the larger area covered, response times are often long (20 or more minutes), and staffing can be limited as well.

Fires and firefighting in rural areas is fundamentally different than in urban areas. For example, rural fires typically grow past flashover prior to fire department arrival and rural interventions are often defensive in the strategy of attack. Rural areas also often lack domestic water infrastructure, and therefore, fire hydrants are not present in many areas. This means water supply for fire attack is done via water tenders (or tankers).

Alternatively, fires where the structure is past saving are typically left to burn out and prevented from spreading. Rural fire departments often lack specialized training, equipment, and capabilities to manage technical rescue incidents, such as confined space rescues, trench collapses, or rope access.

EMS agencies and responses are also fundamentally different in rural areas from their urban counterparts. Rural EMS agencies can have a lower capability and capacity, often staffing their units at the Basic Life Support (BLS) level, capable of handling minor injuries and illnesses, but do not have the ability to deliver many medications or provide advanced intervention as would an Advanced Life Support (ALS) level response, as is typical in an urban area. Response times can be longer than in urban areas and transport times are often far longer, where definitive care or trauma centers can be hours away.

Rural response to critical patients often involves the use of aeromedical evacuation via helicopter air-ambulance services to reduce transportation time.

While the use of a helicopter for patient transport is a benefit to patient care, there are some significant limitations. Medical helicopters are typically visual flight only: while they can often fly at night, they are limited by bad weather conditions either at the incident scene or at any point between their base, the scene, and the receiving hospital. Helicopters often have limits on the height and weights of the patient(s) they transport, and their range as well also varies based on air temperature and altitude. Helicopters also require flat, unobstructed landing areas to land and take off, the size of which can vary based on the responding aircraft.

Planning for an incident

Effective planning can make all the difference in turning the tide of an incident at a remote work site for the better. Conducting a detailed analysis of the potential incidents is a critical first step in developing an effective emergency response plan for a project site. Ultimately this analysis will generate a risk register.

To begin, first list all the potential incidents that may occur (*no matter how far-fetched*) and assign a reasonable estimate of the potential of that incident occurring. Then, independent of its likelihood, determine the consequence of the event. For any given event, the probability and consequence can be multiplied to create a quantitative risk estimate. The risks with the highest probabilities should be planned for and addressed first, followed by those with the highest consequence and moderate risk pairing. Then, think about what care or response would be needed (*or what would you expect if you called 911*), and what capabilities your site and personnel possess to mitigate the incident. Unless on-site employees have additional training, expecting them to do more than use a small fire extinguisher or to provide basic first aid is both risky and poor planning.

Once you have an idea of how incidents would reasonably be managed, make contact with the local fire department and EMS agencies, to let them know about your project and to inquire with them about what capabilities they have. Be clear with what the potential incidents on your project site include, and be detailed with the nature of the operation with them. Consider bringing their members (*or officers*) onto your site occasionally as it develops, so they become familiar with the site. This helps the fire department plan their response and potentially train for potential incidents on your site.

Most fire departments would be enthusiastic to both find out about new projects and to visit sites to make pre-incident plans. Also contact the air ambulance services that are routinely used by the local fire and EMS agencies to learn the specifics of their needs to respond to your site. If possible, construct and/or mark a landing zone that meets or exceeds the requirements for the largest helicopters that could serve your site. Communicate the location of this landing zone with the aeromedical service and with local Fire/EMS and be sure have those GPS coordinates handy and widespread where someone calling 911 can use them.

Site self-sufficiency

As project locations get further away from emergency response, on-site personnel become more responsible for handling emergencies on the site. Once a site is farther away than a few hours from an effective 911 response, relying on the local fire department and EMS agency (*with no plan to at least initiate and start mitigating the emergency*) can result in tragedy for staff

and/or loss of the project site from a fire. Self-sufficiency in managing emergencies on a site is achieved with good planning, effective training, and the necessary equipment needed to mitigate potential incidents.

Training needed for a self-sufficient operation should match the hazards expected. Since medical care in rural areas is distant, and may be hours or more from arriving, it is ideal to have a staff member trained as an EMT and several others qualified in Tactical Emergency Combat Care (TECC) (*the civilian equivalent to TCCC*), or another equivalent training for managing trauma in an austere environment.

Training on wilderness emergency medical care (*offered by the National Outdoor Leadership School (NOLS) and others*) is also a good option to be prepared for anticipated incidents, but the training would need to exceed the standard of first aid and CPR as typically required for urban project locations. From a fire suppression perspective, training all the crew members in using fire extinguishers is a baseline. Adding training on simple fire attack using water trucks and portable pumps can help ensure a site can contain small fires and prevent spread.

Training should also include how to mitigate special hazards on site, such as confined spaces or hazardous materials. Training on survival and mitigating environmental risks is often a good idea to help manage the needs if foul weather should descend on the site or supply to the site is otherwise cut off. Necessary equipment should also match the hazards expected, as well as the training of the personnel on site, and should be planned in detail to try and maximize overlap with other construction tasks and equipment.

Conclusion

Work at a remote location presents unique hazards and complications on typical hazards. Few good resources exist for how to plan for remote work, and often understate the risk and need for self-reliance. The Prospectors and Developers Association of Canada (PDAC) provides good guidance on remote site work in the health and safety portion of their website, focused on exploration and research drilling projects for the mining industry, and the American Association of Petroleum Geologists (AAPG) published a text on *Field Safety in Uncontrolled Environments* (2005).

For resources on training, the *Rural Firefighting Handbook* provides a good introduction on rural fire department operations, and the National Wildfire Coordinating Group (NWCG) provides training materials and resources on wildland fire. Consider consulting other project staff who have worked on similar rural projects, and learn how they managed incidents and what their lessons learned may be, and above all, be proactive and reach out to the local fire and EMS agencies before an emergency.

look what else is new @ MJS Safety...

The Southern Ute Reservation could get a Zero-Emission Power Plant that Runs on Fossil Fuels



Outside of Houston is a [zero-emissions power plant](#) that runs on fossil fuels invented to keep burning natural gas without contributing to climate change.

Since 2018, the company [NET Power](#) has used the site to test a technology that keeps the plant's carbon dioxide byproduct out of the atmosphere. The semi-closed loop system reuses some of the CO2 to help power the plant. The rest of the greenhouse gas is captured to be stored underground so it can't enter the atmosphere or sold to industries that use CO2 — like soda companies carbonating drinks.

The technology, developed by [8 Rivers Capital](#), made it on MIT's 2018 list of [10 technological breakthroughs](#). The company says the pilot was successful and it's now moving to construct four commercial plants. One of them is planned for the Southern Ute Reservation in southwest Colorado.

"Although the Tribe has a rich and successful history as an energy producer in Indian Country, we have always prioritized the protection of our natural resources. This project further exemplifies our environmental stewardship," wrote Southern Ute Vice Chairman Bruce Valdez in a statement.

A final decision on whether the plant will be built will be made in 2022, and production on the [Coyote Clean Power Project](#) could begin by 2025. The plant would operate without needing additional water and the company claims it eliminates all emissions, including air pollution.

"Development of one of the world's first zero-emission and water neutral power plants will lead to economic development and job growth while accelerating our transition to 100 percent clean electricity," wrote Gov. Jared Polis in a statement. "We are thrilled about this partnership between the Southern Ute Indian Tribe and 8 Rivers Capital, as our region continues to lead in the clean energy transition, and my Administration stands ready to support next steps in the Coyote Clean Power Project."

While some view the technology as a game-changer, there's still the problem of what to do with the plant's captured carbon. It would need to be stored so it can't enter the atmosphere, which the company claims can be done "cheaply."

In an email, 8 Rivers representative Adam Goff wrote that the operators are evaluating different options for its CO2, which could be injected deep underground for permanent storage. Goff wrote that the plan for the Colorado facility is to store all of the CO2 produced, but they're not ruling out other uses for the gas like selling it for carbonating soda.

As [reported by Bloomberg](#), environmentalists are concerned about the continued use of natural gas. And while the plant might not release any emissions, the production and transportation of fossil fuels needed to power the plant would.

Jeremy Nichols, climate and energy program director with the environmental advocacy group, WildEarth Guardians, wrote in an email that he's "incredibly skeptical" that the project will ever be built due to costs and "the commercially unproven nature of carbon capture and sequestration."

"I say more power to the Southern Ute Tribe. It's certainly not our place to second guess what they view to be a good investment," Nichols wrote. "If the Southern Ute Tribe wants to stay locked into dependence on oil and gas, that's their right. Even if it costs them opportunities to develop more viable and affordable means of energy production, that's their prerogative."

Reduce your chemical footprint: Best Toxics Release Inventory reporting practices for 2021

The U.S. Environmental Protection Agency (EPA) released its [2019 Toxics Release Inventory \(TRI\) National Analysis](#) earlier this year, and companies across the nation are actively working to reduce their chemical footprint. Despite a minor increase in the Pacific Southwest Region, the overall release of TRI chemicals was down by 9 percent in 2019.



The TRI works to track the management of certain toxic chemicals released by industrial facilities. More than [700 chemicals](#) are tracked across 33 categories, each of which is released - intentionally or not - as solid, liquid, or vapor. Every chemical on the list can cause damage to the environment or have adverse effects on humans, such as cancer or other health problems.

In tracking the release of toxic chemicals, the EPA allows the public a fully transparent view of how companies adhere to environmental laws. It also gives a clearer look at the damage each company is or isn't causing.

In 2021, it's more important than ever to make sure your company is environmentally friendly by actively working to reduce the chemical waste it produces and releases. If you don't, you run the risk of losing customers and being fined. Here are four easy ways to make sure your company is playing its part in the effort.

Know whether your company needs to file a TRI report with the EPA

The TRI program requires facilities within specific industries, including manufacturing, electric power generation, and chemical manufacturing, to file a report each year. This report outlines how much of any chemical was released into the environment, how it was managed, and if the release was planned or unplanned.

Your company is required to submit a TRI report if it:

- Has 10 or more full-time employees or 20,000 man-hours
- Falls under the [North American Industry Classification System](#) (NAICS) code
- Manufactures or imports, processes, or uses any listed chemical in a quantity greater than the threshold amount (25,000 pounds for any listed chemical manufactured, imported, or processed by the facility; 10,000 pounds for any listed chemical that is used annually)

Update your TRI data consistently and save historical data

To make sure your company will have the report at its most accurate - and ready on time - it's important to take a number of steps.

Above all, standardize your recordkeeping. All relevant employees should be able to easily understand how to navigate it, read it, and, more importantly, add to it.

Ideally, data should be updated on a monthly basis to keep it as accurate as possible. Consider avoiding mismanagement or confusion by investing in a reporting software that automates the process, including the calculations, for you.

Even after a TRI report is filed with the EPA, keep your records on hand to avoid any future discrepancies.

File your TRI report by July 1

If your facility meets the requirements of those required to submit a report to the EPA, be ready for the July 1 deadline.

The TRI program began to release reporting instructions, updated training materials, and TRI-MEweb reporting software in January. Carefully review and prepare each form with relevant data along with any prevention activities that your company participated in throughout the previous calendar year.

Should a company fail to submit a report on time - or not report its findings at all - it will face significant fines from the EPA. These vary greatly and can often be worth hundreds of thousands of dollars. The EPA can also open investigations into your reporting, recordkeeping, and waste handling, which can result in more fines - all the more reason to be diligent.

In addition to these fines, the EPA has also required companies to make substantial donations to the communities impacted by chemical releases.

The bottom line is that not submitting your TRI report on time, or at all, will greatly impact your bottom line. It's best to begin preparing now to make sure everything is in line.

Work to identify ways to reduce waste in your facility

Facilities are required by the EPA to report on the source reduction activities (also known as pollution prevention) that they implemented during the previous calendar year. These activities, which include recycling and treatment, help to eliminate or reduce the use of TRI-listed chemicals and, in turn, reduce chemical waste. This element of reporting helps to shine a light on the methods working for other facilities so that companies can learn from others' best practices.

The report noted that for the first time in five years, industrial and federal facilities alike increased their pollution prevention activities to reduce or eliminate their waste. In total, over 1,000 facilities implemented more than 3,285 new source reduction activities. Most often, the focus was on good operating practices (40%), process modifications (21%), and spill and leak prevention (10%).

In 2021, it will be extremely important to be mindful of environmental law and the impact your company has - or face consequences from both the government and the public.

Just a Reminder

Annual Roadcheck Inspection Blitz to Focus on Lighting, HOS Compliance

The annual 72-hour **International Roadcheck** inspection blitz will be held May 4-6.

CVSA inspectors will ensure the vehicle's brake systems, cargo securement, coupling devices, driveline/driveshaft components, driver's seat, exhaust systems, frames, fuel systems, lighting devices, steering mechanisms, suspensions, tires, van and open-top trailer bodies, wheels, rims, hubs and windshield wipers are compliant with regulations. Inspections of motorcoaches, passenger vans and other passenger-carrying vehicles also include emergency exits, electrical cables and systems in the engine and battery compartments, and seating.



Inspectors will be looking for critical vehicle inspection item violations, outlined in the [North American Standard Out-of-Service Criteria](#). If such violations are found, the vehicle will be placed out of service, which means that vehicle cannot be operated until the identified out-of-service conditions have been corrected.

The two areas CVSA is asking inspectors to focus on this year – lighting for vehicles and hours of service for drivers – they are among the top violations each year. According to the **Federal Motor Carrier Safety Administration**, the “lamps inoperable” lighting violations was the number one vehicle violation in fiscal 2020, accounting for approximately 12.24% of all vehicle violations discovered that year. And during last year’s **Roadcheck** inspection spree, the top driver out-of-service condition was hours of service, accounting for nearly 35% of all driver OOS violations.

Vehicles that successfully pass inspection, without any critical vehicle inspection item violations found after a completed [Level I or Level V Inspection](#), should receive a [CVSA decal](#). In general, vehicles with a **CVSA decal** are not re-inspected during the three-month period during which the decal is valid. Instead, inspectors focus their efforts on vehicles without a valid **CVSA** decal.

Tires (second only to brakes during the 2020 blitz) will undoubtedly remain a focus. Also, during any inspection, inspectors will check the driver’s operating credentials, seat belt usage, and for alcohol and/or drug impairment. A driver will be placed out of service if an inspector discovers driver-related out-of-service conditions.

“It’s important to remember that **International Roadcheck** is a data collection effort,” said **CVSA** President Sgt. John Samis with the Delaware State Police. “The inspections conducted during the three days of **International Roadcheck** are no different from the inspections conducted any other day of the year. Other than data collection, the inspection process is the same.”

As was the case last year, in consideration of **COVID-19**, law enforcement personnel will conduct inspections following their departments’ health and safety protocols during 2021 **International Roadcheck**.

In addition, as the **COVID-19 vaccine rollout continues**, every effort will be made to get vaccine shipments to their destination, quickly and safely. **COVID-19 vaccine shipments** will not be held up for [inspection](#), unless there is an obvious serious violation that is an imminent hazard.

Inspectors will conduct inspections in jurisdictions throughout **Canada, Mexico** and the **U.S.** [International Roadcheck](#) is a **CVSA** program with participation by the **Federal Motor Carrier Safety Administration**, the **Canadian Council of Motor Transport Administrators**, **Transport Canada**, and **Mexico’s Ministry of Communications and Transportation** and its **National Guard**.

July's Operation Safe Driver Week looking for speeders

This year’s **Operation Safe Driver Week** will be held [July 11-17](#) with an emphasis on speeding, the **Commercial Vehicle Safety Alliance** announced recently.

During the week, law enforcement personnel will be on the lookout for truck drivers and passenger car drivers engaging in risky driving behaviors in or around commercial vehicles. Identified unsafe drivers will be pulled over and issued a citation or warning.

"Data shows that traffic stops and interactions with law enforcement help reduce problematic driving behaviors," said **CVSA** President Sgt. John Samis with the Delaware State Police. "By making contact with drivers during **Operation Safe Driver Week**, law enforcement personnel aim to make our roadways safer by targeting high-risk driving behaviors."

CVSA selected speeding as its focus this year because, despite a drop in roadway travel last year due to the pandemic, nationally, traffic fatalities increased. According to the National Safety Council's (*NSC*) preliminary estimates, the estimated rate of death on roads last year increased 24% over the previous 12-month period, despite miles driven dropping 13%. (See resources at this [link](#).)

In addition to speeding, law enforcement will be tracking other dangerous driver behaviors throughout **Operation Safe Driver Week**, including reckless or aggressive driving, distracted driving, following too closely, improper lane change, failure to obey traffic control devices, failure to use a seat belt, evidence of drunk or drugged driving and more.

Last year, truck drivers received more than 10,000 warnings and citations for various unsafe driving behaviors during **Operation Safe Driver Week**. Speeding was the most common traffic violation for truckers during last year’s enforcement spree, which resulted in 2,339 citations and 3,423 warnings.

DOT HM-181 Requirements: *Are You in Compliance?*

As a safety professional, it is difficult to keep up with changing OSHA regulations as well as environmental regulations that we may also have to monitor, especially when dealing with hazardous materials. Often, we overlook DOT requirements for those of us that ship or receive hazardous materials.

Also known as “dangerous goods,” hazardous materials are chemicals that pose a serious risk to health, safety, and property during transport from one location to another. These materials fall into nine classes of hazards that include explosives, corrosives, oxidizers, flammable liquids, and miscellaneous hazardous materials, among others. While many people think of toxic waste when they hear the term “hazardous materials,” many everyday things fall into the nine hazard classes, such as insecticides, cleaning supplies, aerosols, and used paint.



Training Requirements

Department of Transportation (DOT), per [49 Code of Federal Regulations \(CFR\) part 172.704](#), states that an employer has a responsibility to provide and fully comply with hazardous material training. This responsibility is enforced with civil and criminal penalties, with a worst-case civil fine of \$175,000 and a criminal penalty of 10 years imprisonment per violation.

The DOT does not review or certify training programs. A given employer is responsible for choosing the training program that provides the training needs of the employees. Safety professionals should carefully review the qualifications of any trainer and the associated training material. Employees are to be trained at least once every three years. Employers should be aware that any changes in hazardous materials and the related work conditions would likely require retraining. If new hazardous materials are being introduced, an employer should have additional hazardous material training conducted.

The employer is required to train any employee involved in the handling and shipping of hazardous materials. This would include:

- Employees working in the shipping area, who may be involved in preparing or transporting hazardous materials (labeling and/or marking packages),
- Forklift and heavy equipment operators who load or unload hazardous materials,
- Delivery drivers, and,
- Managers, supervisors, or clerks who act as the shipper or sign documents associated with hazardous materials (e.g., bills of lading, hazardous waste manifests).



Training must be thorough and assure comprehension through testing. The employer must do more than simply provide [HM-181 training](#) to employees.

Employers must prove that the provided training answers the requirements for all hazardous material hazards affecting their employees. This includes:

General awareness/familiarization: General awareness and familiarization training is intended to raise the hazmat employees' awareness of the HMR and the purpose and meaning of the hazard communication requirements. All hazmat employees must have this training.

Function-specific training: Function-specific training is intended to teach the necessary knowledge, skills, and abilities for an individual's job function. This may include **driver training**, if applicable.

Safety Training: This training provides information concerning the hazards posed by materials in the workplace and personal protection measures. The training may include basic emergency response procedures but is not intended to satisfy the requirements of [29 CFR 1910.120](#).

Security Training: Each hazmat employee must receive security awareness training. This training must include an awareness of security risks associated with hazardous materials transportation and methods designed to enhance transportation security. New hazmat employees must receive this training within 90 days of employment.

Call Carrie or Jeremy at
MJS Safety
to schedule this critical training.

Six Years of Inaction on Hair Testing is Six Years Too Many

According to research in the current issue of *The Journal of Transportation Management*, about 275,000 U.S. truck drivers would test positive for illegal drugs if a hair test was submitted.

On June 25, 2015, a truck driver with methamphetamines in his system was traveling north on Interstate 75 near Chattanooga, Tennessee. Traffic had slowed because of road construction, but this truck driver never slowed down. He collided with the rear of a Toyota Prius.



The truck-tractor continued forward and collided with seven additional vehicles, forcing them into subsequent collisions. Of the 18 vehicle occupants, six people died and four people were injured. A post-crash fire consumed one vehicle.

This tragedy didn't need to happen. The **National Traffic Safety Board (NTSB)** investigated the accident. **NTSB** reviewed the truck driver's toxicology results from drug tests taken after the crash. The driver had a history of drug abuse.

NTSB found that "the hair test results indicated a pattern of drug use not identified by the **U.S. Department of Transportation (DOT)** drug testing program."

The truck driver had previously passed a pre-employment urine test, the only method **DOT** requires. But studies have found a urine test can miss nine out of 10 actual drug users.

Had this truck driver's employer required a hair test, it's likely the driver would have tested positive for drugs and been disqualified from operating a truck.

In its findings, **NTSB** suggested that **DOT** implement more stringent drug test protocols for truck drivers, such as hair testing. The agency requested that **DOT's Federal Motor Carrier Safety Administration (FMCSA)** "gather data on the prevalence of commercial motor vehicle driver use of impairing substances and to consider alternative drug testing methods."

Six years and no action

Congress went further. As part of the **FAST Act of 2015**, Congress authorized **DOT** to recognize hair testing, in lieu of a urine test, for pre-employment and random testing of commercial truck drivers. The **Department of Health and Human Services (HHS)** was given one year to deliver testing guidelines to **DOT**, so that motor carriers could quickly utilize hair testing rather than the less effective urine test in their truck driver hiring protocols.

HHS had an easy task. An **ISO/IEC 17025** accreditation for drug testing laboratories is internationally recognized and available. Additionally, drug testing labs can earn accreditation specifically for hair testing from the **College of American Pathologists**. **HHS** could have completed a few "cut and paste" exercises and delivered the guidelines to **DOT**.

But six years later and nothing has happened. **HHS** has not completed the guidelines. Further, neither **DOT** nor **FMCSA** have acted. Despite the authority Congress gave **DOT**, **FMCSA** will not today disqualify a truck driver for failing a hair test for drug use.

Should DOT recognize hair testing now?

According to research in the current issue of *The Journal of Transportation Management*, about 275,000 U.S. truck drivers would test positive for illegal drugs if a hair test was submitted. That's the equivalent of 21,000 commercial airline pilots.

How many passengers would board a commercial flight knowing the pilot may have an undetected drug abuse problem? Yet millions of motorists drive alongside truck drivers operating 80,000-pound tractor trailers each day.

Drug impaired truck drivers are a public safety risk. **DOT** should act on the authority Congress gave the agency in 2015 and recognize hair testing, in lieu of a urine test, as Congress has authorized.

Employers should submit hair test failures to the **Drug and Alcohol Clearinghouse** so that drug abusers do not operate commercial trucks on U.S. highways.

Doing nothing, as **DOT** has done for six years, should no longer be an option.

Recent Report on Rest Areas Criticized by Truck Stop Group

A report that suggests a longstanding prohibition on commercial services at interstate rest areas should be lifted is being opposed by a group representing private truck stops.

The "**Rethinking Interstate Rest Areas**" report, published **April 8** by **Reason Foundation**, suggests that infrastructure improvements to the nation's interstates also should be accompanied by new travel plazas that, among other services, expand the availability of truck parking. The report also states that the ban on commercial services prevents the addition of electric vehicle charging stations at rest areas on the interstate highway system — unless the electricity provided at these locations is offered for free to motorists and truckers. Other services that could be provided include electrical hookups to facilitate heating and air conditioning for sleeper berths, the report said.

The report also makes a financial argument for lifting the ban, noting that some state departments of transportation have closed interstate rest areas due to budget shortfalls.

However, opponents to commercialized rest areas — such as **Natso**, which represents truck stop owners and operators — have indicated the ban helps encourage private commercial activity in communities located near off-ramps. In a letter to **Transportation Secretary Pete Buttigieg** dated **April 7**, **Natso** and a coalition of industry groups urged him to protect the ban.

"This deeply flawed report by the **Reason Foundation** is part of their ongoing efforts to dismantle the federal government's role in transportation policy," **Natso President Lisa Mullings** stated. "Rest area 'privatization' expands the role of government and government contractors. It displaces existing businesses who compete across the street from one another at highway exits. It results in higher costs to consumers, and lower quality."

Another consideration is the blind community, which has priority to operate vending machines at rest areas and whose businesses may be threatened by commercialization at these locations, the letter noted.

The report argues that opposition to commercialization does not take into account the need to expand roadside services, especially as truck traffic and personal travel are projected to increase in the coming decades.

"The competition for gas stations and food purveyors at off-ramps would be with name-brand, tax-paying gas stations and food purveyors at the commercial rest areas," if the ban were lifted, said **Robert Poole**, author of the report and director of transportation policy at **Reason Foundation**.

The ban dates to a law that was adopted when the interstate system was coming into existence in the mid-1950s and early 1960s. In an effort to help local merchants, the legislation banned "**toll-road style**" commercial service plazas, the report stated.

The provision stated any construction project on an interstate highway that is receiving federal aid must contain a clause providing states will not add points of access to or exit from the project besides those originally approved by the secretary of transportation.

Beyond that, these agreements also must provide that the state will not permit automotive service stations or commercial establishments to be built on the rights-of-way of the interstate system.

Speed Limiters, Crash Avoidance Systems Among NTSB's 'Most Wanted' Safety Improvements



Five highway safety-related items are included on the National Transportation Safety Board's updated "Most Wanted List" of transportation safety recommendations, including requiring collision avoidance systems on all vehicles, implementing speed limiters on trucks and more.

The five-member board voted recently to include 10 items in the 2021-2022 Most Wanted List of Transportation Safety Improvements. The NTSB, however, has no regulatory power. Its job is to recommend to regulators ways to prevent crashes and deadly accidents in all modes of transportation.

The Board has used its Most Wanted List since 1990 to advocate for the implementation of NTSB-issued safety recommendations.

The five items on the list related to highway safety are:

- Require collision avoidance and connected vehicle technologies on all vehicles
- Implement a comprehensive strategy to eliminate speeding-related crashes
- Protect vulnerable road users (pedestrians, bicyclists, and motorcyclists) through a Safe System approach
- Eliminate distracted driving
- Prevent alcohol- and other drug-impaired driving

In its call for collision avoidance tech, NTSB recommends that regulators complete standards for collision-warning and automatic emergency braking systems in commercial vehicles and require the technology in all highway vehicles.

The group also recommends that vehicle manufacturers and dealers install and make standard forward-collision avoidance systems that include a collision warning component, adding that these should be standard and not just options on vehicles. Finally, NTSB recommends drivers purchase vehicles with collision warning and automatic emergency braking systems.

"Collision-avoidance systems can help drivers avoid crashes in some scenarios, but drivers must still always remain alert," NTSB notes.

In order to reduce speeding-related crashes, NTSB calls on regulators to implement standards for speed limiters and "intelligent speed adaptation devices" for heavy vehicles, including trucks and buses, then require all newly manufactured heavy vehicles be equipped with the devices. The Board also calls on drivers to follow the speed limit and slow down during bad weather and other adverse conditions.

When it comes to addressing distracted driving, NTSB recommends states ban all driver use of personal electronic devices and strictly enforce laws and strengthen roadside monitoring programs. The Board also recommends that industries "encourage employers and fleet owners to adopt policies that would prohibit cell phone use while driving or require the use of lockout features when using company vehicles."

To prevent alcohol- and other drug-impaired driving, NTSB recommends states enact laws that require the use of alcohol ignition-interlock devices for all drivers convicted of DUI offenses and establish a BAC limit of 0.05 or lower for all drivers.

Finally, a Safe System approach to protecting vulnerable road users would address all aspects of traffic safety, including road users, vehicles, speeds, roads and post-crash care. "We must make better safety investments, from road treatments, vehicle design, and collision-avoidance systems to strong traffic safety laws and robust education efforts to mitigate injury risks for all road users," NTSB says.

Recruiting Vets for Trucking Tech Jobs Takes Effort, Dept. of Labor Rep Says

Recruiting military veterans for maintenance positions in trucking fleets' repair shops is an oft discussed industry goal, but the prospect of finding and transitioning young vets to become civilian service technicians can be challenging, a top veterans official with the U.S. Department of Labor said.

"You're not going to get a fresh-faced veteran on your doorstep unless you work hard for it," Mark Toal, director of the Office of Strategic Outreach at the DOL Veterans' Employment and Training Service, said during an April 14 virtual session at the spring meeting of the Technology & Maintenance Council of American Trucking Associations. The meeting was the third held by a task force that's part of TMC's broader Fleet Maintenance Management study group, noted task force chair Kirt Weaver.

"We're exploring the different ways to connect your company with veteran applicants," he said. "And as a veteran myself, I'll say — more importantly — connecting our veterans with high-quality jobs that your different companies have to offer."

The task force has been exploring how to recruit veterans — specifically those who can transition from being a military truck technician to working on commercial trucks — but has yet to draw up a position paper on the subject, Weaver said.

The DOL employment service offers transitioning advice, training and placement services to help veterans connect with employers — and employers find vets they are seeking to hire — at 2,400 job centers. But Toal noted that while the number of vets in the workforce has been declining, their unemployment rates consistently remain lower than nonveterans.

"You can almost come to the conclusion that employers valued their veteran employees during this time of the COVID crisis," he said. "Veterans only represent 5.7% of those in the workplace right now, which is the lowest since World War II."



Toal, who served for 28 years with the U.S. Marines, also noted that veterans are an aging segment of the workforce. "The median age for veterans is 64 years old," he said. "Less than half are actually in the workforce — 48%, or 8.6 million."

He added, "If you were an 18-year-old Vietnam veteran in the Tet Offensive in 1968, you're now 71 years old. I say this because most employers I talk to, they want fresh-faced veterans who just got out of the service. They want the young ones."

There have been similar challenges to find 18- to 20-year-old military drivers for a Federal Motor Carrier Safety Administration pilot program that began last summer to mitigate the driver shortage.

"We are struggling in trying to get drivers," then-Deputy FMCSA Administrator Wiley Deck said in an October agency briefing. "We've engaged the National Guard, the Reserves, even gone out to speak to large classes of drivers being trained at various facilities around the country. But we just haven't made any headway on it."

Toal said that a 2019 Pew Research study showed that the average median wage of a veteran family household is 17% higher than a nonveteran household, suggesting they make good employees for the private sector.

"We try to connect you with resources," Toal said. "We give you the tools to fish, but at the end of the day, you got to do the fishing. But we're going to set you up with the different lures, and the different ponds where you can fish for vets."

But the payoff can be large.

Toal added, "The investment and time and the energy to hire veterans is proven time and time again by several studies that veterans outperform their nonveteran peers in the workplace."

FMCSA Warns of Companies Posing as Official Agencies

Federal Motor Carrier Safety Administration officials posted a warning to truckers on April 8 to be aware of “predatory” companies that pose as government agencies.

The message came one day after the Iowa attorney general issued a news release announcing it reached an agreement with a Texas company that agreed to refund money to any Iowa truck drivers that paid it \$149 to submit federal documents that can be filed for free.

The company, **Compliance Processing Group** of Frisco, Texas, sent past-due notices to Iowa truck drivers under the name **FMCSA Compliance Processing Group**. The letters warned that the truckers must “contact us immediately” or risk fines of \$1,000 a day — for a total of up to \$10,000 — and risk being taken out of service, “per the **Federal Motor Carrier Safety Administration**.”

Iowa Attorney General Tom Miller dubbed the company’s letter a “scam” that takes advantage of a requirement that every company that holds a U.S. DOT number update their company information every two years by updating the **MCS-150 form**.

“The company’s mailer deceptively implies it is sent by a government agency and that failure to respond could be punished with civil penalties,” Miller alleged. “In smaller print at the bottom of the mailers, the letter stated that **FMCSA Compliance Processing Group** was not a government agency.”

In its warning, **FMCSA** said it is aware that motor carrier officials and new entrant applicants often receive “confusing or misleading solicitations” from service providers or third-party administrators by telephone, email, text and U.S. mail. “These businesses obtain your company’s information when you submit an application or update your information with **FMCSA**, because your basic carrier information is publicly available,” **FMCSA** said.

The warning said that **FMCSA** does not contact carriers via telemarketers or “robo call” automated telephone solicitations, nor does it request credit card numbers by telephone or charge a fee for downloadable forms that can be found at fmcsa.dot.gov/mission/forms.

FMCSA said that predatory companies often contact new carriers after they complete online transactions with **FMCSA**. Aggressive or fraudulent marketing complaints have included carriers being pressured to immediately enroll in drug and alcohol supervisor training, offer general

agency regulatory and compliance support, Unified Carrier Registration compliance or biennial updates, **FMCSA** said.

“Motor carrier service providers and third-party administrators or their employees can, and do provide valuable services to motor carriers and new entrants in the motor carrier community, and the use of a private entity or company to assist a motor carrier with compliance is an option for motor carrier officials and new entrant applicants,” the agency said.

“However, the U.S. government does not endorse private businesses or vendors, and the use of a service provider is not required by **FMCSA**,” **FMCSA** said.

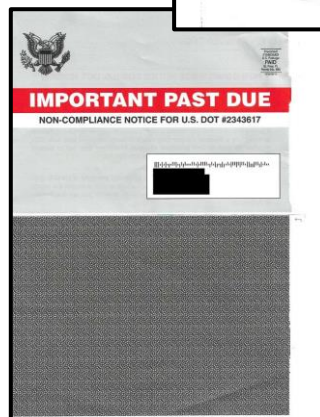
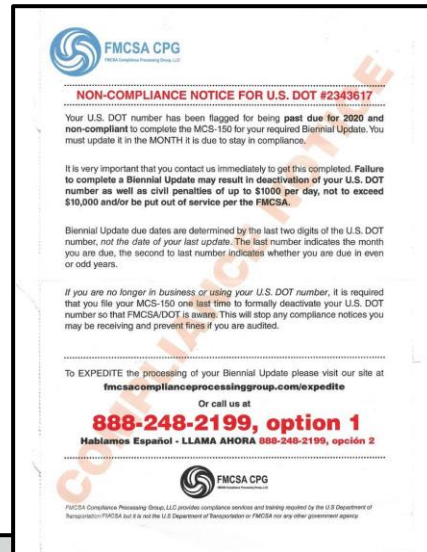
Under federal law, impersonating “an officer or employee acting under the authority of the United States” to demand or obtain “any money, document or thing of value” can result in

a fine as well as imprisonment for up to three years, the agency said.

The agency said that truckers who want to report a fraudulent request for information to DOT should contact the Office of Inspector General Hotline via oig.dot.gov/hotline or by calling (800) 424-9071.

Iowa did not seek to penalize or fine **Compliance Processing Group**, but issued an assurance of voluntary compliance that requires the company to no longer operate in Iowa. The company’s manager, Robert Corrigan, did not return a phone message seeing comment. However, the compliance document noted that the company denied it engaged in “acts or practices which had the tendency to mislead a substantial number of consumers as to a material fact or facts.”

“We were using the Iowa consumer fraud act,” said attorney general spokesman Lynn Hicks. “Our main interest was basic ally to get these guys out of town. We were able to do that without going to court and getting an injunction or small penalty.”



Truck Parking Legislation Introduced in US House

A bill designed to facilitate access to parking around the country for commercial vehicles was recently introduced in the U.S. House of Representatives.

The **Truck Parking Safety Improvement Act** aims to ameliorate a shortage of available parking nationwide. For years, several transportation policymakers on Capitol Hill have raised concerns about a lack of adequate parking for trucks.

"I grew up in a family trucking business and spent years driving over the road," Rep. Mike Bost (R-Ill.), the bill's sponsor and a member of the **Transportation and Infrastructure Committee**, said March 29. "Since then, we've seen the need for more trucks and drivers increase significantly, especially during the **COVID-19 pandemic** when trucking helped to keep our economy going. However, the number of truck parking spaces hasn't kept pace."

That means that drivers are forced to park in unsafe locations, which puts both them and other motorists at risk, added Bost, whose legislative version offered in the previous session of Congress did not reach the president's desk for enactment. "Creating sufficient parking options for longhaul truckers will not only help keep truckers safe during their rest breaks but will also mean safer roads for everyone."

Rep. Angie Craig (D-Minn.), a co-sponsor, added: "Without adequate parking, truck drivers are forced to pull to the side of the road or continue driving, both of which are risky."

Specifically, the legislation would dedicate funding from the U.S. Department of Transportation for state agencies to amplify facilities that provide parking for trucks. The bill would authorize \$125 million for fiscal 2022, with incremental funding increases through fiscal 2026. The legislation also would require state and federal officials to produce a report for Congress on the legislation's impact on the freight industry.

Other co-sponsors of the bill include Reps. John Garamendi (D-Calif.), Dusty Johnson (R-S.D.), Pete Stauber (R-Minn.) and Susan Wild (D-Pa.).

The legislation is expected to be considered during the House transportation panel's debate of a multiyear highway policy measure. That multiyear bill would update a 2015 national highway law that expires in September.



In February, Rep. Peter DeFazio (D-Ore.), the transportation committee's chairman, acknowledged concerns associated with a lack of proper parking facilities for truck drivers. He expressed commitment for examining provisions designed to enhance parking nationwide for commercial drivers. He told colleagues at the time, "We would meaningfully address that issue."

Stakeholders, which have sounded the alarm about the lack of parking for several years, said they welcomed the measure. They have argued that expanding parking for truckers would improve the flow of freight for many parts of the country, and increase the safety of motorists.

"The severe shortage of safe parking presents truckers with an untenable dilemma: Either keep driving when they are fatigued and possibly in violation of their federal hours-of-service requirement, or park in unsafe, sometimes illegal locations such as a roadside shoulder," said American Trucking Associations President Chris Spear.

"The health and well-being of our drivers, the safety of the motoring public and the sustainability of our supply chain all depend on Congress addressing this issue with adequate funding in a surface transportation policy bill," Spear added.

"Truckers often wonder if anyone in Washington is listening," said Owner-Operator Independent Drivers Association President Todd Spencer, in a statement accompanying the bill's announcement. "The introduction of the **Truck Parking Safety Improvement Act** shows that not only are some members of Congress listening, but lawmakers from across the political spectrum are willing to step up and address one of the greatest concerns for professional drivers: the national shortage of safe truck parking."

Summer Is Coming

Prepare To Mine In The Heat – Three Steps To Take Now

In the mining industry, **equipment** must perform in some of the **world's toughest** conditions, **whether** at the **surface** or **underground**. The equipment **must deal** with **excessive loads** and **severe temperatures** – a range from **-50F to 120F** is **not uncommon**. For these **reasons** alone, **running a mine** is a **huge undertaking** and the **less time spent** on equipment **breakage** or failure, **the better**.



But when you **add** in the **sheer range** of **equipment used** in an active mine from **250-ton haul trucks**, to **hydraulic shovels**, mechanical loaders, **right through** to drills, **bulldozers** and cranes, **unplanned downtime** in one area can cause a **significant backlog** across the site, **costing time** and money.

When these **factors** are combined, **it's clear** there is a lot to **consider**. Using the **preceding season** to prepare for the **one ahead** can be **incredibly valuable**. Planning now for the **hot summer** months builds in the **benefit of foresight**, reduces **pressure** on staff, and allows for **trials and testing** of both product and **process** to be **undertaken**.

There are **three reasons** why **mine operators** should use this **Spring** to **reassess the product** being used in their **operations** in preparation for an **efficient summer 2021**. Before **exploring them**, let us **first address** the primary **challenges faced** during those **hot months**.

A Testing Environment

Oil or grease that **overheats** creates **several problems**. First off, **volatility**, leading to the **loss of lighter ends** in the **oil**, which in turn can lead to **increased oxidation**. If oxidation levels are **too high**, the **acidity** of the oil **will start** to affect the **wear and tear** of bearings, pistons, and other **smaller internal mechanical** parts.

This can go **unnoticed over time**, with the **first sign** of an issue often being **equipment failure**. Heat also **thins the oil**, and if the **viscosity** is compromised, **particularly in mining** where the loads can be **excessive**, the oil might **not be able** to support the **load** for which it was **intended**.

All these result in, **at best**, a lack of **performance** meaning **inefficiencies**, slower **outputs** and **greater manpower**. The oil life will **shorten**, requiring more **subsequent changes**, costing downtime, **time and money**. In some of the **bigger equipment** needed in a **pit**, such as a **haul truck**, dozer or **grader**, any **unplanned downtime** can have a **direct impact** on the business' **bottom line**. In addition, if the **oil quality** is compromised by **getting too hot**, the machine will **suffer wear** and tear which if **unnoticed** or **unattended** to, **will at worst**, lead to **failure**.

In an **open pit mine**, summer temperatures **are not** for the **faint-hearted**. With **no trees**, **no wind** and **no shade**, there is **no escape** from the heat, and that's just **external factors**. Added to this, the **equipment hauls heavy** loads on **inclines** and new **engine designs** often have **smaller reservoirs**, so the oil **doesn't have** the time to let **heat dissipate** which results in a **hot engine** – a **challenge** which any **external heat** only intensifies.

Re-Evaluate Before Summer

The temperature of a working mine cannot be **controlled**. However, the **product used** in the equipment **can be**, and **getting that right** can **combat many** of the implications.

There are **three reasons** why this **Spring** it is **prudent** to get a **technical specialist** in to do a **thorough re-evaluation** of the **products being used**.



- **First**, across the industry, there has been a long-standing move toward consolidation of lubricants, including oil and grease. However, it's important to not underestimate the careful chemical balance of a lubricant which has been formulated for a specific purpose.

Although some products may look similar, it's very rare that they actually are. This winter challenge the status quo, as although consolidation could help save space in the store, the use of an incorrect grease or a grease that needs frequent top ups could be significantly less effective than two high-performing products.

- **Second**, as quickly as the industry is evolving, lubricants are too. This is another reason why the industry trend toward product consolidation is becoming out of sync with modern engines.

To truly capitalize on the benefits of modern technology, including emission controls, energy efficiency and fuel economies, when the equipment evolves, so must all its component parts, including the lubricants. This enables the latest engine and lubricant technologies to work together to provide the optimum performance and efficiencies.

- **And finally**, team efficiency. Mine operators are under pressure to avoid downtime but in the face of improved technology, to also do more with less. Based on my observations, for every three people who retire or move on, operators are often asked to replace them with just one person, to cover all their contributions.

So, **efficiency among** the team is **just as important** as **ensuring** an **efficient plant**. One benefit of **reassessing** the product being used is **extended drain intervals**. For example, **seasonal changeouts** are a common **occurrence**, where **one product** is used **October** through **April**, and then a **summer product** is swapped in. **Not only** is this a **big use of time**, but there is **also risk**, in terms of **product handling**, storage and **different levels** of knowledge or **approach**.

Lubricant technology has **gathered pace** and while these habits might **have been** in place for **years**, even decades, **seasonal changeouts** are **no longer necessary**, thanks to **quality synthetic** and all-seasons **products** – including **lubricants** that will **work as well** at **-50F** as they do at **120F**.

"We have from **150-ton trucks** right down to **small dump trucks**," said a **maintenance superintendent** at Agnico Eagle. "It's **key to have one** oil that we can **put in all our equipment**, for example, **0W-30 DURON**, we use it in **all our engines** across the **fleets** so we **don't have to change** out two **different types** of oils so that's **pretty important** on the **cost side**."

Final Word

So, **before summer comes**, take a **step back** and use the **time** to **re-examine** if the **right product** is being used for **your equipment** and **environment**. Getting it wrong **risks your machinery**; getting it right, could have a **significant positive impact** on your **business' bottom line**.

Traumatic Brain Injuries: *Prevention Measures Every Employer Should Take to Protect Workers*

BIAA says traumatic brain injuries occur almost three million times a year with extensive long-term risks attached.



According to the **Brain Injury Association of America (BIAA)**, each year, more than **2.87 million traumatic brain injury (TBI)** accidents result in emergency department visits, hospitalizations and deaths. The BIAA lead the nation in observing **Brain Injury Awareness Month** in March, which sought to bring attention to the prevention of TBIs and promotes strategies to improve the quality of life for those living with TBI and their families. TBIs are among the most serious on-the-job injuries that can occur and can result in severe injury, permanent disability, or death. Due to the seriousness of these injuries, it is important that employers take steps to create awareness of the dangers of TBIs and take steps to reduce the risks of accidents in the workplace.

Traumatic Brain Injuries & Their Effects

The BIAA defines a TBI as “an alteration in brain function, or other evidence of brain pathology, caused by an external force or trauma.” A TBI caused by an accident, rather than caused by a hereditary or degenerative condition, or present at birth, is a type of acquired brain injury. Traumatic brain injuries can range from mild to severe. Signs and symptoms may appear immediately after the event, while others may take days or weeks to appear, so it’s important to monitor the affected person closely. In some cases, a person may experience common short-term effects such as headaches, confusion, dizziness, mood changes and memory loss.

More severe injuries may result in symptoms such as seizures, numbness, weakness, slurred speech, extreme nausea, trouble waking from sleep, pupil dilation and loss of coordination. TBIs may result in long-term or permanent injuries, disability and, in some cases, may be fatal. Victims of serious TBIs may need to undergo surgery to address life-threatening conditions that may stem from the injury such as brain bleeds and hematomas. On top of the physical distress of TBIs, those affected may also suffer from emotional and mental anguish as a result of the incident, as well as the financial burden of hospital procedures, doctor’s office visits and time away from work.

Prevention Measures in the Workplace

As stated by **Occupational Health & Safety Administration (OSHA)** guidelines, it is the responsibility of the employer to provide a safe work environment. This includes making sure that the workplace is free from serious hazards and in compliance with OSHA standards. To reduce the risk of TBI-related injuries on the job, it’s important for employers to set the standard of safety by

mitigating risks, implementing proper safety protocols and providing guidance on what to do if an accident were to occur on the job. An employer should seek to address the most common risks that lead to TBIs on the job, including falls, motor vehicle accidents and being struck by or against an object.

Falls

Falls account for almost half (48 percent) of all TBI-related emergency room visits, according to the CDC. For this reason, it is important that employers are aware of fall hazards in the workplace and have plans in place to prevent them. Some of the most common fall incidents are related to:

- Ladders, roofs and other elevated surfaces
- Cluttered areas
- Slippery surfaces
- Unstable walking areas

What can employers do to prevent falls from occurring? First, supervisors need to plan ahead for tasks where a fall could be imminent, such as a roofing or construction job on an elevated

floor and ensure that workers’ tasks can be done safely. Second, employers need to make sure that workers are provided the proper PPE for the job. This can include:

- Hard hats
- Harnesses
- Guardrails or lifelines
- Weather-related gear
- Footwear with adequate traction

Employers should regularly inspect all equipment to ensure it is properly working and up to safety standards set by OSHA. In addition, employers must provide proper training on how to complete all tasks and how to use the equipment safely.

Motor Vehicle Accidents

Motor vehicle accidents are the second leading cause of hospitalizations due to TBIs and account for 20 percent of these incidents. Additionally, motor vehicle accidents account for the most hospitalizations in adults ages 15 to 44, according to the CDC. In professions where operating a motor vehicle is a regular part of the job, employers must provide proper training for

drivers. Workers should be encouraged to practice safe driving habits such as:

- Wearing a seat belt
- Following speed limits
- Staying sober on the road
- Monitoring road signs
- Avoiding distractions such as texting and driving
- Slowing down and using headlights in inclement weather conditions

Additionally, all employers should regularly inspect vehicles, especially before any long-haul trips. Employers should also monitor traffic, construction zones, weather conditions and

Being Struck by or Against an Object

When a person's head is struck by an object, the force of the object can cause significant brain injuries. The risks are heightened even more when the object falls at a high speed or from an elevated surface, as these factors increase the force of the object. The construction industry is one that is particularly affected by this type of injury. According to OSHA, in 2016, 93 construction workers died as a result of struck-by accidents, accounting for 9.4 percent of total fatalities caused by construction hazards.

Struck-by hazards can often be prevented by implementing safety measures, including the enforcement of proper use of PPE such as hardhats. Hardhats not only mitigate the force of falling objects but can also reduce electrical shock hazard. Employers should regularly remind themselves of OSHA requirements for head protection and have written protocols in place for maintaining

What to do when a TBI Occurs

The first thing to do when any accident resulting in a head injury occurs on the job is to seek immediate medical attention for injuries. A medical professional can evaluate the injury to determine the severity of the injury and the best course of treatment. In the case of serious injuries, it's always best to call 911 immediately.

After a medical evaluation, an injured worker should file a report detailing the accident. If the worker needs to recover lost wages and costs of medical bills or collect disability, they should file a worker's compensation claim. If the injury occurs as a result of a third-party's negligence, outside of an employer, the worker may wish to consider filing a personal injury lawsuit to recover damages stemming from the accidents. A personal injury lawsuit can help recover financial losses associated with the traumatic brain injury incurred on the job, including lost wages, emotional damages and loss of quality of life. Before filing a personal injury lawsuit, injured people should consult an experienced personal injury lawyer who is experienced representing workers in serious

consider canceling trips during periods of particularly severe weather conditions.

hardhats and other protective headwear. Maintenance should include regular inspection, cleaning and proper storage in a clean, protected environment. In addition to hard hats, workers should be provided with other PPE such as goggles, face shields and safety glasses, which can all also prevent injuries caused by falling or flying objects.

Additionally, employers need to always be aware of the surrounding area where their teams are working. In situations where workers are near cranes or other large machinery, employers should ensure the machines are regularly inspected and take note of conditions such as insecure tools, power lines, unstable soil and high winds. Overall, the most important measures for preventing TBI-related accidents are awareness, proper training on how to use tools and equipment and regular reevaluation and maintenance of the working environment.

on-the-job accident cases who can review the details of their matter and advise on their options for legal recourse.

Around 150 people die from injuries related to TBIs each day, and TBIs account for 30 percent of accident-related deaths, according to the CDC. Most of the time, acquired brain injuries in the workplace are entirely preventable, especially when proper safety protocols are in place. It's important for employers to set the standard of safety by having safety protocols in place, raising awareness of risks and hazards and supplying proper PPE and training for the task. Should an accident occur on the job, a worker should seek immediate medical care and evaluation by a medical professional. Workers who suffer injuries as a result of workplace accidents may recover damages through a workers' compensation claim. If the accident occurs as a result of a third party's negligence, a worker may wish to seek the guidance of a personal injury

lawyer who can review the details of the matter and advise on the best course of legal action.

From all of us at MJS Safety

Please...

WORK SAFE
BE SAFE
STAY HEALTHY