



Dear B-H Transfer Co. Driver:

B-H Transfer Co. has compiled this Revised Company Driver Handbook* to explain some of our policies, practices, and procedures. The information contained in this handbook is subject to change at the sole discretion of B-H Transfer Co. The Handbook is not intended to be all-inclusive or to cover all subjects that are of importance to Company drivers. Circumstances may call for different measures from those spelled out in the Handbook. The best interests of the company and its drivers require flexibility in the administration of policies and procedures. Management reserves the right to vary from the policies, practices, and procedures set forth herein as circumstances may warrant.

Nothing in this Handbook or any other document is intended to create a contract or term of employment, and management reserves the right to change any part of the Handbook without prior notice. Nothing herein limits your right or the Company's right to terminate the relationship at any time without notice or cause. No manager, supervisor, or employee of B-H Transfer Co. has any authority to enter into an agreement for employment for any specified period or to make an agreement for employment other than at-will. Only the President of the company has the authority to make any such agreement and then only in writing.

Should any provision in this Company Driver Handbook be found to be unenforceable and invalid, such a finding does not invalidate the entire Handbook, but only the subject provision. Nothing in this Handbook is intended to infringe upon employee rights under the National Labor Relations Act (NLRA).

It is the intent of B-H Transfer Co. to operate in accordance with the regulations set forth by the Federal Motor Carrier Safety Administration, state law, and all other applicable agencies. Nothing in this handbook is designed to supersede these regulations. While B-H Transfer Co.'s policies and procedures may exceed what is required under the law, they are in no way meant to change the law or subject our drivers to a higher standard of care in a court of law.

B-H Transfer Co. is committed to being a good place to work and to having a workplace free from discrimination or harassment. We do not discriminate against any applicant or employee based on race, creed, color, national origin, sex, gender identity, genetic information, sexual

orientation, religion, age, disability, veteran status, or any other classification protected by applicable law. We make all employment decisions in a non-discriminatory manner.

As a company driver for B-H Transfer Co. you will be expected to conduct yourself in a professional, business-like way. The guidelines in this Handbook are intended to explain some of the things we expect from you as a representative of B-H Transfer Co. and some of the things you can expect from the Company. If you have any questions about anything contained in the handbook, please contact Charles Tarbutton or Phil Smith.

Please acknowledge below that you have received a copy of the B-H Transfer Revised Company Driver Handbook* and that you have read and understand the paragraphs above and that you agree to the various policies and procedures, including pay and all deductions as specified in the handbook.

PRINT NAME

SIGNATURE

DATE _____



ACKNOWLEDGEMENT OF RECEIPT OF HANDBOOK

I acknowledge that I have received a copy of B-H Transfer Co.'s Company Driver Handbook, and that I will become familiar with its contents. I understand that it is my responsibility to read and comply with the policies and expectations contained in this handbook. I also understand that I am expected to conduct myself in a professional, business-like manner. Furthermore, I understand that it is my responsibility to consult with my supervisor, Charles Tarbutton, or Phil Smith if I have any questions regarding my employment with B-H Transfer Co., that are not answered by the information provided in this handbook.

I understand that this handbook is not intended to be and does not constitute a contract of employment. I understand that this handbook is intended to be a set of guidelines for the implementation of B-H Transfer Co.'s personnel policies. Further, I understand that B-H Transfer Co. may modify any of the provisions of this Handbook at any time.

I further understand that I have entered my employment relationship with of B-H Transfer Co. voluntarily. I acknowledge that, notwithstanding any of the provisions of this Handbook, I am employed on an at-will basis. As an at-will employee, I understand that I am not employed for any specified length of time. I understand that this means that either of B-H Transfer Co. or I may terminate my employment at any time, with or without cause.

Employee's Name (Please print): _____

Employee's Signature: _____

Date: _____

CONFIDENTIALITY POLICY AND PLEDGE

Any information that an employee learns about B-H Transfer Co. or its customers or employees as a result of working for B-H Transfer Co. that is not otherwise publicly available constitutes confidential information. Employees may not disclose confidential information to anyone who is not employed by B-H Transfer Co. or to other persons employed by B-H Transfer Co. who do not need to know such information for the purpose of their employment.

The disclosure, distribution, electronic transmission, or copying of B-H Transfer Co.'s confidential information is prohibited. Any employee who discloses confidential B-H Transfer Co. information will be subject to disciplinary action, up to and including termination, even if the employee does not actually benefit from the disclosure of such information.

I understand the above policy and pledge not to disclose confidential information.

Employee's Name (Please print): _____

Employee's Signature: _____

Date: _____

B-H Transfer Co. History

Our Company History

B-H TRANSFER CO. with headquarters in Sandersville, Georgia, is a privately owned truckload motor carrier. **B-H TRANSFER CO.** serves the industrial mineral industry and their customers throughout the United States and Canada.

The company was founded in 1971 in response to a prolonged rail strike that paralyzed the kaolin industry in middle Georgia. Since that time, **B-H TRANSFER CO.** has gained an excellent reputation with shippers and consignees for quality, on-time service. We fully understand that when clay or carbonate moves by motor carrier, rather than by rail, an emergency usually exists for the receiver. With this fact in mind, a quick, efficient response to the situation is our top priority.

B-H TRANSFER CO. has grown from a one truck operation in 1971 to one of the largest motor carriers in middle Georgia. It is the largest motor carrier dedicated to both the domestic and export movement of clay.

Using terminals located in Sandersville, Savannah and Sylacauga, Alabama. **B-H TRANSFER CO.** services three major industry segments;(1) import and export shipments of containerized general cargo; (2) domestic and export shipments of dry bulk, slurry, packaged clay and carbonates, as well as chemicals and supplies used in the production of clay and carbonates; (3) and local movements of crude clay from the mine sites to processing facilities. Additionally, since 2004 B-H has added a rail to truck trans-load division and container pool management services.

B-H TRANSFER CO. has gained the support of a loyal customer base that has come to expect quality service at a competitive price. The employees of **B-H TRANSFER CO.** are ever mindful of the growing and changing need of its customers and to that end continually strive to provide the best value in the motor carrier industry.

B-H Transfer Co.’s Mission Statement

Mission Statement

B-H Transfer Co.’s mission is to provide safe, compliant, reliable, and competitive motor carrier transportation service.

Guiding Principles

- As a quality service provider, we are accountable to our owners, our customers, our employees, and to all those that we encounter.
- We possess a passionate and uncompromising commitment to safety and compliance.
- We understand the drivers and support staff are “the backbone” of our company.
- We will understand and control our costs to be competitively priced and profitable so that we can maintain long-term relationships with our customers.
- We believe in honest and open communications.
- We pledge to provide our employees with a professional workplace, equal opportunity, and competitive wages and benefits. In return, we expect professional and ethical conduct.
- We are committed to Equal Opportunity Employment.
- We will positively embrace opportunities to improve through technology and innovation.
- We will be good corporate citizens in the communities we serve.
- Simply put, the B-H motto in everything we do is “Do the right thing.”

Occupational Health and Safety Program

Occupational Health and Safety Program

Corporate Policy Statement

The Occupational safety and Health Act of 1970 clearly states our common goal of safe and healthful working conditions. The safety and health of our employees continues to be the first consideration in the operation of this business.

Safety and health in our business must be a part of every operation. Without question it is every employee's responsibility at all levels.

It is the intent of this company to comply with all laws. To do this we must constantly be aware of condition in all work areas that can produce injuries. No employee is required to work at a job he or she knows is not safe or healthful.

Your cooperation in detecting hazards and, in turn, controlling them is a condition of your employment. Inform your supervisor immediately of any situation beyond your ability or authority to correct.

The personal safety and health of each employee of this company is of primary importance. The prevention of occupationally induced injuries and illnesses is of such consequence that it will be given precedence over operating productivity whenever necessary. To the greatest degree possible, management will provide all mechanical and physical facilities required for personal safety and health in keeping with the highest standards.

We will maintain a safety and health program conforming to the best management practices of organizations of this type. To be successful, such a program must embody the proper attitudes toward injury and illness prevention not only on the part of supervisors and employees but also between each employee and his or her co-workers. Only through such a cooperative effort can a safety program in the best interest of all be established and preserved.

Our objective is a safety and health program that will reduce the number of injuries and illnesses to an absolute minimum, not merely in keeping with, but surpassing, the best experience of operations like ours. Our goal is nothing less than zero accidents and injuries.

Charles Tarbutton
President

Security Plans

Security Plans

Statement of Purpose

B-H Transfer Co. is committed to the safety and security of our employees, the customers we serve and the public. We all are aware of the reasons that we must be more vigilant to prevent or inhibit the use of our equipment, terminals, or the products we transport by terrorists. We urge all employees and ICs to help us implement this plan and to continuously improve our security efforts.

Personnel Security

B-H Transfer Co. will implement the following provisions regarding the employment (including applications for employment or lease) of drivers. Additionally, the company may (at its discretion) implement some or all these provisions relevant to the employment of non-driver employees. Any individual who is found to have provided false or misleading information on his or her resume or application for employment, or who has neglected to provide complete information, regardless of the original date of application, will be subject to disciplinary action, up to and including termination of employment.

1. Perform detailed background checks on all applicants for any driver position to the extent permissible and in accordance with all applicable laws and regulations. We may obtain a consumer, consumer credit or investigative consumer report for employment purposes, regarding an applicant or employee's prior employment, military records, education, credit standings, character, general reputation, and criminal record. Any candidate for employment, as well as any current employee who is being evaluated for promotion, reassignment or retention may be subject to a background and/or credit check. An individual subject to such a check will be notified in writing and the check will only be conducted with the individual's written authorization. If a background and/or credit check will be a factor in an adverse action with respect to any individual, we will, prior to taking the adverse action, provide the individual a pre-adverse action disclosure, a copy of the report and the name and address of the reporting agency that produced the report.
2. To the extent possible, check for criminal convictions to the extent permissible and in accordance with all applicable laws and regulations.
3. Contact previous employers and references.
4. Investigate gaps in employment.
5. To the extent possible, have at least 10 years consecutive employment/education records.
6. Maintain employee information in a confidential and secure manner, and in compliance with all relevant Federal and State regulations and statutes regarding confidentiality and individual privacy.
7. B-H Transfer Co. is committed to employing only United States Citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate based on citizenship or national origin. In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with the Foundation within the past three years, or if their previous I-9 is no longer retained or valid.
8. Ensure drivers have current CDL with appropriate endorsements and another form of identification (i.e., company issued credential; current medical certificate).
9. Collect company identification card and any security materials when a driver/employee leaves the

company. Update websites and lists. Cancel passwords to prohibit computer access by former employees.

Unauthorized Access

1. Management will designate who oversees security for the company and at each facility.
2. Management will conduct security awareness training for all employee, including how to report suspicious incidents or events.
3. Supervisors will require all visitors and outside vendors to a terminal to sign in.
4. Designated personnel will perform daily yard checks and equipment reconciliations.
5. Designated personnel will remove keys from tractors not in use and have secure key storage.
6. All employees should control access to computers, especially those with product or routing information.
7. The Company may request periodic checks of facility areas by local law enforcement, especially when terminal is not open, and consider professional security force at higher risk terminals or during orange or red conditions.
8. The Company may develop specific actions for each security level alert that might be set by the Department of Homeland Security. (e.g., no preloading during condition Red)
9. The Company may consider use of seals (for man-ways, product loading and unloading lines, etc.) for certain products or routes.
10. The Company will post and periodically review driver anti-terrorism tips.
11. Management should inspect facility grounds, maintenance areas and buildings to identify points of possible unauthorized entry to the property. This will be an important consideration, particularly at facilities having more than one point for access and egress.
12. Periodically, the Company may test emergency response communications equipment and procedures.

EN Route Security

13. Sales and supervisory employees should not accept business from an unknown party before verifying company legitimacy.
14. Drivers and terminal personnel should always lock tractor doors and take keys anytime driver is not with vehicle. Ensure windows are closed.
15. If possible, drivers and terminal personnel should lock steering columns when tractor's not in service.
16. Drivers should perform "walk around" inspection of vehicle after every stop, including deliveries and breaks. Be sure to look under the trailer and in hose tubes where a device could be attached.
17. To the extent possible, reduce preloading. Terminal personnel should designate an area for pre-loaded trailers. Put glad-hand locks or kingpin locks on spotted loaded trailers. Regularly check that area.
18. Supervisors should develop "parking instructions" for any locations away from terminal. Look for lighted and fenced areas, visibility, and security.
19. Supervisors should include security considerations in route selection and times for pickup and delivery. When possible, avoid bridges, tunnels, and dense population areas.
20. Dispatchers and supervisors should minimize driver "down-time" while in-route. Schedule and dispatch with a few required stops as possible.
21. Management will establish procedures to communicate emergency messages to all facilities and to drivers on the road. Options may include satellite communications systems, cell phones, two-way radios or scheduled call-in times. Management will include communications procedures for drivers to report any unexpected occurrences with equipment, load, or route.
22. Drivers (and other knowledgeable employees) should not discuss any details about their load or pick-up points and destinations with unauthorized personnel, such as over the CB radio or truck stops.
23. Drivers should not pick up hitchhikers or allow any unauthorized personnel in the truck cab.
24. Drivers should not stop to help disabled vehicles or motorists. Call local authorities and notify them of anyone needing assistance. Be suspicious of motorists trying to get the driver to pull over for an "alleged" traffic accident. Be especially suspicious of vehicles with three or more people in them.

25. Supervisors should develop procedure for detecting “late loads.” Investigate any late load more than an hour late for a delivery.
26. Drivers should not change delivery destination unless authorized by dispatch.
27. Supervisors should develop a procedure for drivers when being asked to pull over by law enforcement or unmarked vehicle.
28. Supervisors should consult with shippers to ensure security of consignee delivery areas. Request well-lighted and marked delivery area and that customer personnel are available to answer safety or security questions.
29. All employees are to report any suspicious events to company and local law enforcement.

Tank Wash Rack Security

The following wash rack security plan was developed by the NTTC Tank Cleaning Council.

1. Control Wash Rack and Facility Security
 - a. Establish visitor procedures, including drivers and vendors.
 - b. Establish visitor sign in and visitor ID badge/pass.
 - c. Establish vehicle parking area and vehicle parking tags.
2. Establish daily chemical and hazardous waste inventory.
3. Establish procedures for releasing equipment, including driver ID.
4. Perform multiple daily trailer inventory checks at facilities.
5. Train all employee, including front office, on security and notification procedures.
6. Company official to notify.
7. Public agency to notify.
8. Designate personnel in charge of security.
 - a. Facility manager in charge of security
 - b. Shift supervisor in charge of security
9. Facility monitoring procedures
 - a. During operation hours
 - b. When facility is not open for business

Environmental Policy

Environmental Policy

B-H Transfer Co. is committed to leading the industry in minimizing the impact of its activities on the environment.

The key points of our strategy to achieve this are:

- Minimize waste by evaluating operations and ensuring they are as efficient as possible.
- Minimize toxic emissions through the selection and use of its fleet and the source of its power requirement.
- Actively promote recycling both internally and amongst its customer and suppliers.
- Source and promote product range to minimize the environmental impact of both production and distribution.
- Meet or exceed all the environmental legislation that relates to the Company.
- Use an accredited program to offset the greenhouse emissions generated by our activities.

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Section 1: Acknowledgement

B-H Transfer Co. Company Driver Handbook Acknowledgement

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B-H Transfer Co. is committed to being a good place to work and to having a workplace free from discrimination or harassment. We do not discriminate against any applicant or employee on the basis of race, creed, color, national origin, sex, gender identity, genetic information, sexual orientation, religion, age, disability, veteran status, or any other classification protected by applicable law. We make all employment decisions in a non-discriminatory manner.

As a company driver for B-H Transfer Co. you will be expected to conduct yourself in a professional, business-like way. The guidelines in this Handbook are intended to explain some of the things we expect from you as a representative of B-H Transfer Co. and some of the things you can expect from the Company. If you have any questions about anything contained in the handbook, please contact Charles Tarbutton or Phil Smith.

Section 2: Telephone Numbers and Contacts

Dial (800) 342-6262 then enter the extension number to reach direct contact.

Sandersville Terminal

750 Sparta Road, Sandersville, GA 31082

P.O Box 151, Sandersville, GA 31082

Phone: (800) 342-6462 | (478) 552-5119

Fax: (478) 552-0384 *Office* | (478) 552-1083 *Dispatch* | (478) 553-1060 *Shop* | (478) 553-0506 *Safety*

To contact personnel or departments located in the Sandersville Terminal, dial either phone number listed above and follow the prompts. (Same as after-hours)

Charles Tarbutton	President	
John Wilson	VP of Administration, Safety & Human Resources	Ext. 1206
Keith Johnson	VP of Operations & Dedicated Services	Ext. 1229
Rob Rowe	VP of Intermodal Operations	Ext. 1218
Jackie Kitchens	Director of Office Administration	Ext. 1205
John Harden	Director of Safety & Compliance	Ext. 1219
Phil Smith	Director of Human Resources	Ext. 1222
Jay Hinton	Director of Maintenance	Ext. 1237
Angela Cramer	Director of Import/Export Operations	Ext. 6233
Rusty Smith	Assistant Director of Maintenance	Ext. 1239
Amy Marshall	Safety Supervisor	Ext. 1226
Troy Williford	Sandersville Terminal Manager	Ext. 1230
David Newsom	Sandersville Transload Manager	Ext. 1231
Judy Evans	Tanker Driver Manager	Ext. 6234
Lorrie Hamm	Sandersville Container Driver Manager	Ext. 6232
Monique Richardson	Dispatch Clerk	Ext. 6235

For any of these terminals, during business hours someone will answer the phone and direct you as needed. After hours, the same telephone numbers will direct you to the on-call personnel.

Savannah Terminal

419 Grange Road, Port Wentworth, GA 31407

Phone: (800) 762-3042 ☐

(912) 964-7878 Fax: (912) 965-7880

Terminal Manager: Cindy Wilson Ext. 2111 Driver Manager: Maggie Jobe Ext. 2112

Sylacauga Terminal

705 Gene Stewart Boulevard, Sylacauga, AL 35150

P.O Box 2516, Sylacauga, AL 35150

Phone: (800) 335-9947 ☐ (256) 245-3166 Fax: (256) 245-2562

Terminal Manager: Barry Walker Ext. 4223

Shop

4711 Gordon McIntyre Rd., Gordon, GA

Phone: (478) 946-3933

Fax: (478) 943-0029

After Hours: (478) 232-6599

Jason Murphy or Ext. 6101

Container Driver Managers

1444 Dedrick Rd., McIntyre, GA

Mike Lowe: (877) 833-8317 or Ext. 6004

Dianna Smith: (866) 601-6903 or

Ext. 6005

Fax: (478) 943-1332

Spot & Shuttle

Phone: (478) 232-9148

Al Matysiak

Emergency Contact Numbers

Charles Tarbutton	(478) 552-5894 – Office	John Harden	(478) 232-5590 - Cell
John Wilson	(478) 232-3461 - Cell	Phil Smith	(478) 247-3743 - Cell
Rusty Smith	(478) 552-9459 - Home	Amy Marshall	(478) 251-6820 – Cell
Jay Hinton	(478) 232-8005 - Cell	Keith Johnson	(478) 232-8006 – Cell
Rob Rowe	(478) 232-8008 - Cell	Troy Williford	(478) 232-0375 - Cell

Section 3: Labor Law Posting & Manufacturer's SDS

Labor Law Posting

All required Labor Law postings are at the following locations:

- Sandersville, GA terminal (Driver's lounge)
- Savannah, GA terminal
- Sylacauga, AL terminal
- McIntyre, GA / BASF facility (In the office of Tammy Davis / Kitchen)
- McIntyre, GA shop
- Gordon, GA / AMI office (In the front office)

If you have any questions regarding these or other local, state, or federal employment requirements, contact the Human Resources Department at (478) 552-5119 ext. 1222 or 1236.

Manufacturer's SDS

SDS will be accessible to employees for each hazardous chemical to which they may be exposed either:

- At the Sandersville Terminal – RIGHT TO KNOW stations located in the shop locker area and in the stairwell to the driver's lounge.
- At the Sylacauga Terminal located in the driver's lounge.
- At the B-H McIntyre shop

If you have any questions regarding the SDS, contact the Safety Departments at (478) 552-5119 ext. 1219.

Section 4: Probationary Period Policy

Probationary Period Policy

All new and rehired employees will serve a probationary or “trial” period at the beginning of their employment. The probationary period allows an employee time to learn the basic responsibilities of a position and allows the company to assess the employee’s performance during that time.

For all employees, the probationary period will begin on the first day of employment and last for 60 calendar days.

If an employee changes positions, the employee is subject to a new 60-day probationary period.

If an employee is not meeting the requirements of the job and/or is not showing satisfactory progress and sustained improvement, a decision may be made to end employment at any time during the 60-day probationary period. **The progressive discipline policy does not apply during the probationary period.** Any behaviors that would typically result in discipline may result in termination of employment during the probationary period.

After 60 calendar days the probationary period will be considered complete. Completion of the probationary period, however, does not alter the employee’s status as an at-will employee.

At the end of the probationary period, an employee must have become proficient in the basic responsibilities of the position and must meet performance expectations.

During the probationary period, assessment of performance may include an employee’s:

- Quality of work
- Work habits
- Job-specific standards, expectations, and progress
- Productivity
- Attendance
- Workplace behavior
- Relationships with leaders and co-workers

If a decision is made to end a person’s probationary employment, the department manager will prepare a termination letter that explains the basis for the decision.

The B-H Transfer Handbook will explain other provisions of employment with the company.

Section 4: Open Door Policy

Open Door Policy

We do not have a union at B-H Transfer Co. We do our very best to make sure that people working here never feel that they need to pay dues to any outsider to represent them. Therefore, we shall do everything that is legal and proper to ensure that a union does not exist at any of our locations.

We recognize, nonetheless, that problems sometimes develop in an organization of our size. We believe that working together on these problems is a better approach than you having to pay someone to talk for you. Our experience has been that B-H Transfer Co. employees are perfectly capable of standing on their own two feet and talking for themselves. The Company tries to be responsive to any need or concern brought to our attention.

At B-H Transfer Co., you are encouraged to speak up so that your questions are answered, and problems resolved.

Nothing in this Handbook is intended to infringe upon employee rights under the National Labor Relations Act (NLRA). We recognize the right of employees to engage in activities protected by the NLRA and we will respect those rights.

Your immediate Supervisor is your principal contact with management. It is his/her day-to-day function to serve as a channel of communication for you. It is hoped that you will establish a feeling of confidence between you and your supervisor.

You are encouraged to go to your supervisor for help and advice. If you have a question or complaint, talk to your supervisor about it. Your supervisor should know more about you and your job than any other member of management and is in the best position to handle your complaint properly and satisfactorily. Your supervisor is also looking to you for suggestions, which will improve the operations of your job and your Company.

The only way we can answer your question or solve your problem is for you to tell us about it and talk it over with us. If you feel your supervisor does not settle your complaint satisfactorily, you should discuss the problem with the next management level.

If, after talking to the next management level, an understanding is not reached, then you are always welcome to talk to the President. Remember, the office doors of the Company's executive officers are always open to you whenever you wish to discuss with them any matter related to your work or relationship to the Company.

Section 5: Evacuation Plans

Facility Evacuation Plan for B-H Transfer Co.

Regulatory Standard: OSHA – 29 CFR 1910.38 – NFPA 10

Basis

Over 150 major fires occur in workplaces on an annual basis. Hundreds of tornadoes touch down annually in the United States. Numerous accidents occur that prompt evacuation of industrial facilities nationwide. OSHA has a general directive for employers to maintain a workplace free of hazards. Under authority of this directive, this plan defines the policy of B-H TRANSFER CO. with regards to employee evacuation during emergency situations. Reasons for an evacuation include but are not limited to: Fire, Explosions, Chemical Spill or Leak, Severe Weather, Earthquake, Bomb Threat and unforeseen emergencies where this plan may prove useful.

General

This plan is intended to address comprehensively the issue of providing for the orderly evacuation of the facility during emergency situations. The main goal of any evacuation is the rapid, systematic removal of all persons from potentially hazardous areas to a safe evacuation relocation point, to account for all employees and to assure an all-clear of the evacuated area.

Responsibility

The Company Director of Safety and OSHA Compliance is John Harden. He is solely responsible for all facets of this program and has full authority to make necessary decisions to ensure success of the program. The Director of Safety and OSHA Compliance is the sole person authorized to amend these instructions and is authorized to halt any operation of the company where there is danger of serious personal injury.

Contents of the Facility Evacuation Plan

- | | |
|--|--|
| 1. Written Notice | 9. Procedures for Spills or Leaks |
| 2. Evacuation Notification | 10. Procedures for Severe Weather |
| 3. Employee Responsibility | 11. Procedures for Earthquake |
| 4. Supervisor Responsibility | 12. Procedures for a Bomb Threat |
| 5. Visitor Responsibility | 13. Procedures for Return to Work |
| 6. Contractor Responsibility | 14. Emergency Evacuation Map Locations |
| 7. Procedures for Fire & Explosions | 15. Severe Weather Safe Spots |
| 8. Power Outage Procedure (<i>Employee Responsibilities</i>) | 16. Evacuation Relocation Points |

1. Written Plan

B-H Transfer Co. will review and evaluate this plan:

- On an annual basis
- When changes occur to 29 CFR, that prompt revision of this document
- When facility operational changes occur that require a revision of this document
- After an evacuation, to make improvements from “lessons learned.”
- Any time a component of the plan fails.

Effective implementation of this program requires support from all levels of management within this company. This plan will be communicated to all personnel that are affected by it. It encompasses the total workplace, regardless of the number of workers employed or the number of work shifts. It is designed to establish clear goals and objectives.

2. Evacuation Notification

2:1 The order to evacuate will be made by:

- **Sandersville, GA** – Charles Tarbutton or Jay Hinton
- **Sylacauga, AL** – Barry Walker or Chris Obarr

2:2 All evacuations will start with the announcing of the EVACUATION ORDER orally, or the notification of an affected area supervisor.

2:3 All evacuation orders will include:

2:3:1 The reason for the evacuation

2:3:2 The area(s) involved in the evacuation 2:3:3

Any area(s) to be avoided in the evacuation

2:3:4 Any evacuation relocation points that must be avoided

3. Employee Responsibility

3:1 All employees upon receipt of an evacuation order shall exit the work area via the Nearest Unaffected Exit. They shall proceed to the designated evacuation relocation point for the area they were in at the time of evacuation order, quickly and quietly. They shall also upon request, aid their supervisor in taking role or by being a runner.

3:2 Egress Routes. All employees shall become familiar with the location of all posted egress routes of the facility areas that they frequent and shall know the primary and secondary egress routes of their work area.

3:3 Evacuation Relocation Points. All employees shall become familiar with the marked evacuation relocation points and shall know the primary evacuation relocation point of the facility areas that they frequent and for their work area. **NO ONE WILL LEAVE AN EVACUATION RELOCATION POINT WITHOUT THE EXPRESS PERMISSION OF THE SENIOR EMPLOYEE PRESENT.**

3:4 Severe Weather Safe Spots. All employees shall become familiar with posted Severe Weather Safe Spots and shall know the location of the nearest Severe Weather Safe Spot for areas that they frequent and their work area. Upon the announcement of a “take-cover” order proceed to the designated safe spot.

3:5 Arrival Actions. Upon arrival at an evacuation relocation point, each employee shall seek out the senior employee present to assure that they have been accounted for. They shall also upon request, aid area supervisors or managers in taking a role or being a runner.

3:6 Visitor Escorts. Each visitor at the facility must be always escorted throughout the facility by a company employee. The escort will ensure their visitor is escorted to an evacuation relocation point or safe spot as required. Upon arrival at an evacuation relocation point, the visitor’s name will be forwarded to the employee in charge at the evacuation relocation point.

4. Supervisor Responsibility

- 4:1 If time permits, supervisors shall determine what machines or processes should be shut down. Hazardous process shutdown will be done in accordance with established procedures.
- 4:2 Supervisors shall assist employees in making a quick egress of the area and direct them to the assigned evacuation relocation point.
- 4:3 Supervisors shall take role to assure all their employees are accounted for and shall submit a list of any employees missing and/or additional persons located at their evacuation relocation point to senior management and or the responding fire department.

5. Visitor Responsibility

- 5:1 Company Escorts. The evacuation of a visitor is the responsibility of the company escort. All visitors will be briefed that they must be always escorted in the facility by a company employee.
- 5:2 Evacuation Relocation Points. All visitors shall be briefed prior to entering on the safety rules and regulations at the facility. Upon notification of an evacuation the escort will ensure that they immediately exit the building via the nearest exit, report to the nearest evacuation relocation point, and give their name to the senior employee in that evacuation relocation area. **NO ONE WILL LEAVE EVACUATION RELOCATION POINTS WITHOUT THE EXPRESS PERMISSION OF THE SENIOR EMPLOYEE IN CHARGE.**
- 5:3 Severe Weather Safe Spots. Visitors shall be escorted to the nearest Severe Weather Safe Spot upon notification to take-cover and give their name to the senior employee present in the Safe Spot.

6. Contractor Responsibility

- 6:1 The evacuation of an employee of a contractor is the responsibility of that contractor.
- 6:2 Evacuation Relocation Points. All contractor employees shall be briefed by the contractor's management before entering the site, as part of any required OSHA training. Upon notification of an evacuation, they will immediately exit the building via the nearest exit and report to the nearest evacuation relocation point and give their name to the senior employee present. **NO ONE WILL LEAVE EVACUATION RELOCATION POINTS WITHOUT THE EXPRESS PERMISSION OF THE SENIOR EMPLOYEE IN CHARGE.**
- 6:3 Severe Weather Safe Spots. All contractor employees shall be briefed by the contractor's management before entering the site, as part of any required OSHA training, the location of severe weather safe spots in the event of an emergency. Upon notification to take-cover they will proceed to the nearest severe weather safe spot and give their name to the senior employee present.
- 6:4 Temporary Work Structures. The evacuation of a temporary structure brought onto company property will be the responsibility of the contractor. Once evacuated, all personnel shall report to the nearest evacuation relocation point and give their name to the senior employee present.

7. Procedures for Fire & Explosions

- 7:1 Upon notification of a fire or explosion by the plant PA system, PA tone alarm, fire alarm, or as directed by management, all employees not assigned emergency duties should evacuate the building immediately in accordance with the posted evacuation routes and report to the assigned (or) nearest evacuation relocation point or location designated at the time.
- 7:2 Supervisor Responsibilities. Supervisors will provide guidance and instructions as needed. Evacuation should be done in a calm and orderly manner. If time permits, search all confined areas, such as washrooms, rest rooms, etc. **NO ONE WILL LEAVE EVACUATION RELOCATION POINTS WITHOUT THE EXPRESS PERMISSION OF THE SENIOR EMPLOYEE IN CHARGE.**

- 7:3 Employee Responsibilities. Once you leave the building, NEVER RE-ENTER until instructed to do so by management! If time permits, employees leaving the building should close all doors to help contain the spread of fire.
- 7:4 Difficulties in Evacuation. If smoke and/or heat conditions are encountered while evacuating, remember to stay low to the floor and exit by the nearest door or window. In the event of a major fire, evacuation may have to be delayed until the fire is fought under control and/or extinguished. If this situation exists, remain calm and shield yourself from the fire. If you are unable to escape, stuff clothing, rags, etc., in or around all cracks to help keep the smoke from entering your location. It is most important to try and notify someone of your location. If the telephone is out of service, try to get someone's attention by yelling or making noises. ABOVE ALL, remain calm until help arrives.
- 7:5 After employee notification is accomplished, the Director of Safety and OSHA Compliance shall remain at the front entrance until the local fire department arrives and prepare to receive information from area supervisors upon the completion of their evacuation. The Director of Safety and OSHA Compliance shall remain in charge until the local fire department arrives.

8. Power Outage Procedure (Employee Responsibilities)

When a power outage occurs, the following procedures should be followed:

- 8:1 Stop what you are doing, but DO NOT move around until the emergency lights come on.
- 8:2 All personnel (except those designated to handle equipment procedures during power failure) should report to their normal work location once the emergency lights come on.
- 8:3 Once everyone arrives in their work area, a head count should be obtained by each supervisor of their work area personnel.
- 8:4 The shift supervisor, assistance manager, or authorized management person should determine that all work area personnel are accounted for (except equipment designated personnel).
- 8:5 The shift supervisor, assistance manager, or authorized management person should then find out the extent of the power failure and issue assignments, accordingly, depending on the situation.
- 8:6 The key point in this exercise is that one group takes care of equipment and determines what is wrong. ALL OTHER employees should go to their work locations.

9. Procedure for a Spill or Leak

- 9:1 Upon notification of a spill or leak the emergency personnel shall announce the appropriate evacuation information, over the Public Address System, by Radio, or by telephone to the affected area or areas.
- 9:2 The Director of Safety and OSHA Compliance shall notify the proper authorities.
- 9:3 After notifying affected areas the Director of Safety and OSHA Compliance shall remain at the front entrance and prepare to receive information from area supervisors upon the completion of their evacuation. The Director of Safety and OSHA Compliance shall remain in charge until relieved by the authorized emergency personnel.
- 9:4 The Director of Safety and OSHA Compliance shall give all information about this incident including the degree of success of the evacuation to the emergency personnel upon their arrival. If outside agencies are notified, brief the agencies upon their arrival.

10. Procedures for Severe Weather

- 10:1 Upon notification of impending severe weather, i.e., a Tornado Warning or severe Thunderstorm Warning, and where immediate danger poses a threat to our facility, the following procedure shall be followed:
 - 10:1:1 When severe weather seems possible, a management official will monitor the radio or a communication scanner.
 - 10:1:2 If a weather alert or warning is issued for the county, the Director of Safety and OSHA Compliance will notify employees of the potential for disaster.

10:1:3 The Director of Safety and OSHA Compliance will:

- a. Establish a weather observer outside of the facility.
- b. Notify shift supervisors, and upper management that observers are monitoring the radio, the scanner and have set up observation points; and
- c. Request shift supervisors, to help keep employees calm, but to prepare for possible shutdown and evacuation into the designated severe weather safe spots.

10:2 After severe weather has passed the Director of Safety and OSHA Compliance will announce the Clear Weather signal.

10:3 If any Damage has occurred to B-H TRANSFER CO.'s property the Director of Safety and OSHA Compliance shall notify the President. The Director of Safety and OSHA Compliance will prepare to receive information about property damage and or injured employees. This information will also be passed to outside agencies requested to respond, upon their arrival.

11. Procedures for an Earthquake

11:1 The response to an earthquake is a reactive one, thus no warning is given. Take cover in doorways, or under heavy, well-supported, machinery.

11:2 After the earthquake subsides, evacuate the building to the designated evacuation relocation points.

11:3 If any damage has occurred to the facility, the Director of Safety and OSHA Compliance shall notify the President. The Director of Safety and OSHA Compliance shall prepare to receive information about damage to the property and or trapped or missing persons. The Director of Safety and OSHA Compliance shall remain in charge until relieved by senior management personnel.

11:4 The Director of Safety and OSHA Compliance shall forward all pertinent information to management personnel or other agencies upon their arrival.

12. Procedures for a Bomb Threat

12:1 Upon notification of a Bomb Threat the Director of Safety and OSHA Compliance shall notify the proper authorities, i.e., Police, Fire Department.

12:2 After notifying affected areas the Director of Safety and OSHA Compliance shall remain at the phone and prepare to receive information from area supervisors upon the completion of their evacuation. The Director of Safety and OSHA Compliance shall remain in charge until relieved by the President of the company.

12:3 The Director of Safety and OSHA Compliance shall give all information about this incident including the degree of success of the evacuation to the management personnel upon their arrival, or to other agencies that have been requested to respond.

13. Procedures to Return to Work

13.1 Facility Evacuation. After a survey of the facility has been conducted by emergency responders, and/or the Director of Safety and OSHA Compliance, the decision for return to work will be made. If the area is declared hazard free personnel may return to work once the order is given. If hazards are detected personnel will be released to go home. **ALL PERSONNEL WILL REMAIN ON B-H TRANSFER CO.'S PROPERTY, UNLESS OTHERWISE DIRECTED BY B-H TRANSFER CO.'S MANAGEMENT OR THEIR DESIGNEE.**

13.2 Severe Weather. After the take-cover order, all personnel shall proceed to their safe spot and remain there until the all-clear announcement is made.

13.3 The "All Clear" will be issued by the Director of Safety and OSHA Compliance.

14. Emergency Evacuation Map Locations

Sandersville, Georgia Emergency Evacuation Areas and Exits		
Plant Location	Map Location of Exit Route	Evacuate / Assemble to
Front Office (First Floor)	Front Lobby & Rear Walls (left and right sides)	Parking Lot Evacuation Relocation Point A
Front Office (Second Floor)	Training Room, Driver Lounge & Dispatch	Parking Lot Evacuation Relocation Point A
Maintenance	Shop Offices & Mechanics Lounge	Parking Lot Evacuation Relocation Point B

Sylacauga, Alabama Emergency Evacuation Areas and Exits		
Plant Location	Map Location of Exit Route	Evacuate / Assemble to
Front Office	Front Lobby & Rear Walls (left and right sides)	Parking Lot Evacuation Relocation Point A
Maintenance	Shop Office & Mechanic Lounge	Parking Lot Evacuation Relocation Point A

15. Severe Weather Safe Spots

Sandersville, Georgia Severe Weather Safe Spots	
Plant Location	Safe Spot
Front Office (First & Second Floor)	Stair towers on left or right sides at the bottom
Maintenance	Mechanics Lounge

Sylacauga, Alabama Severe Weather Safe Spots	
Plant Location	Safe Spot
Front Office	Office Lounge
Maintenance	Office Lounge

16. Evacuation Relocation Points

Sandersville, Georgia Evacuation Relocation Points	
Plant Location	Evacuation Relocation Point
Front Office (First & Second Floor)	Parking Lot Evacuation Relocation Point A
Maintenance	Parking Lot Evacuation Relocation Point B

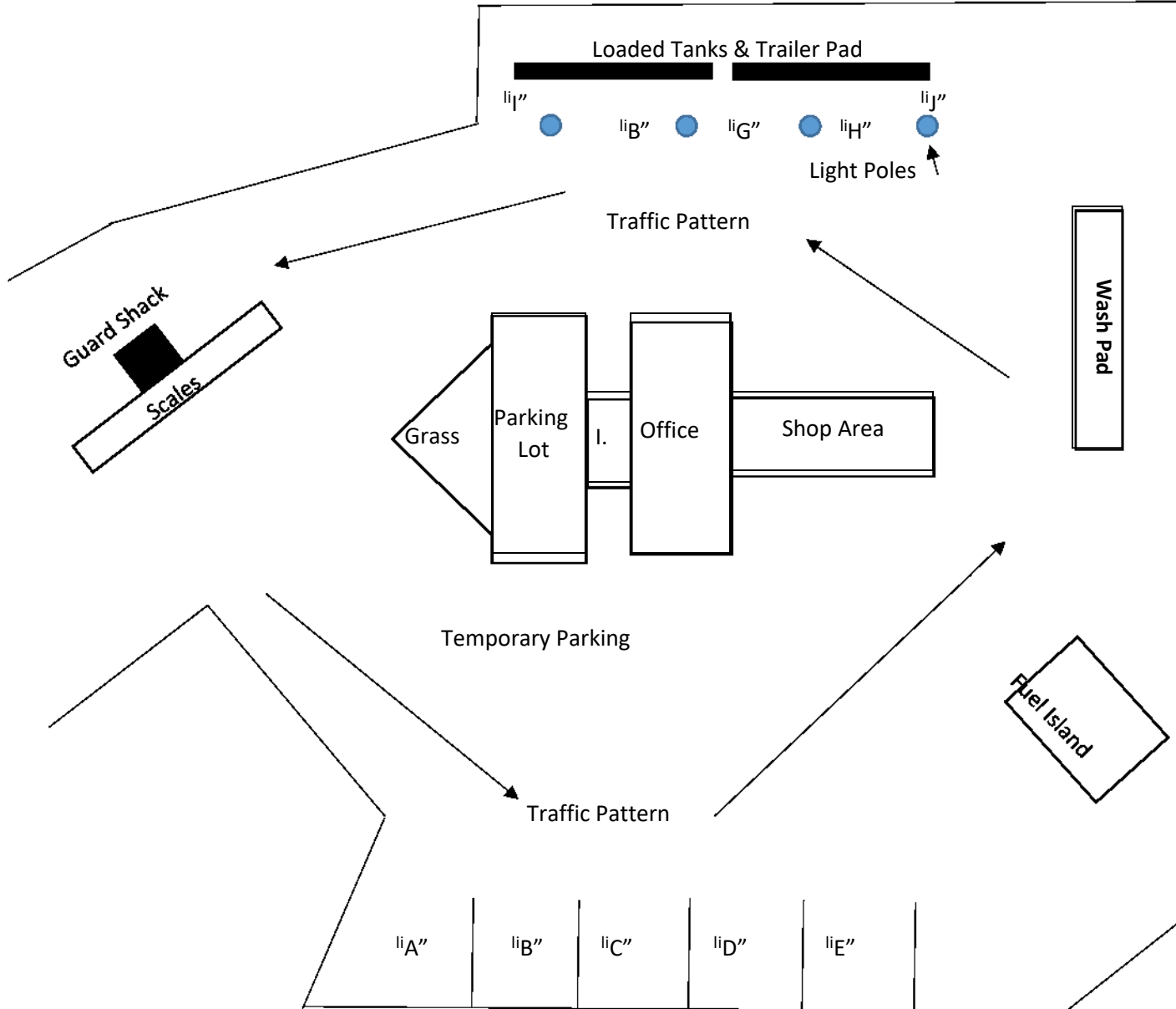
Sylacauga, Alabama Evacuation Relocation Points	
Plant Location	Evacuation Relocation Point
Front Office	Parking Lot Evacuation Relocation Point A
Maintenance & Tank Wash	Parking Lot Evacuation Relocation Point A

B-H Transfer Co. Sandersville, GA Terminal

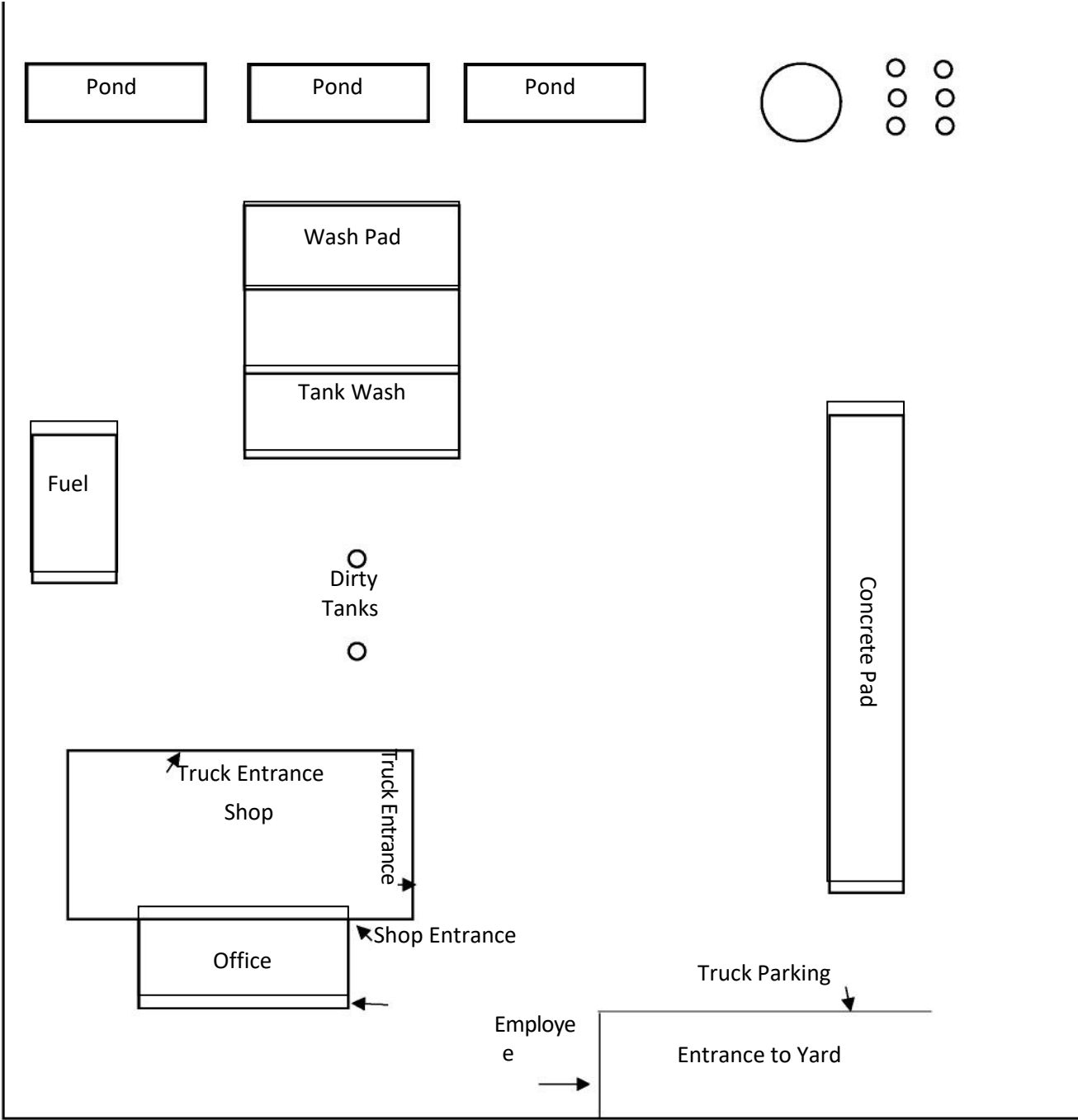
Facility Entrances

- I. Office & Dispatch Main Entrance
- II. Driver Entrance to Dispatch & Lounge
- III. Shop Employee Entrance
- IV. Driver Entrance to Shop Offices

- Area "A" – Overnight Dump Truck Parking
- Area "B" – Office/Dispatch & Truck Parking
- Area "C" – Out of Service Equipment
- Area "D" – Schedules Dump Trailer Maintenance & Parking
- Area "E" – Flat Beds, Vans, & Dump Trailers
- Area "G" – Tanks to be Washed.
- Area "H" – Empty Containers
- Area "I" – Loaded Tanks / Trailers / Containers
- Area "J" – Clean Tanks



B-H Transfer Co. Sylacauga, AL Terminal



Section 6: Drug-Free Workplace and Substance Abuse Policy

Drug-Free Workplace and Substance Abuse Policy

B-H Transfer Co. is committed to providing a safe work environment and to fostering the well-being and health of its employees. That commitment is jeopardized when any B-H Transfer Co. employee illegally uses drugs on or off the job, comes to work under the influence, possess, distributes or sells drugs in the workplace, or abuses alcohol on the job. Therefore, B-H Transfer Co. has established the following policy:

1. It is a violation of company policy for any employee to use, possess, sell, trade, offer for sale, or offer to buy illegal drugs or otherwise engage in the illegal use of drugs on or off the job.
2. It is a violation of company policy for any employee to report to work under the influence of or while possessing in his or her body, blood, or urine illegal drugs in any detectable amount.
3. It is a violation of company policy for an employee to report to work under the influence of or impaired by alcohol.
4. It is a violation of B-H Transfer Co. policy for any employee to use prescription drugs illegally, i.e., to use prescription drugs that have not been legally obtained or in a manner or for a purpose other than as prescribed. (However, nothing in this policy precludes the appropriate use of legally prescribed medication.)
5. Violations of this policy are subject to disciplinary action up to and including termination.
6. EMPLOYEE ASSISTANCE PROGRAM
 - a. B-H Transfer Co. offers resource information on various resources for employee assistance in our community, including but not limited to drug and alcohol abuse programs. Employees are encouraged to use the resource list, which is located at each terminal on the bulletin boards with other required postings. In addition, this list will be distributed to employees directly for their confidential use.
7. GENERAL PROCEDURES
8. An employee reporting to work visibly impaired will be deemed unable to properly perform required duties and will not be allowed to work. If possible, the employee's supervisor will first seek another supervisor's opinion to confirm the employee's status. Next the supervisor will consult privately with the employee to determine the cause of the observation, including whether substance abuse has occurred. If, in the opinion of the supervisor, the employee is considered impaired, the employee will be sent home or to a medical facility by taxi or other safe transportation alternative—depending on the determination of the observed impairment—and accompanied by the supervisor or another employee if necessary. A drug test may be in order. An impaired employee will not be allowed to drive.
9. OPPORTUNITY TO CONTEST OR EXPLAIN TEST RESULTS
10. Employees and job applicants who have a positive confirmed test result may explain or contest the result to B-H Transfer Co. within five (5) working days after B-H Transfer Co. contacts the employee or job applicant and show him/her the positive test results as it was received from the laboratory in writing.
11. CONFIDENTIALITY
12. The confidentiality of any information received by the employer through a substance abuse testing program shall be maintained, except as otherwise provided by law.

13. PRE-EMPLOYMENT DRUG TESTING

All job applicants at B-H Transfer Co. will undergo testing for the presence of illegal drugs as a condition of employment. Any applicant with a confirmed positive test will be denied employment.

Applicants will be required to submit voluntarily to a urinalysis test at a laboratory chosen by B-H Transfer Co., and by signing a consent agreement will release B-H Transfer Co. from liability.

If the physician, official, or lab personnel has reasonable suspicion to believe that the job applicant has tampered with the specimen, the applicant will not be considered for employment.

B-H Transfer Co. will not discriminate against applicants for employment because of a past history of drug abuse. It is the current abuse of drugs, preventing employees from performing their job properly, that B-H Transfer Co. will not tolerate.

Individuals who have failed a pre-employment test may initiate another inquiry with B-H Transfer Co. after a period of not shorter than six (6) months, but they must present themselves drug-free as demonstrated by urinalysis or other test selected by B-H Transfer Co.

14. EMPLOYEE TESTING

B-H Transfer Co. has adopted testing practices to identify employees who use illegal drugs on or off the job or who abuse alcohol on the job. It shall be a condition of employment for all employees to submit to substance abuse testing under the following circumstances:

- A.** When there is reasonable suspicion to believe that an employee is using illegal drugs or abusing alcohol. “Reasonable suspicion” is based on a belief that an employee is using or has used drugs or alcohol in violation of the employer’s policy drawn from specific objective and articulable facts and reasonable inferences drawn from those facts considering experience. Among other things, such facts and inferences may be based upon, but not limited to, the following:
 - 1) Observable phenomena while at work such as direct observation of substance abuse or of the physical symptoms or manifestations of being impaired due to substance abuse.
 - 2) Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
 - 3) A report of substance abuse provided by a reliable and credible source.
 - 4) Evidence that an individual has tampered with any substance abuse test during his or her employment with the current employer.
 - 5) Information that an employee has caused or contributed to an accident while at work; or
 - 6) Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working or while on the employer’s premises or while operating the employer’s vehicle, machinery, or equipment.
- B.** When employees have caused or contributed to an on-the-job injury that resulted in a loss of work time, which means any period during which an employee stops performing the normal duties of employment and leaves the place of employment to seek care from a licensed medical provider. B-H Transfer Co. may also send employees for a substance abuse test if they are involved in on-the-job accidents where personal injury or damage to company property occurs.
- C.** As part of a follow-up program to treatment for drug abuse when an employee has involuntarily entered a rehabilitation program because of a positive confirmed test result. The frequency of such testing shall be a minimum of at least once a year for a two-year period after completion of the rehabilitation program. Advance notice of testing shall not be given to the employee.

- D. When a substance abuse test is conducted as part of a routinely scheduled employee fitness-for-duty medical examination that is part of the employer's established policy or that is scheduled routinely for all members of an employment classification or group.
- E. All employees will be subject to random testing, CMV drivers as required by the DOT. (Revised 11/05)
- F. Employees qualified as CMV drivers will be subject to D & A testing as required by DOT testing.
- G. When an applicant or employee has a negative-dilute result returned on provided specimen, applicant or employee will be asked to provide another specimen as soon as possible. (Revised 2/1/13)

Employees with a confirmed positive test result may, at their option and expense, have a second confirmation test made on the same specimen. An employee will not be allowed to submit another specimen for testing.

If the physician, official, or lab personnel has reasonable suspicion to believe that the employee has tampered with the specimen, the employee is subject to disciplinary action up to and including termination.

15. ALCOHOL ABUSE

An employee whose normal faculties are impaired due to the consumption of alcoholic beverages while on duty, company business, or company property shall be guilty of misconduct and shall be subject to discipline up to and including termination.

An employee shall be determined to be under the influence of alcohol if the employee's normal faculties are impaired due to the consumption of alcohol, or if the employee has a blood alcohol level of .04 for all CMV drivers and .08 for all others.

Failure to submit to a substance abuse test also is misconduct and shall be subject to discipline up to and including termination.

It is the responsibility of B-H Transfer Co.'s supervisors to counsel employees whenever they see changes in performance or behavior that suggests an employee has a drug problem.

Although it is not the supervisor's job to diagnose personal problems, the supervisor should encourage such employees to seek help and advise them about available resources for getting help. Everyone shares responsibility for maintaining a safe work environment, and co-workers should encourage anyone who has a drug problem to seek help.

The goal of this policy is to balance our respect for individuals with the need to maintain a safe, productive, and drug-free environment. The intent of this policy is to offer a helping hand to those who need it, while sending a clear message that the illegal use of drugs and the abuse of alcohol are incompatible with employment at B-H Transfer Co.

Drug-Free Workplace Resource List

National Clearinghouse for Alcohol and Drug Information (NCADI)

P.O Box 2345

Rockdale, MD 20847-2345

(800) 729-6686 or (301) 468-2600

(301) 468-6433 – Fax

info@health.org – Email

<http://www.health.org>

Note: NCADI is a division of SAMHSA

The Center for Substance Abuse Prevention’s Hotline (CSAP)

(800) WORKPLACE

The Center for Substance Abuse Treatment (CSAT) Drug Information, Treatment and Referral Hotline

1-800-662-HELP

1-80-6-AYUDA (Spanish)

Drug Free Workplace Helpline

(800) 967-5752

Metropolitan Atlanta Council on Alcohol and Drug (MACAD)

2045 Peachtree Rd. NE, Suite 605

Atlanta, GA 30307-1410

(404) 351-1800

(404) 351-2840 – Fax

www.macacl.org

Center for Substance Abuse Research (CESAR)

(301) 403-8329

www.cesar.umd.edu

National Drugs Don’t Work

(703) 706-0578

Under Part 382.605 of the Federal Motor Carrier Rules and Regulations, B-H Transfer Co. is required to advise you of the resources available in evaluating and resolving problems associated with the misuse of alcohol and use of controlled substances.

Frank Barker – 835 E. 65th St. Suite 104, Savannah, GA 31405 · (912) 335-1440

John Lacovini – 6205 Abercorn St., Savannah, GA 31405 · (912) 484-1372

Sue Moore – 448 Telfair St., Augusta, GA 30901 · (706) 722-7788

James Morgan – 12 W. DDCAMC, Building 300, Augusta, GA 30905 · (706) 787-2917

Gera Irvine – 105 William Way, Macon, GA 31216-6160 · (478) 361-2875

Johnnie Robinson – 1202 12th Court, Phoenix City, AL 36867 · (706) 249-1561

Joan Kogelschatz – 921 Honeysuckle Rd., Dothan, AL 36305 · (334) 794-0719

Kelly Kaplan – 116 Dearmanville Rd., Anniston, AL 36207 · (256) 831-0790

Bobby Dunn – 1718 W. Second St., Montgomery, AL 36106 · (334) 834-6400

Shelly Wilson – 609 Meriweather Dr., Calera, AL 35040 · (205) 292-2238

Margarite McCain – 9 Ventura Ct., Columbia, SC 29223 · (803) 260-5843

Richard Cole – 1441 St. Andrews Rd., Columbia, SC 29210 · (803) 750-8444

Lisa Burkett – 3211 Young Charles Dr., Florence, SC 29501 · (843) 617-5682

Glynis Matthews – 1954 Ashley River Rd., Suite H, Charleston, SC 29407 · (843) 763-0880



U.S. Department of Transportation

Office of the Secretary of Transportation



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Disclaimer

This publication was produced by the U.S. Department of Transportation (DOT) to assist safety-sensitive employees subject to workplace drug & alcohol testing in understanding the requirements of 49 CFR Part 40 and certain DOT agency regulations. Nothing in this publication is intended to supplement, alter or serve as an official interpretation of 49 CFR Part 40 or DOT agency regulations. This publication is for educational purposes only.

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This publication can also be accessed electronically through the internet at www.dot.gov/odapc.

For questions, please contact DOT's Office of Drug & Alcohol Policy & Compliance at 202-366-DRUG (3784) or visit our website at www.dot.gov/odapc.

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What Employees Need To Know About DOT Drug & Alcohol Testing

U.S. Department of Transportation (DOT)
Office of the Secretary (OST)
Office of Drug & Alcohol Policy & Compliance (ODAPC)

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U.S. Department of Transportation
Office of the Secretary



“Why is this program so important?”



Safety is our no. 1 priority at the U.S. Department of Transportation. And a cornerstone of our safety policy is ensuring that transportation providers across all modes – on roads, rails, water, or in the air, over land and underground – employ operators who are 100 percent drug- and alcohol-free. We want – and we insist upon – safety-conscious employees at all times and under all circumstances.

Fortunately, the transportation industry over time has worked hard to reduce the number of accidents and crashes directly related to drug and alcohol use. Nevertheless, human risk factors remain – and some transportation workers do use illicit drugs, or abuse alcohol, despite serious efforts to deter them.

We must never stop trying to improve our safety record where substance abuse is concerned. We can start by making sure that employees are properly educated on the personal and professional consequences of drug use and alcohol misuse. Supervisors must be appropriately trained to identify signs and symptoms of drug and alcohol use.

Employers must also have strong drug and alcohol testing programs. And employees must be removed from safety-sensitive duties immediately after they violate drug and alcohol testing rules. It is very important that employees are not returned to safety-sensitive duty until they are referred for evaluation and have successfully complied with treatment recommendations.

I know you will support these important measures, so that we can assure the traveling public that our transportation system is the safest it can possibly be.

A handwritten signature in black ink, appearing to read 'Ray LaHood', written over a white background.

Ray LaHood
Secretary of Transportation
U.S. Department of Transportation
July 2009

Office of Drug and Alcohol Policy and Compliance

What Employees Need To Know About DOT Drug & Alcohol Testing

Just entering the transportation industry? Performing tasks defined by the US Department of Transportation (DOT) as safety-sensitive, such as working on pipelines, driving a truck, operating a ferry or a train, or repairing an airplane? Then, you are subject to DOT workplace drug & alcohol testing. Here are the basics you need to know about DOT's program.

Who is subject to DOT testing?

Anyone designated in DOT regulations as a safety-sensitive employee is subject to DOT drug & alcohol testing. What follows is an overview of what jobs are defined as safety-sensitive functions subject to testing.

Aviation FAA	Flight crews, flight attendants, flight instructors, air traffic controllers at facilities not operated by the FAA or under contract to the U.S. military, aircraft dispatchers, aircraft maintenance or preventative maintenance personnel, ground security coordinators and aviation screeners. Direct or contract employees of 14 CFR Part 121 or 135 certificate holders, Section 91.147 operators and air traffic control facilities not operated by the FAA or under contract to the US Military. See FAA regulations at 14 CFR Part 120.
Commercial Motor Carriers FMCSA	Commercial Drivers License (CDL) holders who operate Commercial Motor Vehicles, 26,001 lbs. gvwr. or greater, or operate a vehicle that carries 16 passengers or more including the driver, or required to display a DOT placard in the transportation of hazardous material. ¹ See FMCSA regulation at 49 CFR Part 382.
Maritime USCG ²	Crewmembers operating a commercial vessel. See USCG regulations at 46 CFR Parts 4 & 16.
Pipeline PHMSA	Operations, maintenance and emergency response. See PHMSA regulations at 49 CFR Part 199.
Railroad FRA	Hours of Service Act personnel, engine & train, signal service or train dispatchers. See FRA regulations at 49 CFR Part 219.
Transit FTA	Vehicle operators, controllers, mechanics and armed security. See FTA regulations at 49 CFR Part 655.
Links to these	regulations can be found on-line at www.dot.gov/odapc .

Remember: The tasks you actually perform qualify you as a safety-sensitive employee, not your job title. Also, some employees, like managers and supervisors, may be qualified for these jobs but not currently performing them. Do they have to be tested as well? In most cases, yes...if that employee may be asked at a moment's notice or in an emergency to perform a safety-sensitive job. Be sure to check industry specific regulations for further clarification.

¹In some instances, states allow waivers from this qualification, such as operators of fire trucks and some farm equipment. Check with your state department of motor vehicles for more information.

²An agency of the U.S. Department of Homeland Security.

Why are safety-sensitive employees tested?

The short answer is for the safety of the traveling public, co-workers and yourself. The longer answer is that the United States Congress recognized the need for a drug & alcohol free transportation industry, and in 1991 passed the Omnibus Transportation Employee Testing Act, requiring DOT Agencies to implement drug & alcohol testing of safety-sensitive transportation employees.³

Within DOT, the Office of the Secretary's Office of Drug & Alcohol Policy & Compliance (ODAPC) publishes rules on *how* to conduct those tests, *what* procedures to use when testing and *how* to return an employee to safety-sensitive duties. Encompassed in 49 Code of Federal Regulations (CFR) Part 40, ODAPC publishes and provides authoritative interpretations of these rules.

DOT agencies and the U.S. Coast Guard write industry specific regulations, spelling out *who* is subject to testing, *when* and in *what* situations. Industry employers implement the regulations that apply to them.

The benefit to all employees affected by DOT regulations is that each agency's regulations must adhere to DOT's testing procedures found at 49 CFR Part 40, commonly known as "Part 40." For example, you may work in the rail industry and later work in the motor carrier industry, but the procedures for collecting, testing and reporting of your tests will be the same under Part 40.

What information must employers provide when I first begin performing DOT safety-sensitive functions?

Depending on the DOT agency over-seeing your industry, your employer may be required to provide you with educational materials and a company policy that explain the requirements of DOT's drug & alcohol testing regulations and the procedures to help you comply. If you have not received this information, be sure to ask your employer about it.

What conduct is prohibited by the regulations?

As a safety-sensitive employee...

- You must not use or possess alcohol or any illicit drug while assigned to perform safety-sensitive functions or actually performing safety-sensitive functions.
- You must not report for service, or remain on duty if you...
 - Are under the influence or impaired by alcohol;
 - Have a blood alcohol concentration .04 or greater; (with a blood alcohol concentration of .02 to .039, some regulations do not permit you to continue working until your next regularly scheduled duty period);
 - Have used any illicit drug.
- You must not use alcohol within four hours (8 hours for flight crew members and flight attendants) of reporting for service or after receiving notice to report.

³The Omnibus Act's testing requirements do not apply to PHMSA.

- You must not report for duty or remain on duty when using any controlled substance unless used pursuant to the instructions of an authorized medical practitioner.
- You must not refuse to submit to any test for alcohol or controlled substances.
- You must not refuse to submit to any test by adulterating or substituting your specimen.

Keep these in mind when preparing to report to work.

What drugs does DOT test for?

DOT drug tests are conducted only using urine specimens. The urine specimens are analyzed for the following drugs/metabolites:

- Marijuana metabolites/THC
- Cocaine metabolites
- Amphetamines (including methamphetamine, MDMA)
- Opiates (including codeine, heroin (6-AM), morphine)
- Phencyclidine (PCP)

Specimens Collected for Drug & Alcohol Testing	
Drugs:	Urine
Alcohol:	Breath & Saliva
* The FRA requires blood specimens as part of their Post-Accident testing.	

To learn more about the effects of these and other drugs visit the following sites:

- Drugs and Human Performance Fact Sheet. National Highway Traffic Safety Administration (NHTSA) www.nhtsa.dot.gov.
- Driving While You Are Taking Medications. National Highway Traffic Safety Administration (NHTSA) www.nhtsa.dot.gov.
- Common Drugs of Abuse. National Institute for Drug Abuse (NIDA) www.nida.nih.gov.
- Substance Abuse. Substance Abuse and Mental Health Administration (SAMHSA) www.workplace.samhsa.gov.
- Drug Facts. Office of National Drug Policy Control (ONDCP) www.whitehousedrugpolicy.gov.
- Prevention On-line. National Clearinghouse for Alcohol and Drug Information (NCADI) www.health.org.

Can I use prescribed medications & over the counter (OTC) drugs and perform safety-sensitive functions?

Prescription medicine and OTC drugs may be allowed.⁴ However, you must meet the following minimum standards:

- The medicine is prescribed to you by a licensed physician, such as your personal doctor.

⁴The FRA requires that if you are being treated by more than one medical practitioner, you must show that at least one of the treating medical practitioners has been informed of all prescribed and authorized medications and has determined that the use of the medications is consistent with the safe performance of your duties.

- The treating/prescribing physician has made a good faith judgment that the use of the substance at the prescribed or authorized dosage level is consistent with the safe performance of your duties.

Best Practice: To assist your doctor in prescribing the best possible treatment, consider providing your physician with a detailed description of your job. A title alone may not be sufficient. Many employers give employees a written, detailed description of their job functions to provide their doctors at the time of the exam.

- The substance is used at the dosage prescribed or authorized.⁵
- If you are being treated by more than one physician, you must show that at least one of the treating doctors has been informed of all prescribed and authorized medications and has determined that the use of the medications is consistent with the safe performance of your duties.
- Taking the prescription medication and performing your DOT safety-sensitive functions is not prohibited by agency drug & alcohol regulations. However, other DOT agency regulations may have prohibitive provisions, such as medical certifications.

Remember: Some agencies have regulations prohibiting use of specific prescription drugs, e.g. methadone, etc If you are using prescription or over-the-counter medication, check first with a physician, but do not forget to consult your industry-specific regulations before deciding to perform safety-sensitive tasks. Also be sure to refer to your company's policy regarding prescription drugs.

When will I be tested?

Safety-sensitive employees are subject to drug or alcohol testing in the following situations:

- Pre-employment.
- Reasonable Suspicion/Cause.
- Random.
- Return-to-duty.
- Follow-up.
- Post-Accident.

Pre-Employment

As a new hire, you are required to submit to a drug test. Employers may, but are not required to, conduct alcohol testing.⁶ Only after your employer receives a negative drug test result (and negative alcohol test result - if administered) may you begin performing safety-sensitive functions. This also applies if you are a current employee transferring from a non-safety-sensitive function into a safety-sensitive position (even if it is the same employer).

⁵While a minority of states allow medical use of marijuana, federal laws and policy do not recognize any legitimate medical use of marijuana. Even if marijuana is legally prescribed in a state, DOT regulations treat its use as the same as the use of any other illicit drug.

⁶Not every DOT agency requires a pre-employment alcohol test.

Reasonable Suspicion/Cause

You are required to submit to any test (whether drug, alcohol or both) that a supervisor requests based on reasonable suspicion. Reasonable suspicion means that one or more trained supervisors reasonably believes or suspects that you are under the influence of drugs or alcohol. They cannot require testing based on a hunch or guess alone; their suspicion must be based on observations concerning your appearance, behavior, speech and smell that are usually associated with drug or alcohol use.

Random

You are subject to unannounced random drug & alcohol testing. Alcohol testing is administered just prior to, during or just after performing safety-sensitive functions. Depending on the industry specific regulations, you may only be subject to random drug testing.⁷

No manager, supervisor, official or agent may select you for testing just because they want to. Under DOT regulations, employers must use a truly random selection process. Each employee must have an equal chance to be selected and tested.

Just prior to the testing event, you will be notified of your selection and provided enough time to stop performing your safety-sensitive function and report to the testing location. Failure to show for a test or interfering with the testing process can be considered a refusal.

Post-Accident

If you are involved in an event (accident, crash, etc.) meeting certain criteria of the DOT agency, a post-accident test will be required. You will then have to take a drug test and an alcohol test. You are required to remain available for this testing and are not permitted to refuse testing.



Remember: Safety-sensitive employees are obligated by law to submit to and cooperate in drug & alcohol testing mandated by DOT regulations.

Return-to-Duty

If you have violated the prohibited drug & alcohol rules, you are required to take a drug and/or alcohol test before returning to safety-sensitive functions for any DOT regulated employer. You are subject to unannounced follow-up testing at least 6 times in the first 12 months following your return to active safety-sensitive service. Return-to-duty tests must be conducted under direct observation.

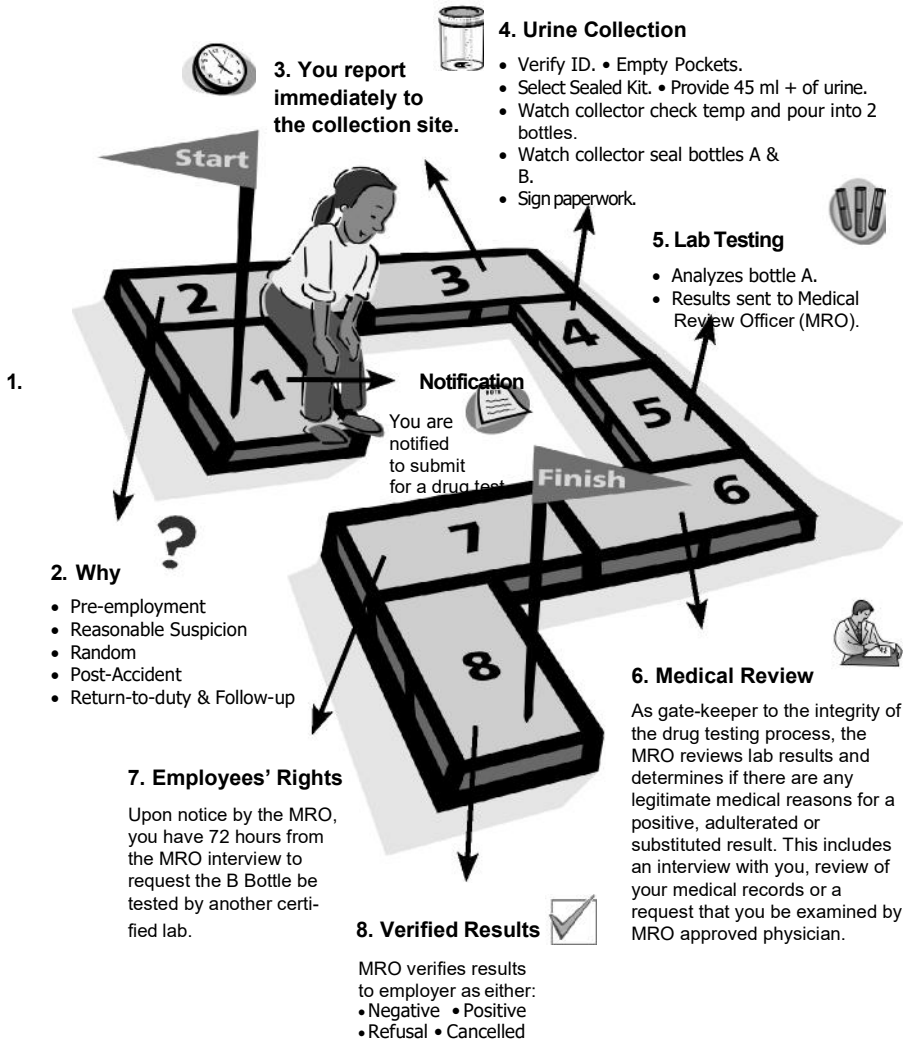
Follow-up

The amount of follow-up testing you receive is determined by a Substance Abuse Professional (SAP) and may continue for up to 5 years. This means the SAP will determine how many times you will be tested (at least 6 times in the first year), for how long, and for what substance (i.e. drugs, alcohol, or both). Your employer is responsible for ensuring that follow-up testing is conducted and completed. Follow-up testing is in addition to all other DOT required testing. All follow-up tests will be observed.

⁷USCG & PHMSA do not perform random alcohol tests.

⁸In post-accident testing, the FRA requires a blood specimen for drug testing.

Overview of DOT Drug Testing



How is a urine drug test administered?

Regardless of the DOT agency requiring the drug test, the drug testing process always consists of three components:

- The Collection. (49 CFR Part 40, Subparts C, D, E)
- Testing at the Laboratory. (49 CFR Part 40, Subpart F)
- Review by the Medical Review Officer. (49 CFR Part 40, Subpart G)

What follows is a summary of the procedures for each step. For a more detailed account, please visit 49 CFR Part 40, which can be found in its entirety at www.dot.gov/odapc.

The Collection

During the collection process, a urine specimen collector will:

- Verify your identity using a current valid photo ID, such as driver's license, passport, employer issued picture ID, etc.
- Create a secure collection site by:
 - Restricting access to the site to only those being tested.
 - Securing all water sources and placing blue dye in any standing water.
 - Removing or securing all cleaning products/fluids at the collection site.
- Afford you privacy to provide a urine specimen.
 - Exceptions to the rule generally surround issues of attempted adulteration or substitution of a specimen or any situation where general questions of validity arise, like an unusual temperature.
- Ask you to remove any unnecessary garments and empty your pockets (you may retain your wallet).
- Instruct you to wash and dry your hands.
- Select or have you select a sealed collection kit and open it in your presence.
- Request you to provide a specimen (a minimum of 45 mL) of your urine into a collection container.
- Check the temperature and color of the urine.
- In your presence, pour the urine into two separate bottles (A or primary and B or split), seal them with tamper-evident tape, and then ask you to sign the seals after they have been placed on the bottles.

Remember: Neither you nor the collector should let the specimen out of your sight until it has been poured into two separate bottles and sealed.

- Ask you to provide your name, date of birth, and daytime and evening phone numbers on the Medical Review Officer Copy (Copy #2) of the Federal Drug Testing Custody and Control Form (CCF).
 - This is so the Medical Review Officer (MRO) can contact you directly if there are any questions about your test.
- Complete necessary documentation on the Test Facility (Copy #1) of the CCF to demonstrate the chain of custody (i.e. handling) of the specimen.
- Give you the Employee Copy (Copy # 5) of the CCF and may suggest you list any prescription and over-the-counter medications you may be taking on the back of your copy of the CCF (this may serve as a reminder for you in the event the MRO calls you to discuss your test results).
- Package and ship both sealed bottles and completed CCF to a U.S. Health and Human Services (HHS) certified testing laboratory as quickly as possible.

If you are unable to provide 45 mL of urine on the first attempt, the time will be noted, and you will be:

- Required to remain in the testing area under the supervision of the collection site personnel, their supervisor, or a representative from your company,
 - Leaving the testing area without authorization may be considered a refusal to test
- Urged to drink up to 40 oz. of fluid, distributed reasonably over a period of up to three hours,
- Asked to provide a new specimen (into a new collection container).
- If you do not provide a sufficient specimen within three hours, you must obtain a medical evaluation⁹ within five days to determine if there is an acceptable medical reason for not being able to provide a specimen. If it is determined that there is no legitimate physiological or pre-existing psychological reason for not providing a urine specimen, it will be considered a refusal to test.

How do you know if you are taking a federal or a private company drug test?

All DOT drug tests are completed using the *Federal Drug Testing Custody and Control Form*. Those words appear at the top of each form.

Testing at the Laboratory

At the laboratory, the staff will:

- Determine if flaws exist. If flaws exist, the specimen is rejected for testing.
- Open only the A bottle and conduct a screening test. Specimens that screen positive will be analyzed again using a completely different testing methodology. - If the specimen tests negative in either test, the result will be reported as a negative.
 - Only if the specimen tests positive under both methods will the specimen be reported to the medical review officer as a positive test.
- Report the findings of the analysis of the A bottle to the Medical Review Officer (MRO).
- Store the A and B bottles for any reported positive, adulterated, or substituted result for at least 12 months.

Remember: The Lab will conduct specimen validity tests (SVTs) to determine if the specimen was adulterated or substituted. Tests found to be adulterated or substituted are also reported to the MRO and may be considered a refusal to test.

Review by the Medical Review Officer (MRO)

Upon receipt of the test result from the laboratory, the MRO will:

- Review paperwork for accuracy.
- Report a negative result to the Designated Employer Representative (DER).
- If the result is positive, conduct an interview with you to determine if there is a legitimate medical reason for the result. If a legitimate medical reason is

⁹ The physical exam is scheduled after the designated employer representative consults with the medical review officer. The physician chosen to complete the evaluation must have expertise in the medical issues raised and be acceptable to the Medical Review Officer.

established, the MRO will report the result to the DER as negative. If not, the MRO will report the result to the DER as positive.

- If the result is an adulterated or substituted test, conduct an interview with you to determine if there is a legitimate medical reason for the result. If a legitimate medical reason is established, the MRO will report the result to the DER as cancelled. If not, the MRO will report the result to the DER as a refusal.
- Report a non-negative test result to the DER if:
 - You refused to discuss the results with the MRO;
 - You did not provide the MRO with acceptable medical documentation to explain the non-negative test result.
- -Inform you that you have 72 hours from the time of the verified result to request to have your B “split” bottle sent to another certified lab for analysis for the same substance or condition that was found in the A “primary” bottle.

What are Medical Review Officers (MRO)?

Under DOT regulations, MROs are licensed physicians with knowledge and clinical experience in substance abuse disorders. They must also complete qualification training courses and fulfill obligations for continuing education courses. They serve as independent, impartial gatekeepers to the accuracy and integrity of the DOT drug testing program. All laboratory results are sent to an MRO for verification before a company is informed of the result. As a safeguard to quality and accuracy, the MRO reviews each test and rules out any other legitimate medical explanation before verifying the results as positive, adulterated or substituted.

How is an alcohol test administered?

The DOT performs alcohol testing in a manner to ensure the validity of the testing as well as provide confidentiality of the employee's testing information.

How do you know if you are taking a federal or a private company alcohol test?

All DOT alcohol tests are documented with a form with the words *Department of Transportation* at the top.

At the start of the test, a Screening Test Technician (STT) or a Breath Alcohol Technician (BAT), *using only a DOT-approved device*, will:

- Establish a private testing area to prevent unauthorized people from hearing or seeing your test result.
- Require you to sign Step #2 of the Alcohol Testing Form (ATF).
- Perform a screening test and show you the test result. If the screening test result is an alcohol concentration of less than 0.02, no further testing is authorized, and there is no DOT action to be taken. The technician will document the result on the ATF, provide you a copy and provide your employer a copy.

If the screening test result is 0.02 or greater, you will be required to take a confirmation test, which can only be administered by a BAT using an Evidential Breath Testing (EBT) device. The BAT will:

- Wait at least 15 minutes, but not more than 30 minutes, before conducting the confirmation test. During that time, you are not to be allowed to eat, drink, smoke, belch, put anything in your mouth or leave the testing area.

Remember: Leaving the testing area without authorization may be considered a refusal to test.

- Perform an “air blank” (which must read 0.00) on the EBT device to ensure that there is no residual alcohol in the EBT or in the air around it.
- Perform a confirmation test using a new mouthpiece.
- Display the test result to you on the EBT and on the printout from the EBT.
- Document the confirmation test result on the ATF, provide you a copy and provide your employer a copy.
- Report any result of 0.02 or greater immediately to the employer.

If after several attempts you are unable to provide an adequate amount of breath, the testing will be stopped. You will be instructed to take a medical evaluation to determine if there is an acceptable medical reason for not providing a sample. If it is determined that there is no legitimate physiological or psychological reason, the test will be treated as a refusal to test.

Confirmation test results are the final outcome of the test.

Result	Action
Less than 0.02	No action required under 49 CFR Part 40.
0.02 - 0.039	Varies among DOT agencies. For example, FMCSA requires that you not resume safety-sensitive functions for 24 hours [382.505], while the FRA requires 8 hours [219.101(a)(4)]. The FTA & PHMSA require only that you test below 0.02 or cannot work until the next scheduled duty period but not less than 8 hours from the time of the test [655.35 & 199.237 respectively]. And, the FAA requires only that you test below 0.02, if the employer wants to put you back to work within 8 hours [14 CFR Part 120, Subpart F, 120.217(g)]. Also, be sure to check other agency specific regulations for their restrictions.
0.04 or greater	Immediate removal from safety-sensitive functions. You may not resume safety-sensitive functions until you successfully complete the return-to-duty process.

Should I refuse a test if I believe I was unfairly selected for testing?

Rule of Thumb: Comply then make a timely complaint.

If you are instructed to submit to a DOT drug or alcohol test and you don't agree with the reason or rationale for the test, take the test anyway. Don't interfere with the testing process or refuse the test.

After the test, express your concerns to your employer through a letter to your company's dispute resolution office, by following an agreed upon labor grievance or other company procedures. You can also express your concerns to the appropriate DOT agency drug & alcohol program office. (See contact numbers listed in the Appendix.) Whomever you decide to contact, please contact them as soon as possible after the test.

What is considered a refusal to test?

DOT regulations prohibit you from refusing a test. The following are some examples of conduct that the regulations define as *refusing* a test (See 49 CFR Part 40 Subpart I & Subpart N):

- Failure to appear for any test after being directed to do so by your employer.
- Failure to remain at the testing site until the testing process is complete.
- Failure to provide a urine or breath sample for any test required by federal regulations.
- Failure to permit the observation or monitoring of you providing a urine sample. (Please note tests conducted under direct observation or monitoring occur in limited situations. The majority of specimens are provided in private.)
- Failure to provide a sufficient urine or breath sample when directed, and it has been determined, through a required medical evaluation, that there was not adequate medical explanation for the failure.
- Failure to take a second test when directed to do so.
- Failure to cooperate with any part of the testing process.
- Failure to undergo a medical evaluation as part of “shy bladder” or “shy lung” procedures.
- Failure to sign Step #2 of the ATF.
- Providing a specimen that is verified as adulterated or substituted.
- Failure to cooperate with any part of the testing process (e.g., refuse to empty pockets when directed by the collector, behave in a confrontational way that disrupts the collection process, fail to wash hands after being directed to do so by the collector).
- Failure to follow the observer’s instructions [during a direct observation collection] to raise your clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if you have any type of prosthetic or other device that could be used to interfere with the collection process.
- Possess or wear a prosthetic or other device that could be used to interfere with the collection process.
- Admit to the collector or MRO that you adulterated or substituted the specimen.

What happens if I test positive, refuse a test, or violate an agency specific drug & alcohol rule?

If you test positive, refuse a test, or violate DOT drug & alcohol rules:

- A supervisor or company official will immediately remove you from DOT-regulated safety-sensitive functions.
- You will not be permitted to return to performing DOT regulated safety-sensitive duties until you have:
 - Undergone an evaluation by a Substance Abuse Professional (SAP);
 - Successfully completed any education, counseling or treatment prescribed by the SAP prior to returning to service; and
 - Provided a negative test result for drugs and/or a test result of less than 0.02 for alcohol. (Return-to-duty testing)

- Upon return to a safety-sensitive job, you will be subject to unannounced testing for drugs and/or alcohol no less than 6 times during the first 12 months of active service with the possibility of unannounced testing for up to 60 months (as prescribed by the SAP). These tests (including the return-to-duty test) will be directly observed.

What are SAPs?

Under DOT regulations, SAPs are *Substance Abuse Professionals*. They play a critical role in the work place testing program by professionally evaluating employees who have violated DOT drug & alcohol rules. SAPs recommend appropriate education, treatment, follow-up tests, and aftercare. They are the gate-keepers to the re-entry program by determining when a safety-sensitive employee can be returned to duty.

SAPs are required to have a certain background and credentials, which include clinical experience in diagnosis and treatment of substance abuse-related disorders. They must also complete qualification training and fulfill obligations for continuing education courses. While SAPs do make recommendations to the employer about an employee's readiness to perform safety-sensitive duties, SAPs are neither an advocate for the employee or the employer, and they make return-to-duty recommendations according to their professional and ethical standards as well as DOT's regulations.



Remember: Even if a SAP believes that you are ready to return to work, an employer is under no obligation to return you to work. Under the regulations, hiring and reinstatement decisions are left to the employer. Also, under FAA regulations, SAPs cannot return a pilot to duty without the prior approval of the FAA's Federal Air Surgeon.

How do I find a SAP?

If you violate a DOT drug or alcohol rule, your employer is required to provide you with a list of SAPs' names, addresses, and phone numbers that are available to you and acceptable to them.¹⁰ This is true even if your employer terminates your employment.

Will I lose my job if I violate drug & alcohol regulations?

DOT regulations do not address employment actions such as hiring, firing or granting leaves of absence. All employment decisions are the responsibility of the employers. Under Federal regulations, the main requirement for employers is to immediately remove employees from performing DOT safety-sensitive jobs. Be aware that a positive or refused DOT drug or alcohol test may trigger additional consequences based on company policy or employment agreement.

While you may not lose your job, you may lose your certification or license to perform that job. Be sure to check industry specific regulations. For example, someone operating a commercial motor vehicle may not lose their state-issued CDL, but they will lose their ability to perform any DOT regulated safety-sensitive tasks.

¹⁰Employers cannot charge employees for the SAP list.

Will my results be confidential?

Your test results are confidential. An employer or service agent (e.g. testing laboratory, MRO or SAP) is not permitted to disclose your test results to outside parties without your written consent. But, your test information may be released (without your consent) in certain situations, such as: legal proceedings, grievances, or administrative proceedings brought by you or on your behalf, which resulted from a positive or refusal. When the information is released, the employer must notify you in writing of any information they released.

Will the results follow me to different employers?

Yes, your drug & alcohol testing history will follow you to your new employer, if that employer is regulated by a DOT agency. Employers are required by law to provide records of your drug & alcohol testing history to your new employer. This is to ensure that you have completed the return-to-duty process and are being tested according to your follow-up testing plan.

What should I do if I have a drug or alcohol abuse problem?

Seek help. Jobs performed by safety-sensitive transportation employees keep America's people and economy moving. Your work is a vital part of everyday life. Yet, by abusing drugs or alcohol, you risk your own life, your co-workers lives and the lives of the public.

Most every community in the country has resources available to confidentially assist you through the evaluation and treatment of your problem. If you would like to find a treatment facility close to you, check with your local yellow pages, local health department or visit the U.S. Department of Health and Human Services treatment facility locator at <http://findtreatment.samhsa.gov/>. This site provides contact information for substance abuse treatment programs by state, city and U.S. Territory.

Also, many work-place programs are in place to assist employees and family members with substance abuse, mental health and other problems that affect their job performance. While they may vary by industry, here is an overview of programs that may be available to you:

Employee Assistance Programs (EAPs)

While not required by DOT agency regulations, EAPs may be available to employees as a matter of company policy. EAPs are generally provided by employers or unions.



Note: Many employees believe they only need to contact an EAP counselor if they have a positive drug and/or alcohol test. Not true!

EAP programs vary considerably in design and scope. Some focus only on substance abuse problems; others undertake a broad brush approach to a range of employee and family problems. Some include prevention, health and wellness activities. Some are linked to the employee health benefit structures. These programs offer nearly full privacy and confidentiality, unless someone's life is in danger.

Do you know what programs are available at your job? Be sure to ask your employer!

Voluntary Referral Programs

Often sponsored by employers or unions, referral programs provide an opportunity to self-report to your employer a substance abuse problem *before* you violate testing rules. This gives you an opportunity for evaluation and treatment, while at times guaranteeing your job. Be sure to check your company to see if there is a voluntary referral program.



Remember: Self-reporting just after being notified of a test does not release you from your responsibility of taking the test, and it also does not qualify as a voluntary referral.

Peer Reporting Programs

Generally sponsored by employers or unions, you are encouraged or required to identify co-workers with substance abuse problems. The safety of everyone depends on it. Using peers to convince troubled friends and co-workers with a problem is one of the strengths of the program, often guaranteeing the co-worker struggling with substance abuse issues the same benefits as if he had self-reported.

Education and Training Programs (required by all Agencies)

Topics may include the effects of drug & alcohol use, company testing policies, DOT testing regulations and the consequences of a positive test. Materials may also contain information on how employees can get in touch with their Employee Assistance Programs and community service hot-lines.

In addition, supervisors sometimes receive additional training in the identification and documentation of signs and symptoms of employee's drug and/or alcohol use that trigger a reasonable suspicion drug or alcohol test.

Did you know?

Did you know that 6 out of 10 people suffering from substance abuse problems also suffer from mental conditions like depression?¹¹ Research has long documented that people suffering from depression try to self-medicate themselves through alcohol and other drugs. Typically, many of these individuals fail to remain clean and sober after rehabilitation because their underlying medical problem is not addressed and the cycle of self-medication begins again.



Remember: If you have substance abuse issues, there is a 60% chance that you are also suffering from an underlying mental condition like depression.

Increase your chances of rehabilitation. Be sure to ask your doctor or other mental health professionals about depression as it relates to substance abuse issues.

¹¹ *The Dual Challenge of Substance Abuse and Mental Disorders*, NIDA Director Nora D. Volkow, M.D., *NIDA Notes*, Vol. 18, No. 5.

But, I have more questions?

ODAPC is available to help answer anyone's questions regarding DOT drug & alcohol testing regulations. Please contact us at 202-366-DRUG (3784) or visit our website at www.dot.gov/odapc for frequently asked questions, official interpretations of the regulations and regulatory guidelines.

If you have questions regarding DOT agency regulations on a specific industry, contact the agencies drug & alcohol abatement offices listed in the Appendix.

Appendix

Drug & Alcohol Program Manager Contact Information

U.S. Department of Transportation

- FAA Aviation (202) 267-8442 www.faa.gov
- FMCSA Motor Carrier (202) 366-2096 www.fmcsa.dot.gov
- FTA Public Transportation (617) 494-2395 www.fta.dot.gov
- FRA Railroads (202) 493-6313 www.fra.dot.gov
- PHMSA Pipeline (202) 550-0629 www.phmsa.dot.gov

U.S. Department of Homeland Security

- USCG Maritime (202) 372-1033 <http://marineinvestigations.us>

NOTES

U.S. Department of Transportation
Office of the Secretary

Office of Drug & Alcohol Policy & Compliance
1200 New Jersey Avenue, SE
Room W62-300
Washington, DC 20590

202.366.DRUG (3784)
202.366.3897 fax
odapcwebmail@dot.gov
www.dot.gov/odapc

**U.S. Department
of Transportation**

Section 8: Sexual Harassment Policy

Sexual Harassment Policy

It is the policy of B-H Transfer Co. to maintain a working environment that is free from sexual harassment. It shall be a violation of this policy for any employee to harass an employee or applicant for employment through conduct or communications of a sexual nature as defined below.

Unwelcome sexual advances, requests for sexual favors and other inappropriate oral, written, or physical contact of a sexual nature when made by an employee to another employee or applicant constitutes sexual harassment when:

- Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment.
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual; or
- Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment.

Sexual harassment, as defined above, may include but is not limited to the following:

- Verbal harassment or abuse;
- Pressure for sexual activity;
- Repeated remarks to a person with sexual or demeaning implications;
- Unwelcome touching;
- Suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning retention, promotion, pay or any other terms and conditions of employment;
- Sexually oriented verbal "kidding," "teasing," or "jokes;"
- Repeated offensive sexual flirtations, advances or propositions;
- Continued or repeated verbal abuse of a sexual nature;
- Graphic or degrading comments about an individuals or his or her appearance;
- The display of sexually suggestive objects or pictures;
- Subtle pressure for sexual activity; and
- Physical contact or blocking movement.

Sexual harassment does not refer to occasional compliments of a socially acceptable nature or consensual personal and social relationships without a discriminatory employment effect. It refers to behavior which is not welcome, and which is personally intimidating, hostile or offensive.

Any employee or applicant for employment who believes he or she has been subjected to harassment or discrimination as prohibited by this policy should promptly report the same to the Director of Human Resources, who will implement B-H Transfer Co.'s discriminatory complaint investigation procedures as specified in Section 2.1 Equal Opportunity Employment. In a case where the alleged offender is the Director of Human Resources, the employee should notify the Company President.

It is the duty of all employees to promptly report harassment forbidden by this policy. Employees will not be subjected to retaliation for reporting such harassment or discrimination. Further, the filing of a complaint or otherwise reporting sexual harassment will not reflect upon the individual's status nor will it affect future employment or job assignments.

The right to confidentiality, both complainant and of the accused, will be respected consistent with the Company's legal obligations, and with the necessity to investigate allegations of misconduct, and take corrective action when misconduct has occurred.

A substantiated charge against an employee shall subject such person to disciplinary action, including discharge. The extent of sanctions may depend in part upon the length and conditions of employment of the employee and the nature of the offense.

Where a hostile work environment has been found to exist, all reasonable steps to eliminate the conduct creating such an environment will be taken.

If an investigation results in a finding that the complainant falsely accused another of sexual harassment, either knowingly or in a malicious manner, the complainant will be subject to appropriate sanctions, including the possibility of termination.

Section 8: Equal Employment Opportunity

Equal Employment Opportunity

Section 1: Purpose

It is the policy of B-H Transfer Co. to apply all conditions of employment, including recruitment, selection, wages, hours, terms, and benefits, without regard to race, creed, religion, color, national origin, sex, sexual orientation, gender identity, genetic information, disability, or age.

Section 2: Reporting

B-H Transfer Co. requires reporting of all perceived incidents of discrimination, regardless of who the offender may be. Any employee who feels that he or she has been the subject of disparate treatment with respect to the terms and conditions of their employment on account of race, creed, religion, color, national origin, sex, sexual orientation, gender identity, genetic information, disability, age, or some other protected classification, has the obligation to immediately notify the Director of Human Resources. In a case where the alleged offender is the Director of Human Resources, the employee should notify the Company President.

Section 3: Investigation

Any reported allegations of discrimination will be investigated promptly. The investigation may include interviews with the parties involved and where necessary, with individuals who may have observed the alleged conduct or may have relevant knowledge.

Section 4: Confidentiality

Confidentiality will be maintained throughout the entire investigatory process consistent with the B-H Transfer Company's legal obligations and except to the extent that disclosure is required to conduct an adequate investigation and take any required remedial steps. Reports generated because of the investigation of a complaint shall be maintained as confidential except as to any management representatives who need knowledge of the contents of the report in order to evaluate and/or carry out its recommendations.

Section 5: Retaliation

The filing of a complaint or otherwise reporting discrimination in employment will not reflect upon the individual's status nor will it affect future employment or job assignments. Retaliation against an individual who makes a report of alleged discrimination or assists in providing information relevant to a claim of discrimination is a serious violation of this policy and will be handled appropriately. Acts of retaliation must be reported immediately to the Director of Human Resources or the Company President.

Section 6: Responsive Action

Any substantiated acts of discrimination will be dealt with appropriately. Responsive action may include, for example, training, referral to counseling and disciplinary action such as warnings, reprimands, withholding of a promotion, reassignment, and suspension without pay, compensation adjustments or termination.

Where a hostile work environment has been found to exist, all reasonable steps to eliminate the conduct creating such an environment will be taken.

Section 9: Content Neutral Statement

Content Neutral Statement

It has always been the practice of B-H Transfer Co. to be CONTENT NEUTRAL, meaning we do not allow political, controversial, or potential offending (regardless of personal preferences), stickers, tags or other publicly displayed items on company owned equipment, on your desk or in your office.

You will be asked to remove any item the company deems inappropriate.

Nothing in the Handbook is intended to infringe upon employee rights under the National Labor Relations Act (NLRA). We recognize the right of employees to engage in activities protected by the NLRA and we respect those rights.

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Section 10: Responsibility Requirements

Responsibility Requirements

Introduction

The ability of B-H Transfer Company to continue to be successful depends on our providing quality service to our customers. The task of providing quality service and forming positive relationships with new and existing customers requires dedication and teamwork. As a driver, you are the primary representative between our company and our customers. Your attitude, your degree of professionalism and your attention to detail have a profound impact on a customer's decision to use B-H Transfer Company. How they view our company is directly related to how well you represent B-H Transfer Company. This guide is designated to help you understand and meet the requirements of the customer and the company.

(A) Responsibility to the Customer

1. On-Time Pickup and Deliveries

- a. Always be on time for loading appointments as well as your scheduled unloading times. The quickest way to lose a customer is to provide poor service.
- b. If, for any reason, you cannot make your scheduled appointment, notify your dispatcher immediately.

2. Zero Defect Deliveries (ZDD)

a. Right Product

- 1.) Check the product identification on the bill of lading with any paperwork, such as load label, load form or tags of value. If different, contact your dispatcher.

b. Right Quantity

- 1.) Check quantity shipped on bill of lading with quantity consignee expects to receive. If different, contact dispatcher.
- 2.) Deliver all products. Leave nothing in trailer. If not possible, contact dispatcher.
- 3.) Physically check the trailer for a heel before leaving the customer.
- 4.) Know how to use a calibration chart to assist in loading the correct amount of product.

c. Right Tank

- 1.) Check product description on the bill of lading with the label on the tank or silo if possible. If different, stop and contact dispatcher.
- 2.) If there is a tank or silo number on the bill of lading, check it against the number on the tank or silo. If different, stop and contact dispatcher.
- 3.) Follow unload label procedure.

d. No Spills

- 1.) Inquire as to the volume available in the tank vs. the quantity to be delivered.
- 2.) Check hoses for abrasions, loose fittings, broken or bent ears and missing gaskets.
- 3.) Place a bucket under fitting or valve when unhooking hoses to catch the product in the hose.
- 4.) Before loading, be sure that valves on trailer are closed.
- 5.) Before loading, be sure cleanout caps are tight.
- 6.) Stay close to the trailer valve so it can be closed quickly if necessary.
- 7.) If spill occurs, it is your responsibility to report to dispatcher and customer immediately, then clean it up.

e. No Contaminations

- 1.) Before loading a liquid trailer, check to ensure that it is clean and/or dry by visually inspecting the external valve and viewing the inside of the tank through the dome. (Always maintain a three-point contact with the ladder).
- 2.) Before loading a dry bulk trailer, check to ensure that it is clean and dry by visually inspecting the discharge line.
- 3.) Ensure that hoses are clean and dry by visually inspecting.
- 4.) Before loading, driver must ensure that he/she has a completed wash certificate.

3. Obey All Plant Safety Rules

- a. When entering a plant, be alert for safety rules that may be posted or distributed by a gate guard. Specifically ask for a copy of plant safety rules.
- b. Comply with all speed limits, traffic signs, no smoking areas, hardhat areas, and any other rules that are in place on the customer's property
- c. Be sure you have hard hats, safety glasses, and any other safety equipment needed before you depart with load.

4. Accurate Billing Information and Paperwork

- a. Read each BOL before signing to ensure the information is correct. Comply with all instructions on bills of lading. If different than dispatch instructions, contact dispatch immediately.
- b. Must have bill of lading signed by consignee responsible. This document is your proof of delivery.
- c. For interplant moves: The procedure is to leave a copy of each BOL for each load pulled that day with the Shipper and Receiver. Each load must be weighed. If a weight ticket is not required, write in the weight and sign the bill before leaving the bill with the shipper.
- d. Make sure to leave a copy of each BOL with Shipper and Receiver.
- e. Have customer's representative sign for heels, detention time, and unloading verification sticker.
- f. If a customer refuses to sign, contact dispatch immediately.

5. Courteous, Respectful and Expected Professionalism

- a. Be helpful and friendly.
- b. If you have any trouble at a customer location, contact your dispatcher so that the company can handle the situation with the customer. Do not allow yourself to be drawn into a confrontation with a customer.
- c. Know and comply with your company harassment policy.

6. Work Quickly but Safely

- a. Don't waste time. When on duty work productively.
- b. Work at a pace that is efficient but not so fast that safety or quality is sacrificed.

7. Understand your Dispatcher Completely

- a. Do not leave anything to chance. If you have any questions regarding your dispatcher, ask your dispatcher.

(B) Responsibility to B-H Transfer Co.

1. Be Available

- a. Know and understand the time-policy.
- b. Prior to going home, commit with your dispatcher when you will be available next.
- c. Check in for your dispatcher as instructed.
- d. Give your dispatcher a minimum of one week's notice when you need to be home for non-emergency appointments.
- e. All non-emergency time off must be approved by your supervisor.
- f. If you have more than one absence within a three-month period, or if your illness requires you to miss work for more than one full day, you will be required to provide a doctor's excuse. Also, if you exhibit a pattern of absenteeism, a doctor's excuse will be required.

2. Complete, Accurate Paperwork

- a. Complete all company and DOT required paperwork accurately and neatly.
- b. Ensure that all bills-of-lading, weight tickets, interchanges, DOT logs, B-H daily log sheets, logs, pay sheets, fuel tickets and all other corresponding documents are in the Sandersville office no later than Wednesday following the end of the pay period. If you are away for a number of days, fax the information in.
- c. All over-weight citations, DOT or PSC Roadside Inspection forms are to be turned in or mailed to the Sandersville Office Immediately.
- d. B-H Transfer Co. is now scanning the following documents, bills of lading, loaded and empty interchanges/cards. Please observe the following:
 - Your truck number and pay number **MUST** appear on each bill of lading.
 - Your truck number and pay number **MUST** appear on each loaded interchange/card.
 - Your truck number and pay number **MUST** appear on each empty interchange/card if the container was picked up empty and live loaded by the same driver.
 - Your truck number **MUST** appear on each empty interchange/card for pool containers.
Drivers failing to provide all documentation as noted above may not be paid until B-H Transfer Co. receives the proper documentation for the load or loads.
- e. All fuel tickets, whether cash, charge or credit card must show the following:
 1. Name and address of this company as B-H Transfer Co., Sandersville, GA
 2. Date of purchase, gallons, price, and extensions
 3. Truck number
 4. Signature of driver
 5. Driver must turn in *original* copy of fuel ticket.
 6. Station name and location must be imprinted on ticket.

*Do not use pay at the pump option.

3. Prevent Out-of-Route Miles

- a. Know how to read a road atlas.
- b. Trip plan (with dispatcher) the most direct, legal and accessible route on each trip in order to meet requirements of dispatch.
- c. Do not go out-of-route unless necessary due to unknown conditions at time of dispatch.

4. Take Care of all Company Equipment (see section E)

5. Be sure you have all Required Permits for Each Trip

- a. Make sure you have proper permits in each truck you drive and notify the Safety Department if you do not, or if you have questions regarding permits.

6. Unload all Product – When you cannot avoid a Heel, Report it

- a. Be familiar with proper off-loading procedures to ensure the customer gets all of the product.
- b. Never leave the customer plant site with heel without reporting to dispatch and getting instructions.
- c. If you are instructed by dispatch to leave the plant site with a heel, make sure the heel amount is reported to dispatch, the heel amount is recorded on the load form, and the customer signs the load form verifying the heel.

7. Dress, Look and Act like a Professional

- a. Always be aware that you are B-H Transfer Co.'s most visible representative to our customers.
- b. Always be aware that you are the shipper's representative to their customers.
- c. Always be courteous. Fighting, horseplay and unprofessionalism will not be tolerated.
- d. Don't carry personal problems to your workplace.
- e. Wear clean, neat clothing. Never wear shorts or cut-off pants in the performance of your job.
- f. Wear sturdy work shoes. Where required, wear steel-toed shoes.
- g. Shower or bathe regularly.
- h. Keep hair clean and well groomed.
- i. Wear protective safety equipment such as hardhat and safety glasses when required. It is your obligation to find out if this equipment is required on site.

8. Operate at the Lowest Possible Cost

- a. Purchase fuel as cost-efficiently as possible AND drive for constantly improving fuel mileage.
- b. Don't idle your truck when not necessary.
- c. Always use most practical route.
- d. Avoid toll roads where practical.
- e. Inspect trailers for cleanliness to avoid product contamination.
- f. Ensure you are loading into the proper tank to avoid product contamination.
- g. Ensure your truck gets preventative maintenance performed as scheduled by shop.
- h. Report all damage or necessary repairs on trailers whenever you will fill out a trailer report.
- i. Get approval from B-H shop manager for all necessary outside repairs.

9. Be a Company Representative

- a. Be alert for loads on new or additional business.
- b. Report any comments you hear about the level of service of our competitors.
- c. Always thank the people you deal with at each plant for their business.

(C) Responsibility to Yourself

1. Obey all Laws, Regulations and Company Policies

- a. **Do not speed. Truck top speed is 68 mph on the pedal and cruise settings.**
- b. Do not run overweight.
- c. Do not drive more than 11 hours without taking a ten-hour consecutive break.
- d. Do not drive after having been on duty 70 hours or more in an eight-day period.
- e. Do not drive after the 14th hour of coming on duty without taking a consecutive 10-hour break.
- f. Never use illegal drugs or any drug that may impair your ability to drive.
- g. Never work or drive while intoxicated, or within eight hours of consuming an alcoholic beverage.

2. Eat and Sleep Properly

- a. Always try to maintain a healthy diet. Avoid over-eating just before driving for a prolonged period. Make periodic stops while driving for long periods of time.

- b. Take full 10-hour breaks when required.
- c. Realize it is normally better, when legally practical, to move your load to the vicinity of the consignee and take your break.
- d. Know when you must pull over and get some sleep.
- e. When running team, be courteous to your partner who is trying to sleep.

3. Drive Defensively

- a. Always drive in a defensive manner, being alert for all mistakes and poor driving techniques of other motorists. Use the Smith System.
- b. Never tailgate.
- c. Never seek revenge against other drivers.
- d. Always be aware of how long it takes to stop a tractor-trailer.
- e. Always give other drivers the benefit of the doubt.
- f. Always be aware of the danger of backing your unit. Check for proper clearance. Get out of your unit and look if necessary. Make sure you have an operational back-up alarm.
- g. Always use turn signals properly when turning or changing lanes.
- h. Be aware of vehicles driving alongside your unit when turning or changing lanes.
- i. Never turn or change lanes until you have double-checked to ensure you have proper clearance.

4. Wear Personal Protective Equipment (PPE)

- a. Obey shipper and consignee requirements for wearing personal protective equipment.
- b. Ensure you carry hard hat and safety glasses for your use in your unit.
- c. Keep your personal protective equipment clean and in good repair. Get replacements when necessary.

5. Be Careful: Avoid Slips and Falls

- a. Learn and use proper tractor entry and exit procedures.
- b. Wear shoes with non-slip soles.
- c. Be alert when around any equipment.
- d. Report unsafe equipment immediately.
- e. Report all injuries immediately to your dispatcher, Safety or Human Resources.

6. Know the Product you are Hauling

- a. Get complete information from your dispatcher regarding product descriptions, including BOL's, and understand what it means.
- b. Ask for special handling requirements for products at the time you are dispatched.
- c. Never take a product for granted.
- d. Know or ask for the proper tank prep procedure for each load if applicable.

7. Respect Road Conditions

- a. Know your limits while driving in snow, fog, ice, rain, or any other weather conditions. Know when to shut down.
- b. Pass only when necessary, and only when you are legally capable of doing so.
- c. Obey all traffic warning signs.
- d. Be particularly careful around road construction sites.
- e. Drive defensively.

8. Dress, Look and Act like a Professional

- a. Think of yourself as a professional.

- b. Do not let others' lack of professionalism drag you down.
- c. Set an example for other drivers, both B-H and other companies.
- d. Treat others with the same respect and courtesy you expect them to show you.

9. Respect Other Drivers

- a. Treat other drivers as you want to be treated.
- b. Set an example for others on the road.
- c. Do not try to get revenge on the road.
- d. Give other drivers the benefit of doubt.
- e. Do not make derogatory remarks about your co-workers or company.

(D) Responsibility to the Public

1. Drive Defensively as previously noted

2. Obey all Laws and Regulations as previously noted

3. Never Discharge Cargo anywhere except in a Proper Tank or Container

- a. All product in trailer should be delivered into consignee's tanks or storage container.
- b. Any product on ground is a spill and must be reported.
- c. Even if the customer tells you, it is okay to discharge the product into something other than a proper container, do not unload. Call your dispatcher.

4. Be Courteous and Professional

- a. On the road, drive with courtesy. Do not threaten other vehicles with your size.

5. Know your Physical Limits and Stop before you reach them

- a. Prepare yourself for every trip; get the proper or needed rest especially after a weekend or time off.
- b. If you are not feeling well, or ill to the extent that your driving ability is diminished, do not drive. Contact your dispatcher to inform him/her as soon as possible.
- c. Understand any medication that you are taking and its effects.
- d. Do not push past your normal driving habits; take breaks and regular meals.

€ Responsibility to your Equipment

1. Do Pre-Trip and Post-Trip Inspections on Tractor and Trailer

- a. Know all the requirements of a pre- and post-trip inspection and perform them each time you touch a piece of equipment.
- b. Do not take shortcuts; you and someone else will suffer.
- c. Safety and DOT defects should be written up and reported immediately.
- d. Always have your truck and trailer in good mechanical condition so you can respond quickly to emergency shipments and not have to stop at the shop for maintenance.

2. Give Proper PM's

- a. Write Up all Defects.
 - 5.) Keep a running list of vehicle defects so that you do not forget to write up a defect at the P.M.
 - 6.) List defects on Driver Vehicle Inspection Report.
- b. On Time

- 7.) Know when your unit is ready for its next PM.
- 8.) Ensure the PM is on time. It is your responsibility to have the unit available for service when requested.

c. Check for Completeness

- 9.) When picking up tractor after PM, physically check all items written up to ensure repairs have been completed.
- 10.) Inspect the work performed to ensure correctness.
- 11.) Report all items not addressed or done incorrectly to dispatch or Safety.

3. Drive for MPG

- a. Do not let tractor idle unnecessarily. Turn it off except when in the sleeper and you need the heat or A/C. Idle the engine at approximately 800 to 900 RPMs when in sleeper.
- b. Use progressive shifting and cruise in the specified RPM range of the unit.
- c. Keep track of your MPG.
- d. Always fuel your unit at the Sandersville Terminal if possible.
- e. If you have problems with your fuel gauge working properly, visually check your fuel. Don't run out!

4. Keep it Clean

- a. Wash the tractor each opportunity you get.
- b. Keep the inside clean and free of trash.

5. Don't Modify or Tamper with it

- a. The tractor has been inspected to get maximum performance at the lowest cost; leave it that way.
- b. Do not modify or tamper with any part of the tractor.

6. Strive to keep Maintenance Costs Low

- a. Proper pre- and post-trip inspections
- b. On-time PMs
- c. Watch and listen for problems.
- d. When using outside shops, ensure all work is done correctly and that B-H gets what it pays for.
- e. Repairs other than Safety or out-of-service defects should be scheduled with the shop.

7. Keep it Secure

- a. Park equipment in locations where it will not be vulnerable to theft or vandalism.
- b. If not in sight of the tractor, lock it.

8. Know how to Operate Miscellaneous Equipment, or Ask

(F) Responsibility to your Dispatcher

1. Be Dependable

- a. Communicate when expected (twice daily: 8 am – 10 am & 3 pm – 5 pm)
 1. Whether using phone or satellite, you must communicate with your dispatcher twice daily, or as instructed, so dispatch will know your status.
 2. Respond properly to requests for information.
 3. When in doubt about instructions, contact dispatch by phone or satellite.

*Unless your dispatcher instructs you otherwise.

- b. Plan your Trips
 - 1. Know where you are going. Ensure you have the correct city and state. Look it up on a map.
 - 2. Take most practical route. Use a map.
 - 3. Do not use toll roads unless necessary.
 - 4. Plan your fuel stops, rest stops, meal stops.

- c. Keep your Commitments Regarding Arrival Time or Notify Dispatch
 - 1. Be at your destination when you said you would be there.
 - 2. If something has delayed you, ensure dispatch is made aware of problem in time to brief customer and other control areas.
 - 3. Being on time allows you to keep moving.

2. Give Accurate & Honest Information

- a. Ensure the times you communicate are correct.
- b. Don't hide tardiness.
- c. Read information correctly from bills; take time to find the correct information.
- d. Always tell exactly what took place.

3. Be Courteous

- a. Do not use profanity or make derogatory remarks about B-H or any company personnel.
- b. Treat B-H dispatcher the way you want to be treated.

4. Build a Good Relationship

- a. Work hard to fulfill your responsibilities.
- b. Communicate with your dispatcher if the company does not fulfill its responsibilities.
- c. Work with your dispatcher to establish and maintain a team partnership.
- d. Share ideas for improving our ability to conduct business.

5. Follow Instructions Precisely

- a. Ensure the accuracy of information on every load.
- b. Do not assume it is the right thing to do. If you have a question, STOP and CALL.

6. Be Available when you have Committed to Be

- a. Prepare yourself to leave early after being home or having days off.
- b. Pick up and deliver on time. If you are running off your schedule, update and make a new commitment through your dispatcher.

(G) Miscellaneous

1. Initial Briefing

- a. Normally, all dispatches are based on first-in-first-out.
- b. There is a two-week hold back on pay.

2. Tire Procedure

All B-H Owned Tractors & Sandersville Long Haul Trailers

Working Hours – Call the Sandersville Shop (800) 342-6462 ext. 1243

After Hours – (800) 342-6462 choose the option for “On-Call Shop Foreman” They will tell you who to call.

FleetNet (800) 972-8872 you should not call FleetNet until you talk to someone in the shop.

- **All Sites Chassis Tires**
Not on one of our yards
Port Chassis Tires/Problems before, during and after hours –
Call Downtime (866) 965-9288
- **B-H & BHTF Chassis**
Virgin Tires only Call Angela (478) 232-8009 or Jay Hinton (478) 232-8005
- **All Sites on a B-H Yard during normal business hours:**
McIntyre – Jason Murphy (478) 232-6599
Savannah – Jay Hinton (478) 232-8005
Wrens – Christos Panagiotopoulos (478) 232-2840
- **Sylacauga Company Equipment**
After Hours – (800) 334-9947 choose the option for on call shop. Jay will tell you who to call.
INL on call shop mechanic (205)-234-0816
FleetNet – (800) 972-8872 you should not call FleetNet until you talk to someone in the shop
16, 17, 18 call the number on the windshield for tractor problems.

Please do not call directly to someone’s cell phone as they may not be on call. Anytime you cannot get in touch with a mechanic or have a question, you can call Jay Hinton at (478) 232-8005

3. Tire Repair / Replacement Information

(Under no circumstances can you purchase a tire without authorization)

- a. On repair/replacement of tire (s), the following information **MUST** be on the invoice:
 1. Company name, address, and telephone number where the repair/replacement was done
 2. Invoice number
 3. Date of replacement/repair.
 4. Driver’s signature (legible)
 5. Container number (if repair/replacement was done on a container) and chassis number
 6. Wheel position (RRO, RRI, LFO, LRO, etc.)
 7. What caused damage to tire (if known)

8. On tire replacements, the DOT number from the replacement tire AND the DOT number from the damaged/removed tire.
9. Charges:
 - a.) Parts listed separately from labor
 - b.) Labor charges
 - c.) Service call charges (if any)
 - d.) Sales tax on parts only
 - e.) Total charges

Drivers are responsible for seeing that this information is on the invoice.

4. Physicals

- a. If a company driver resigns or is discharged before completing 90 days of employment, the actual expense of his/her pre-employment physical and drug test will be deducted from remaining pay to reimburse B-H for such expenses. Once the driver has paid for the physical, he/she may have a copy of the physical long form.

5. Abandoned Trucks

- a. If you decide that you do not want to work at B-H Transfer Co. and you resign, please bring your truck back to the terminal where you picked it up. If we must go and pick up your truck, we will charge you \$5.00/mile each way, with a minimum of \$500. This will be deducted from your pay.

6. Training Policy

- a. All inexperienced drivers will be placed in a training program. Human Resources and Safety will review background and previous experience of a new driver and determine the amount of training needed. Operations will be notified with the length of training for each driver. The new driver will be placed with a competent trainer from within the department in which the new driver will be assigned: i.e., slurry, crude, container. Before the driver is assigned a truck, he/she will be given and must pass a road test. In the event the driver does not pass the road test, more training will be required. This training program is intended to provide the driver with the knowledge and skills needed to perform the tasks as required by B-H Transfer Co.

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**P.O Box 151
Sandersville, GA 31082
(478) 552-5119**

Date: 9/15/2006
To: All Company Drivers
From: B-H Transfer Co. Management

This memo is to remind you (and to clarify our practices) of the B-H Transfer Co. policy for driver's payment of fines and penalties resulting from their actions.

We have met several times through the years and talked about overloading (overloaded) trailers. When you hook to a trailer to load or one that is pre-loaded, it is your responsibility to ensure that the trailer is legal (below 80,000 lbs. gross and proper axle weights) before you depart from the plant or p/u yard.

The B-H Transfer Co. Safety Manual states that drivers are responsible for fines and penalties resulting from their actions. Includes fines for overweight trailers.

Our practice is to deduct the amount of fine from the revenue before the driver receives his percentages of revenue. By doing it this way, the driver only pays a portion of the citation, Example: Revenue of \$500.00 and fine of \$100.00 is deducted from revenue leaving \$400.00 x driver's percentage of revenue 24% (in most cases) = \$96.00 driver pay vs. \$120.00 driver pay if no fine. In this case, the driver only pays \$24.00 for the fine instead of the \$100.00. The company absorbs the balance of \$76.00. Also, **B-H Transfer Co. has and will continue to refrain from paying any revenue generated for weights exceeding 80,000 lbs. (except crude clay hauling in most cases).**

In the future, if the number of overweight fines increases due to driver's negligence of compliance, B-H Transfer Co. could abort the current practice as noted and require the driver to pay the entire cost of the fine as outlined in the Safety Manual.

Please take the time and initiative to operate in a Safe AND Legal manner.

Place this memo in your Driver Handbook under the Driver's Responsibility section.



**P.O Box 151
Sandersville, GA 31082
(478) 552-5119**

Date: 6/28/2011
To: All Company Drivers
From: B-H Transfer Co. Management
Re: New Safety Policy

EFFECTIVE IMMEDIATELY!

For additional eye protection, drivers **MUST** wear safety goggles while:

- Loading or unloading product at AMI facility in Quincy.
- Unloading any dry bulk materials when using a bottom-drop hopper trailer.

See Dispatch or Safety Department to get a pair.

Failure to follow these procedures will be considered as a policy violation and will be subject to disciplinary action, ranging from reprimand to discharge.

As always, wear all PPE as required and be safe.

Place this memo in your Driver Handbook under the Safety Manual section.

Section 11: Accident Reporting Policy and Procedure

Accident Reporting Policy and Procedure

All drivers must comply with requirements of DMV, DOT, Local and State Safety Regulations and those of B-H Transfer Co. Every accident or incident involving a B-H vehicle, vehicle contracted to B-H, or the property of others must be promptly reported. The following practice must be followed and failure to do so will constitute grounds for disciplinary actions for Company Drivers ranging from reprimand to termination and termination of ICOA for Independent Contractors.

1. Report the accident **immediately** to the police and to the B-H Safety Department. Be specific as to location, time, extent of injury and/or damage, condition of cargo and where you can be reached.
2. A preliminary accident report form must be completed with the following information:
 - Location, Date and Time of accident.
 - Year, Make, Model, Tag Number and Vin number of all other vehicles involved.
 - Name, Address, Date of birth, and Phone number of all other drivers and occupants of the other vehicle.
 - Insurance company name with address, Phone number, and Policy number of all other vehicles and vehicle owner if different.
 - Name and Address of injured persons and extent of injuries sustained.
 - A list of all damages.
 - Name, Badge number, Phone number and assigned precinct with phone number of all police officers at the scene.
 - Name, Address and Phone number all witnesses.

This information is required in order to enable B-H to formally report the accident to our insurance carrier and to the necessary regulatory authorities.

3. Discuss the facts of an accident with B-H officials, an authorized representative of our insurance carrier or with law enforcement officers ONLY. Firmly but courteously refuse to discuss these facts with anyone else. DO NOT admit liability or guilt in regard to any accident. Voluntarily give your number, address, truck number, company name and address to the other driver involved, NOTHING MORE.
3. The vehicles involved are not to be moved until someone who can verify and witness the position of the vehicles as well as length and location of skid marks. If the accident occurs after dark, verify the lights were on. If the unit has rolled over, unhook the battery cables.
4. Remain at the scene of the accident until instructed by B-H or authorized representative of our insurance carrier to proceed.

Drivers involved in accidents may be removed from dispatch pending completion of accident report forms and investigation of the accident. Drivers involved in accidents may be required to take drug and alcohol tests as required by DOT regulation and B-H policy.

DRIVER'S ACCIDENT REPORT

DRIVER _____ AGE _____ DATE _____
BIRTH DATE _____ PHONE _____ CELL _____
LICENSE # _____ STATE _____ HIRE/LEASE DATE _____

INJURY (yes/no) Details _____

Anyone injured (yes/no) Fuel Spill (yes/no) Anyone towed (yes/no) Anyone get a ticket (yes/no)

OF HOURS DRIVING SINCE LAST 10 HOUR BREAK _____ WHAT TIME DID YOU START? _____

DID YOU CALL THE POLICE? _____ WHEN? _____ DID YOU CALL SAFETY? _____ WHEN? _____

TRACTOR # _____ DAMAGE _____

TRAILER # _____ DAMAGE _____

CARGO _____ DAMAGE _____

TRUCK OWNER'S NAME _____ PHONE # _____

OTHER PARTY INFORMATION

DRIVER _____ PHONE _____ CELL _____

FULL ADDRESS _____ CITY _____ STATE & ZIP _____

LICENSE # _____ STATE _____ ANY PASSENGERS? _____

INJURIES (describe) _____

TRUCK TAG # _____ STATE _____ TRUCK # _____ VIN # _____

MAKE & MODEL _____ YEAR _____ COLOR _____

INSURANCE CO. _____ POLICY # _____ PHONE # _____

DAMAGE _____

OWNER _____ PHONE _____ CELL _____

FULL ADDRESS _____ CITY _____ STATE & ZIP _____

OTHER PROPERTY DAMAGE? (yes/no) (i.e. fence, pole, overhead obj., dock, etc.)

TYPE OF OBJECT _____ DAMAGE _____

OWNER NAME _____ PHONE _____ CELL _____

FULL ADDRESS _____ CITY _____ STATE & ZIP _____

DESCRIBE WHAT OCCURRED

ACCIDENT DATE _____ TIME _____ AM/PM _____

LOCATION _____

DIVIDED ROAD? _____ # OF LANES _____ ROAD CONDITION _____ WEATHER _____ YOUR

DIRECTION _____ SPEED _____ OTHER PARTY DIRECTION _____ SPEED _____

WITNESS IDENTIFICATION _____ PHONE _____

WITNESS IDENTIFICATION _____ PHONE _____

POLICE DEPT _____ OFFICER'S NAME _____ PHONE _____

REPORT # _____ CITATION? _____ TO _____ CHARGE _____

Give a complete and detailed description of this accident. Draw a diagram on the back of this report and sign your statement. _____

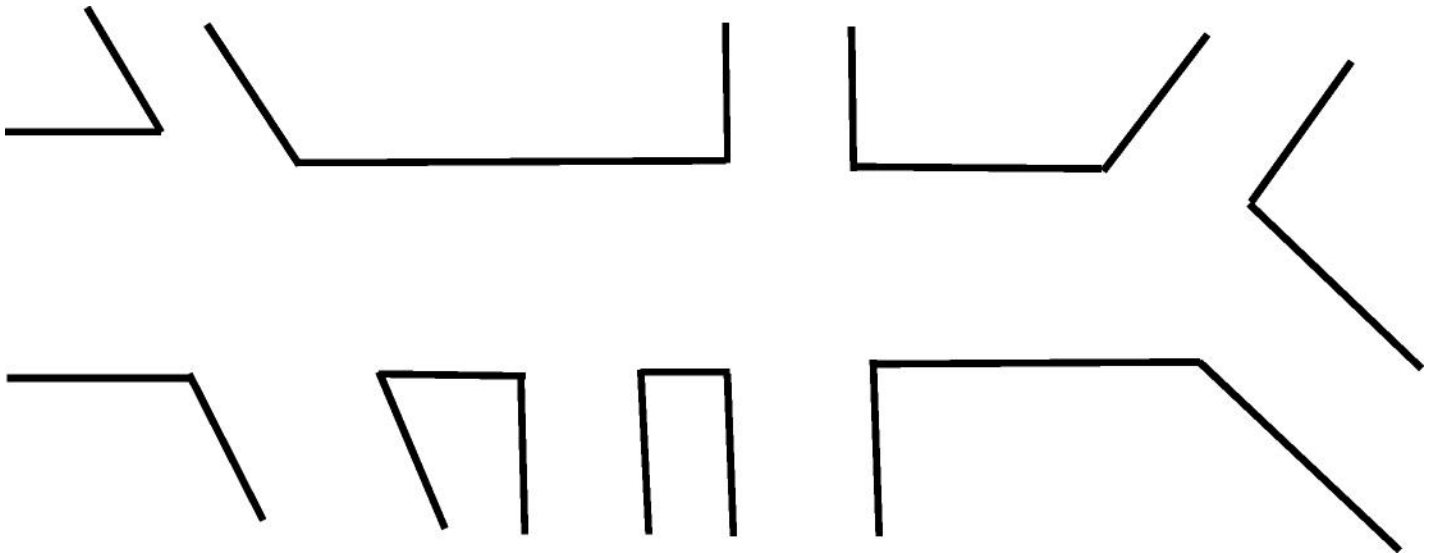
CHECKLIST

- Stop and Investigate
- Set warning devices
- Help the injured
- Protect your vehicle & cargo from theft & further damage.
-
-
- Discuss accident only with proper authorities
- Obtain names & addresses of witnesses
- Complete this card out at the scene
- Comply with any required Drug/Alcohol testing

Do NOT move your vehicle until police arrive **RETURN ENTIRE PACKET TO SUPERVISOR**
 Contact your supervisor ASAP

ACCIDENT DIAGRAM

Using the following diagram, indicate the exact location at the time of the accident and the location of the vehicles involved. Provide measurements if possible.



EXONERATION FORM
THE UNDERSIGNED HEREBY AGREES THAT
(Name of Company)
DRIVER WAS NOT AT FAULT IN THIS ACCIDENT. SIGNATURE:
ADDRESS:
PHONE:
DATE:

Section 11: Guidelines for Determining the Preventability of a Crash

Guidelines for Determining the Preventability of a Crash

The Director of Safety and Management will use criteria that have been established by the National Safety Council to determine the preventability of a crash.

A preventable crash is deemed as one in which the driver did not do everything reasonable to avoid it. A non-preventable crash is one in which the driver did everything he or she could do to prevent it. To clarify what is and is not preventable, the National Safety Council has prepared the following list of preventable crash:

Intersections

It is the responsibility of professional drivers to approach, enter, and cross intersections prepared to avoid crashes that might occur through the action(s) of the other drivers. Complex traffic movement, blind intersections, or failure of the other driver to conform to law or traffic control devices will not automatically discharge a crash as non-preventable. The operator's failures to take precautionary measures prior to entering the intersection are factors to be studied in making a decision.

Vehicle Ahead

Whether or not a vehicle ahead makes an abrupt or unexpected stop, the operator can prevent rear-end collisions by always maintaining a safe following distance. The operator can be prepared for possible obstructions of the highway, either in plain view or hidden by the crest of a hill or the curve on a roadway.

Overdriving headlights at night is a common cause of rear-end collisions. Night speed should not be greater than that which will permit the vehicle to come to a stop within the forward distance illuminated by the vehicle's headlights.

Vehicle Behind

Investigation often discloses that driver's risk being struck from behind by failing to maintain a margin of safety in his/her own following distance. Rear-end collisions preceded by a roll-back, an abrupt stop, a grade crossing, when a traffic signal changes, or when a driver fails to signal a turn at an intersection, should be charged preventable. Failure to signal intentions or to slow down gradually should be considered preventable.

Unusual Locations

When a driver is expected to make pick-ups or drop-offs at unusual locations on driveways not built to support heavy commercial vehicles, it is his/her responsibility to discuss the operation with the transportation management and to obtain permission prior to entering the area.

Passenger Crashes

Passenger crashes in any type of vehicle are preventable when they are caused by faulty operation of the vehicle. Even if the incident did not involve a collision of the vehicle, it must be considered preventable when the driver stops, turns, or accelerates abruptly. Emergency action by the driver to avoid a collision that results in passenger injury should be checked to determine if proper driving prior to the emergency would have eliminated the need for the abrupt maneuver. Passenger accidents resulting from passengers hanging out of a window or out of improperly locked doors are preventable by the driver.

Non-Collision

Many crashes, such as overturning, or running off the road, may result from emergency action by the driver to avoid being involved in a collision. Examination of his/her driving procedure prior to the incident may indicate that the driver's speed or other factors were inappropriate for the conditions. The driver's actions prior to involvement should be examined for possible errors or deviation from defensive driving practices.

Failure to Adjust to Conditions

Adverse weather conditions are not a valid excuse for causing an accident. Failure to adjust driving to the prevailing weather conditions could be deemed the cause of a preventable crash.



**P.O Box 151
Sandersville, GA 31082
(478) 552-5119**

Date: 5/1/2005 – Revision: 12/19/2011, 12/11/2013, 11/1/2016

To: All Company Drivers

From: Safety Dept

Re: Cellular Phone and Satellite Usage Policy

Employees operating Commercial Motor Vehicles of the Company **are allowed to use Hands-free** cellular telephones while operating their vehicle.

You are prohibited from using Handheld cellular telephones, text or e-mail messaging devices (including Satellites) while operating the vehicle. Handheld devices may only be used when the commercial motor vehicle is safely parked in a suitable and lawful location.

Employee's operation vehicles *other than Commercial Motor Vehicles* must always ensure that use of a cellular telephone, radio, other wireless or electronic device, whether employee owned or company-provided, does not interfere with the safe operation of any Company vehicle.

Each employee is also responsible for complying with applicable State and Local laws, ordinances, and regulations regarding the use of radios and other wireless or electronic devices while operating the vehicles.

Violation of this policy will result in disciplinary action as stated in the B-H Safety Manual.

Section 11: Safety Manual

Safety Manual

This Safety Manual governs the actions of drivers employed by B-H Transfer Co. The safe, efficient operation of company equipment is a prerequisite to a driver's employment. The rules herein are rooted in safety and cost effectiveness. The protection of the lives of the driver, the public and others is paramount, along with the property of the Company.

These rules, regulations, and disciplinary actions to be imposed for the violation of same are placed in effect so that all employees may know what is required of them in the general conduct of the Company's business.

This manual is not a contract of employment and does not prevent the Company from disciplining employees in any manner that is different from the guidelines set forth herein.

Nothing in these rules shall abrogate the right of all covered by this manual to challenge a penalty by making a formal protest to the management not later than 48 hours after having received written notice of disciplinary action for violation of Company rules.

The Company Concept of Preventable and Non-Preventable Crashes: B-H Transfer Co. uses the following definition of preventable and non-preventable crashes to determine chargeability.

Preventable: was there anything the driver could have done to have avoided the crash?

Non-Preventable: there was nothing the driver could have done to have avoided the crash.

For purposes of this safety manual, the term "major" shall be described as any damages incurred that costs \$5000.00 or more AND "minor" shall be any damages incurred that costs less than \$5000.00.

The Company reserves the right to revise this manual without prior notice. Violations of rules will receive the discipline provided herein.

Violations and Points Assigned for Violation

Violations and Points Assigned for Violation

VIOLATIONS	POINTS ASSIGNED FOR VIOLATION
A. CRASHES	
1. Major preventable	2 OR 3 Dependent on Management's review of crash
2. Minor preventable	1 OR 2 Dependent on Management's review of crash
3. Failure to report ALL crashes and personal injuries immediately.	1
B. EQUIPMENT	
1. a. Dropping trailer without causing any damage to Trailer or Truck. <i>(Unless equipment is defective)</i>	2
b. Dropping a trailer and causing any damage to the Trailer, Truck or Third Party. <i>(Unless equipment is defective)</i>	3
2. Parking in area where truck and/or trailer gets stuck.	1
3. Failure to report mechanically defective equipment.	1
4. Utilizing equipment tagged "out of service"	2
5. Use of company equipment without authorization, e.g. bobtailing or going out of route for personal business.	2
6. Failure to properly cover or protect load if needed.	1
7. Failure to properly check equipment, e.g. oil, air pressure in tires, water, lights, lockdowns, etc.	1
8. Failure to report breakdowns promptly.	1
9. Tampering with or abusing company equipment <i>(Fuel Systems, Satellite, etc.)</i>	6
10. Failure to check tanks for cleanliness before loading.	1
11. Failure to wash out PTO pump after each use.	1
12. Failure to check and/or run APU, blower, pump or compressor weekly.	1
13. Damaging tires.	1 (1 or 2 tires) 2 (more than 2 tires)
14. Damaging company equipment other than a crash.	1 (minor) OR 2 (major)
15. Running out of fuel.	1
16. Spills or leaks	1 (minor) OR 2 (major)
C. CONDUCT	
4. Violation of Company Drug & Alcohol Policy.	6
5. Theft or dishonesty of any kind.	6
6. Insubordination.	6
7. Failure to turn in COD money to the designated person the same day driver returns to terminal.	1
8. Failure to follow instructions of dispatcher or supervisor.	1
9. Discourtesy to customers.	1
10. Failure to stop and show courtesy to law enforcement, DOT or safety engineers.	1
D. REPORTS	
11. Failure to properly complete reports, trip sheets, inspections, forms, etc.	1
12. Failure to report to dispatchers at time or at intervals as directed while on duty.	1
13. Failure to report ALL moving violations, including those in private vehicles, within 24 hours.	1
E. DRIVING SCHEDULES	
14. Failure to complete run in scheduled time without satisfactory explanation or calling in.	1
15. Unnecessary delaying of load or equipment while making unauthorized stops.	1
16. Failure to follow highway routings as designated or instructed.	1

F. OPERATIONS OF EQUIPMENT

1. Moving violations resulting in drivers receiving a citation from law enforcement bodies OR B-H representative.
 - a) Routine violations –too fast for conditions, stop signs, lane change, failing to signal, keep right, etc. 1
 - b) Serious violations – Failing to obey traffic signal, careless driving, following too close 2
 - c) Potentially Adverse – seat belt violation 3
 - d) Adverse violations –hit and run, DWI, leaving scene of an accident, driving without license, reckless driving, evading responsibility, driving under suspension, possession or using narcotics..... 6

****Speeding-see next section****

2. Speeding violations
 - a) Speeding 1 to 5 mph over speed limit

1 (First Offense)
1 (Second Offense)
Subsequent offenses: 1 point and a reduction in set speed from 68 mph to 65 mph for a minimum period of 120 days followed by management review before speed settings are reinstated.
 - b) Speeding 6 to 10 mph over speed limit

1 (First Offense)
Subsequent offenses: 1 point and a reduction in set speed from 68 mph to 65 mph for a minimum period of 120 days followed by management review before speed settings are reinstated.
 - c) Potentially Adverse Speeding 11 to 14 mph over speed limit

3 and a reduction in set speed from 68 mph to 65 mph for a minimum period of 120 days followed by management review before speed settings are reinstated.
 - d) Speeding 15 mph or over speed limit

6

Speeding violations(Per PeopleNet signal to operations)	
First offense.....	Review of Violations with Management (Verbal Reprimand)
Second offense.....	1 and a reduction in set speed from 68 mph to 65 mph for a minimum period of 45 days followed by management review before speed settings are reinstated.
Subsequent offenses.....	1 and a reduction in set speed from 68 mph to 65 mph for a minimum of 120 days followed by management review before speed settings are reinstated.

3	Confirmed hard braking	1
4	Non-moving violations resulting in driver receiving warning, verbal or written from law enforcement or a B-H representative.	1
5	Dumping load while backed onto clay pile incline.	1
6	Raising dump bodies more than 3 stages under any shed.	1
7	Excessive speed or horseplay with truck on any terminal yard or customer's yard.	1

8	Improper parking, including motor running with truck unattended.	1
9	Leaving unit unattended while loading or unloading liquid or bulk trailer.	2
G. ATTENDANCE		
1.	Failure to notify dispatch no less than 5 hours before scheduled departure when unable to report to duty.	1
2.	Reporting late to work.	1
H. MISCELLANEOUS		
1.	Unauthorized passenger in vehicle.	6 Only exception: If passenger was in imminent danger (At management's discretion)
2.	Violation of company cell phone policy	2
3.	Failure to abide by requirements of DOT, local, state or federal laws governing operations of motor vehicles.	1
4.	30 Minute break rule violation	0With warning (1 st offense) 1 (2 nd or more offenses)
5.	Falsifying logs	2
6.	Releasing product or petroleum anywhere but in company wash out area or customer designated area. Must be authorized by Dispatch prior to unloading.	1 (minor) OR 2 (major)
7.	Use of radar detection device in company truck.	1
8.	Failure to comply with all company rules and regulations.	1
9.	Moving container or van with trailer doors open.	1
10.	Delivering product to wrong destination and unloading.	4 (first offense) / 6 (second offense)
11.	Driver is banned from customer property for conduct or safety violation.	3 to 6 (At management's discretion upon investigation of Incident and availability of other driving positions)

Remedial Training

Remedial Training

REMEDIAL TRAINING (CREDIT 1 POINT)

- Company drivers involved in a preventable crash/accident must enter a re-training class before being re-dispatched (see below). This MANDATORY TRAINING will not qualify for the credit but will serve as a means to determine the cause of the crash/accident.* once the mandatory training has been completed, the driver may then complete a remedial training class in order to receive a credit point.
- Any driver that currently has points will be notified of his/her opportunity to come in for remedial training to receive a (1) point credit toward their last violation received, if they so choose to.
- Going forward, any driver that has a violation of any type that results in (1) point or more, will be given the opportunity to go through remedial training to remove (1) point toward the violation they received. Training will be performed by operations personnel for operational violations, by safety personnel for safety violations and maintenance personnel for maintenance violations or issues.

NO MORE POINT REDUCTIONS FOR REMEDIAL TRAINING WILL BE ALLOWED FOR AT LEAST 12 MONTHS FROM FIRST RETRAINING CREDIT EVEN THOUGH MORE VIOLATIONS MAY OCCUR.

POINT CREDIT(S) FOR SAFE OPERATION

- The timeframe of (12 consecutive months) for drivers without any *PREVENTABLE CRASHES, DAMAGE TO COMPANY EQUIPMENT OTHER THAN A CRASH OR PERSON INJURIES*, will result with either removing (1) point from existing point total or receive a credit (1) point if they currently have no points.
- If a driver goes an additional 12 consecutive months (for a total now of 24 consecutive months) without any *PREVENTABLE CRASHES, DAMAGE TO COMPANY EQUIPMENT OTHER THAN A CRASH OR PERSON INJURIES*, will result with either removing (2) points from existing point total or receive a credit (2) points if they currently have no points.
- If they go another additional 12 consecutive months (for a total now of 36 consecutive months) without any *PREVENTABLE CRASHES, DAMAGE TO COMPANY EQUIPMENT OTHER THAN A CRASH OR PERSON INJURIES*, will result with either removing (1) point from existing point total or receive a credit (1) point if they currently have no points.

NO MORE THAN 4 CREDIT POINTS WILL BE ALLOWED AT ANY TIME

- Any violation(s) that automatically is assigned (6) points (terminating offenses) will not be subject to point reduction.
- A total of (6) points will result in termination.
 - > **All points will stay on driver's record for 2 years from the date of violation (unless removed due to remedial training).** The company will put all disciplinary actions in writing, including notice of discharge if applicable.
 - > Drivers of vehicles are responsible for all fines resulting from citations they receive, except those instances where B-H Transfer Co. can re-bill the customer for overweight fines.
 - > B-H Transfer Co. reserves the right to issue a Final Reprimand or Termination to an employee on the first violation if Management determines upon investigation that the violation created an extremely dangerous situation.

Any questions regarding the Safety Manual should be discussed with your Supervisor / Dispatcher.

Company drivers involved in a chargeable crash/accident must enter a re-training class before being re-dispatched. This re-training class will begin with the Safety Department interviewing the driver to determine the root cause of the crash/accident. If the Director of Safety & Compliance believes the drivers' dispatcher needs to be included in this interview, then they will be expected to attend either in person or by conference call. Any manager that would like to be included in this interview may do so. Once this has been accomplished then the re-training will focus on correcting the action that caused the crash/accident. Then the Director of Safety & Compliance will decide if a ride along is needed and if so, the driver must perform this task satisfactorily. If the driver does not, then he/she will be placed back into training for a period. At the end of this time the driver must complete a satisfactory ride along with the trainer to complete the re-training process. If this is not accomplished, then other actions will have to be taken.

If a Company driver has questions or concerns about their retraining, then they should contact the Director of Safety & Compliance or the Director of Human Resources. The Director of Safety & Compliance may appoint a competent person to perform retraining in his absence. The Director of Safety & Compliance will have the authority to modify this procedure as necessary based on the circumstances of the crash/accident.

Section 12: Company Driver Pay

Company Driver Pay

A. Pay online-Haul Freight Transportation charge-When paid by percentage

*If a load is not fully completed from origin to destination for whatever reason by the same driver, both the original driver and the relief driver will be paid a prorated portion of the revenue based on the number of miles each driver completes.

	Type	Pay	
1.	Liquid Tank	23%	(except as noted in item #2 below)
2.	Liquid Slurry Tank from:	27.25%	From: Wrens, GA to Kernersville, NC when in conjunction with adhesive slurry backhaul (clay slurry portion only)
	Liquid Sulfur	25%	Not subject to increase as shown in item 12 below *Effective 2/22/2017*
3.	Flatbed	23%	Base pay
4.	Van	23%	Base pay (except as noted in item #10 below)
5.	Intrastate Dry Bulk Tank	23%	Plus flat-rate for loading & unloading, if applicable
6.	Interstate Dry Bulk Tank	24.5%	Base pay / Plus flat rate for loading Trona in Sylacauga
7.	Containers	23%	Base pay (except as noted in items #9 & #10 below)
8.	Refrigerated Containers	24.5%	
9.	Flat rate pay		<ul style="list-style-type: none"> • All clay containers • All containers, loaded or empty, moved to or from B-H Savannah or Charleston yards to port. • All clay loads in company vans moving to Savannah, GA or Charleston, SC warehouses. • Any load of non-refrigerated containerized freight from Augusta, GA customers delivered to GA, FL and SC ports or customers within a 25 miles radius of same ports.
10.	Base pay will increase as follows:		<p>A. Following 12 consecutive months:</p> <ol style="list-style-type: none"> 1. 23% pay will increase to 24% 2. 24.5% pay will increase to 25% 3. 24.5% pay will increase to 25.5% on refrigerated containers. <p>B. Following 15 consecutive years, driver will receive an additional one-half (1/2) percent.</p> <p>C. Following 30, 35, 40 and 5 yr. increments following, driver will receive an additional one-half (1/2) percent.</p>
11.	Backhauls		Tank-wash fees will be deducted from Line Haul Transportation charge before paying percentage (when applicable)
12.	Drumming	25%	When billed as a separate line item on invoice, will be paid the percentage of the drumming charge.

B. The following procedures will be paid hourly		<ul style="list-style-type: none"> • Orientation • Safety/MSHA Training • Local work (load containers, etc.) • Pre-loaders • Shop time at B-H shop • Spotting tanks • All other non-specified work
C. Spotting / Shuttle drivers are paid hourly	y.	
D. Detention		<p>\$15.00/hour (after two free hours, but on all refrigerated container will be after three free hours)</p> <ol style="list-style-type: none"> 1. When billable detention occurs, driver will be paid with regular weekly check, provided driver submits a properly completed detention sheet.
E. Non-billable layover pay:		<p>Must be authorized by dispatch and verified by Safety.</p> <ol style="list-style-type: none"> 1. No pay if time is less than 12 hours 2. If layover exceeds the 12 hours, pay next 12 hours or number of hours until you pick up hours at \$12.00/hour. Next 12 hours no pay, next 12 hours pay at \$12.00/hour. 3. 34 Hour Restarts – pay will be \$200.
F. Breakdown pay:		<p>Must be authorized by dispatch and verified by shop.</p> <ol style="list-style-type: none"> 1. No pay if time is less than 4 hours. 2. If breakdown exceeds 4 hours, pay at \$12.00/hour up to 8 hours. Next 10 hours no pay; next \$12.00/hour, not to exceed \$150.00 for the 24 hour period. If breakdown exceeds 24 hours, pay \$12.00/hour up to 8 hours. Next 10 hours, no pay. Next \$12.00/hour not to exceed \$150.00 for the 24 hour period; etc.
G. Driver in Training		<ol style="list-style-type: none"> 1. Trainees under supervision of B-H driver trainer will be paid \$110 per day. 2. Driver being re-trained, under direct supervision of safety personnel, will be paid as outlined in item A.
H. Driver Trainer		<p>The trainer will receive an additional \$50.00 per day for training.</p>
I. Team Drivers		<p>Line haul freight transportation charge x 24% = driver pay. Driver pay x 15% - extra pay. Driver pay plus extra pay, divide by 2 = pay for each driver.</p>
J. Wash-outs		<p>For liquid tanks: \$25.00 and must be approved by dispatch.</p>
K. Vacation Pay		<p>Based on weekly average of last year's pay.</p>
L. Weighing		<p>Driver will be paid \$15 when customer is billed for weighing at a 3rd party weight station – this includes a loaded and empty weight.</p>

M. Incentive Bonus

Percentage paid drivers will receive \$250 if he/she works the year without receiving any speed violations, including but not limited to citations, warnings, Road Side Inspections and People Net Alerts. The bonus opportunity period for 2018 will begin March 1st. Qualified drivers hired after March 1st 2018 and others in subsequent years, will receive a prorated portion of the bonus. Bonuses will be paid in December of each year to qualified drivers that are actively employed.

THE COMPANY RESERVES THE RIGHT TO VARY FROM THESE PRACTICES AS CIRCUMSTANCES MAY WARRANT, WE WILL MAKE EVERY EFFORT TO PROVIDE YOU WITH PRIOR NOTICE BEFORE SUCH CHANGES ARE NECESSARY.

Revised 10/2019

Holiday Pay

Holiday Pay

Company Drivers will receive \$100.00 per day for the following holidays:

- New Year's Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Christmas Day

To be eligible you must be an active employee (An employee that has not worked or been available for work for 90 consecutive days will be classified as an inactive employee. Upon returning to work they will be re-classified as an active employee.) Must be employed the day before and after the holiday. Should you work on one of these designated holidays, you will earn your regular wages plus the holiday pay.

The Company President reserves the right to modify or discontinue this policy as he feels necessary to benefit the Company.

Vacation Pay

Vacation Pay

All regular **full-time employees** will receive vacation as follows:

During the first calendar of employment, you will earn one (1) day vacation per month or partial month worked, up to 5 days' vacation, to be taken the following calendar year. If less than five (5) days are earned, the employee will receive five (5) days' vacations to be taken the subsequent year. (For employees with continuous service) For example, if an employee is hired in October, that employee will receive three (3) days' vacation days for the following year beginning January 1st. The next year that employee will receive 5 paid vacation days beginning January 1st.

After continuous service has allowed employee to earn 5 days' vacation, employee will then get 10 days paid vacation, to be used the FOLLOWING CALENDAR YEAR and every year employed thereafter until he/she has been employed for ten (10) consecutive years.

After ten (10) consecutive years of employment, employee will earn fifteen (15) days paid vacation for the FOLLOWING CALENDAR YEAR and each year employed thereafter. *For example, if an employee reaches their tenth anniversary at B-H Transfer Co. on March 1st, the following January 1st, that employee will receive 3 weeks' vacation.

Drivers with fifteen (15) days' vacations will be allowed to select one preferred week, (5 days) per year, with MOST SENIOR DRIVER selecting first, second most senior driver selecting and so on down the line. The selection for the one preferred week must be submitted to B-H by January 15th. The remaining weeks will be selected as in the past with first come first served. Drivers with less than 3 weeks will also select on a first come first served basis. All vacations must be approved by your manager.

Employees who leave the company will be paid for unused vacation for the calendar year in which they leave. Employees WILL NOT be paid for vacation for the next calendar year.

There will be NO carry-over of unused vacation from year to year; therefore, all unused vacation will be forfeited after December 31st of each year.

If an employee is terminated or resigns for any reason, all benefits including vacation will cease. If the employee is hired back later, all benefits including vacation will start over as with any newly hired employee.

When a paid holiday falls within an employee's vacation, the employee will only be charged with the days taken other than the holiday.

A new company driver, having been employed for the last five (5) consecutive years with the same company, and while with that company having 2 years verifiable experience in the same job as applied for with B-H, may receive up to 2 weeks' vacation.

REMEMBER, THE VACATION YEAR RUNS FROM JANUARY 1ST TO DECEMBER 31ST OF EVERY YEAR. REGARDLESS OF ANNIVERSARY DATE, YOUR VACATION WILL BE AWARDED FOR THE CALENDAR YEAR AS NOTED ABOVE.

As part of an ongoing effort to improve communications between departments and to ensure proper documentation for payroll, a vacation/time off request form must be completed by the employee requesting time off and approved/denied by the employee's manager.

Your manager will have blank forms available when you need them. Once you have completed the form, return it to your manager for approval. If requested time off is approved, the form will be forwarded to payroll for documentation. Remember, time off may be denied if too many people within your department have already asked for and been granted time off for the same day or days you have requested, so give us as much notification as possible.

As stated on the form, time off will not be considered until the form is completed, submitted to and approved by your supervisor.

Military Pay

Military Pay

If you are a member of a Reserve or National Guard Unit and must perform annual active-duty training, you will be granted a leave of absence for that purpose. Reasonable evidence of your attending the training must be submitted to your supervisor in order to receive this time off. However, B-H Transfer Co. will not compensate you.

Section 12: Company Driver Benefits

Company Driver Benefits

Medical Insurance – Provider: *United Healthcare*

- Coverage eligibility on the 1st of the month following 60 days of employment
- Select “Single” or “Family” coverage
- Company contributions are made with either selected coverage
- Go to www.myuhc.com or call 1-800-357-0978 for more benefit information

Dental Insurance – Provider: *United Healthcare*

- Coverage eligibility on the 1st of the month following 60 days of employment
- Available for the employee and immediate family
- Premiums for employees & eligible dependents paid for by B-H Transfer Co.
- Go to www.myuhc.com or call 1-800-445-9090 for more benefit information

Vision Insurance – Provider: *United Healthcare*

- Coverage eligibility on the 1st of the month following 60 days of employment
- Available for the employee and immediate family
- Premium for employee paid for by B-H Transfer Co., Coverage for spouse and dependent children available for purchase by employee
- Go to www.myuhc.com or call 1-866-633-2446 for more benefit information

Life Insurance – Provider: *United Healthcare*

- Basic Life coverage for employee is \$50,000
- AD&D (Accidental Death & Dismemberment) coverage is \$50,000
- Premium paid for by B-H Transfer Co.
- Go to www.myuhc.com or call 1-888-299-2070 for more benefit information

Retirement Plan – 401(k) Saving Plan *Empower Retirement Plan(empower-retirement.com)*

- Company employees are automatically enrolled at 3% on the 1st of the month following 90 days of employment-Employees can elect a different percentage or opt-out
- Company contribution is 50% of employee’s contribution up to 6%
- Company employees can re-enroll on January 1st, April 1st, July 1st or October 1st, if they have met eligibility requirements
- Company employees can make changes to plan quarterly
- Account will immediately be fully vested.

Elective Short-Term Disability Insurance – Provider: Abacus

- This is offered to non-salaried employees
- Eligible for coverage the 1st of the month following 60 days of employment
- Premiums are paid by the employee through payroll deduction

Elective Life Insurance – Provider: Abacus

- This is offered to all employees
- Eligible for coverage the 1st of the month following 60 days of employment
- Premiums are paid by the employee through payroll deduction

Elective Insurance – Provider: AFLAC

- This is offered to all employees
- Open Enrollment is in September of every year
- Premiums are paid by the employee through payroll deduction
- Contact Clarence Carter – Aflac Representative at (478) 491-4159 for more information

Uniforms

- Eligibility 1st month following 60 days of employment
- Basic – Green 1 Jacket, 5 Pants and 5 Shirts
(Effective 1/1/09)
- Replacement Subject to wear and tear upon discretion of management.
No replacements in less than 18 months from issue date unless driver assumes all cost of replacements.
- Cost (Effective 1/1/09) Driver will pay \$100.00 toward costs of INITIAL uniform purchase.
Company will pay TOTAL COST of replacement uniform purchase after 18 months.

Boots

Company will reimburse driver up to \$80.00 per pair on purchase of steel-toed boots-limits 1 pair per 12 months. Receipt must be presented within 30 days of purchase. If employee leaves the company for any reason within 90 days of boot reimbursement, the amount of the boot reimbursement will be deducted from employee's remaining pay.

**revised 3/27/2018*

B-H Transfer Co.

REWARD PLAN FOR COMPANY OVER-THE-ROAD AND LOCAL DRIVERS PAID BY PERCENTAGE (NON-HOURLY PAID) FOR CONTINUOUS EMPLOYMENT

- Once a driver has been employed for 15 CONSECUTIVE years as a percentage paid over-the-road or local truck driver, the driver will receive an additional one-half(1/2) percent increase in pay. * For containers from Wrens and Sandersville to Savannah and Charleston, pay will increase to \$90 and \$125 per load respectively. They will also receive a new, updated, state-of-the-art driver's seat.
- Once a driver has been employed for 20 CONSECUTIVE years as a percentage paid over- the- road or local truck driver, the driver will receive an award of appreciation and personalized B-H Transfer Co. coat or gift certificate (male) or gift certificate (valued at \$100) (female).
- Once a driver has been employed for 25 CONSECUTIVE years as a percentage paid over-the-road or local truck driver, the driver will receive an award of appreciation, a \$350 bonus, and the right to keep assigned truck at home while off duty. **
- Once a driver has been employed for 30 CONSECUTIVE years as a percentage paid over-the-road or local truck driver, the driver will receive an award of appreciation and an additional one-half (1/2) percent increase in pay. For containers from Wrens and Sandersville to Savannah and Charleston, pay will increase to \$95 and \$130 per load respectively.

*If driver has had any noted violations within the previous 6 months, the increase will become effective immediately 6 months after violation.

**If driver is off for multiple days with truck at home and business needs necessitate use of this truck, B-H Transfer Co. reserves the right to retrieve and use the truck.

NOTE: B -H Transfer Co.'s President may revise at any time.

Effective date for this longevity reward program is September 4, 2011.

**Revised 10/2017

Section 13: Family and Medical Leave Act

Family and Medical Leave Act (FMLA)

Eligible employees are entitled to Family and Medical Leave on the terms and conditions stated in this policy, the regulations issued by the Department of Labor under the Family and Medical Leave Act (FMLA) and the Act itself.

Definitions:

For purposes of this policy, the following definitions apply:

1. “Eligible Employee” means an individuals who has been employed B-H Transfer Co. For at least 12 months, has worked at least 1,250 hours during the 12-month period immediately preceding the commencement of the requested leave, and is employed at a worksite with at least 50 employees within 75 miles of that worksite.
2. “FMLA Leave” means leave that qualifies under the Family and Medical Leave Act, as amended and is designated by B-H Transfer Co. as so qualifying.
3. “Leave Year” means a rolling 12-month period measured backward from the employee’s first day of leave for a qualifying FMLA event.
4. “Serious Health Condition” means an illness, injury, impairment or physical or mental condition that involves either inpatient care or continuing treatment by a health care provider.
5. “Inpatient Care” means an overnight stay in a hospital, hospice or residential medical care facility, including a period of incapacity or any subsequent treatment in connection with the inpatient care.
6. “Continuing Treatment” includes any one or more of the following:
 - a) A period of incapacity of more than three (3) consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves:
 - i. Treatment by a health care provider two (2) or more times within 30 days of the first day of incapacity; or
 - ii. Treatment by a health care provider on at least one occasion, which results in a regimen of continuing treatment under the supervision of a health care provider.
 - b) A period of incapacity due to pregnancy or prenatal care;
 - c) Period of incapacity or treatment for such incapacity due to a chronic serious health condition;
 - d) A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective; or
 - e) Any period of absence to receive multiple treatments by a health care provider.

7. “Covered Servicemember” means a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for serious injury or illness.
8. “Covered Military Member” means the employee’s spouse, son, daughter, or parent on active duty or call to active-duty status.
9. “Active duty or call to active duty” means duty under a call or order to active duty (or notification of an impending call or order to active duty) in support of a contingency operation as either a member of the reserve components, or a retired member of the Armed Forces or Reserve.
10. “Serious Injury Illness” in the case of a member of the Armed Forces, including a member of the National Guard or Reserves, means an injury or illness incurred by the member in line of duty on active duty in the Armed Forces that may render the member medically unfit to perform the duties of the member’s office, grade, rank, or rating.

“Qualifying Exigency” means one or more of the following circumstances:

- a) Short-notice deployment – to address any issues that may arise due to the fact that the Covered Military Member received notice of the deployment seven (7) or less calendar days prior to the date of deployment;
- b) Military events and related activities – to attend any official ceremony, program, or event sponsored by the military that is related to the Covered Military Member’s active duty; or to attend family support or assistance programs and informational briefing sponsored by the military;
- c) Childcare and school activities – to arrange for alternative childcare; to provide childcare on an urgent or immediate basis; to enroll or transfer a child to a new school; and to attend meetings with school staff that are made necessary by the Covered Military Member’s active duty or call to active duty;
- d) Financial and legal arrangements – to make or update financial or legal arrangements related to the Covered Military Member’s absence while on active duty; and to act as the Covered Military Member’s representative with regard to obtaining, arranging or appealing military benefits;
- e) Counseling – to attend counseling sessions related to the Covered Military Member’s deployment or active duty status;
- f) Rest and recuperation – to spend up to five (5) days with a Covered Military Member who is on short-term, temporary rest and recuperation leave;
- g) Post-deployment activities – to attend ceremonies and reintegration briefing for a period of 90 days following the termination of the Covered Military Member’s active-duty status; and to address issues arising from the death of a Covered Military Member; and/or
- h) Other activities that B-H Transfer Co. and employee agree qualify as an exigency.

Reasons for FMLA Leave:

An Eligible Employee is entitled to a total of 12-weeks of unpaid leave during each Leave Year in the event of one or more of the following:

1. The birth, adoption, or placement for foster care of a son or daughter of the employee and care for such child. (Leave must be taken during the 12-month period following the birth or placement.)
2. A serious health condition of a qualifying family member, i.e., spouse, son, daughter, or parent of the employee, if the employee is needed to care for such family member.
3. A serious health condition of the employee that makes the employee unable to perform any one or more of the essential functions of his or her job.
4. Any “qualifying exigency” arising out of the fact that an employee’s spouse, parent, son or daughter is on active duty or has been called to active duty in the Armed Forces in support of a contingency operation.

An Eligible Employee is entitled to a combined total of 26-workweeks of military caregiver leave and leave for any other FMLA – qualifying reason during a single 12-month period, provided that the employee may not take more than 12 workweeks of leave for any other FMLA-qualifying reason during this period.

Any leave taken under one or more of these circumstances will be counted against the employee’s total entitlement to FMLA leave for that Leave Year.

Substitution of Paid Leave for Unpaid FMLA Leave

FMLA leave under our Handbook is generally unpaid leave. If, however, the employee is eligible for any paid leave under any other benefit programs such as accrued vacation, the employee may use the paid leave upon the commencement of, and concurrently with, FMLA leave (unless the employee’s own serious health condition has caused the leave **and the** employee is receiving workers’ compensation benefits; or unless the employee is receiving short-term disability insurance). Paid leave will run concurrently with and be counted toward the employee’s total 12-week or 26-week period of FMLA leave.

Salaried exempt employees will be paid up to 6 weeks while out on FMLA leave during a twelve (12) month period. Salaried exempt employees may use available vacation for the unpaid portion of FMLA leave if they so choose.

Advance Notice and Medical Certification Requirements

Employees are required to provide advance FMLA leave notice and medical certification as follows:

1. An employee seeking to use FMLA leave is required to provide 30-day advance notice of the need to take FMLA leave when the need is foreseeable and such notice is practicable. If 30 days’ notice is not practicable, notice must be given as soon as possible under the facts and circumstances of the particular case.

2. An employee must provide notice sufficient for B-H Transfer Co. to reasonably determine whether the FMLA may apply to the leave request. Depending on the situation, such information may include that the employee is incapacitated due to pregnancy, has been hospitalized overnight, is unable to perform the functions of the job, that the employee or employee's qualifying family member is under the continuing care of a health care provider, and/or that a covered military member is on active duty or a call to active-duty status. An employee should also provide notice of the anticipated duration of the absence, if known.
3. When the duration of FMLA leave changes, an employee is required to provide at least 2 business days advance notice.
4. Medical certification is required to support a request for leave because of the employee's serious health condition, or to care for the serious health condition of the employee's spouse, son or daughter or parent, or to care for a covered service member. Certification should generally be provided within 15 calendar days after B-H Transfer Co. requests it. Where the employee's need for leave due to the employee's own serious health condition or the serious health condition of the employee's covered family member lasts beyond a single leave year, B-H Transfer Co. may require a new medical certification in each subsequent leave year.
5. B-H Transfer Co. may require recertification of a serious health condition under certain circumstances, such as where the employee requests an extension of the leave, circumstances described in the previous certification have changed significantly, or where the employer receives information that casts doubt upon the employee's stated reason for the absence or continuing validity of the certification. Recertification should generally be provided within 15 days of when it is requested by B-H Transfer Co.
6. B-H Transfer Co. reserves the right to obtain a second and/or third opinion regarding an initial certification from another health care provider at B-H Transfer Co.'s expense. The employee will be permitted to commence FMLA leave on a provisional basis while awaiting the results of the second and/or third opinions.
7. Under certain circumstances, a representative of B-H Transfer Co. (other than the employee's direct supervisor) may contact the health care provider or have B-H Transfer Co.'s health care provider contacts the employee's health care provider for the purpose of clarifying and authenticating a medical certification or a fitness-for-duty certification.
8. If an employee's FMLA leave was occasioned by the employee's own serious health condition that made the employee unable to perform his job, B-H Transfer Co. will require the employee to present a certification from his health care provider that pertains to the condition that caused the need for FMLA leave and states that the employee is able to resume work before the employee will be restored to employment. An employee on an intermittent or reduced schedule leave will be required to provide certification of fitness to return to duty up to once every 30 days if reasonable safety concerns exist regarding the employee's ability to perform his job duties based on the serious health condition for which the employee took FMLA leave.
9. An employee will be required to certify a request for leave due to a qualifying exigency. In addition, the first time an employee requests such leave for a particular active duty or call to active status, the employee will be required to provide a copy of the covered military member's

active-duty orders or other documentation issued by the military that indicates that the covered military member is on active duty or called to active-duty status and the dates of the active-duty service. B-H Transfer Co. may contact an appropriate unit of the Department of Defense to request verification that the covered military member is on active duty or call to active-duty status. If the qualifying exigency involves a meeting with a third party, B-H Transfer Co. may contact the third party with whom the employee is meeting for the purpose of verifying the meeting schedule and the nature of the meeting.

Intermittent or Reduced Schedule Leave

Under certain circumstances, FMLA leave may be taken intermittently or on a schedule that reduces the usual number of hours per weekday or workweek where medically necessary for the employee's own serious health condition, to care for the serious health condition of a spouse, son or daughter, or parent, or to care for a covered service member with a serious injury or illness. Leave due to a qualifying exigency may also be taken on an intermittent or reduced schedule basis. Unless a female employee has a serious health condition as a result of her child's birth or newborn has a serious-health condition, intermittent or reduced-schedule leave due to the birth or placement of a child is subject to B-H Transfer Co.'s approval. When leave is for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt B-H Transfer Co.'s operation.

In some circumstances, B-H Transfer Co. may temporarily assign an employee to an available alternative position with equivalent pay and benefits where the alternative position better accommodates the employee's reduced schedule or intermittent work pattern. While alternative position may not include the same or similar duties as the previous position, such a transfer will not work a hardship on the employee. When the employee is able to return to full-time work at the end of an intermittent or reduced schedule leave, the employee will be placed in the same or equivalent job as he held when the leave commenced.

If an employee requests intermittent or reduced schedule leave for a period more than six months, B-H Transfer Co. may request recertification of the FMLA-qualifying condition every six months.

Job and Benefits Continuation

Upon return from FMLA leave, most employees will be restored to their original or an equivalent position with equivalent pay, benefits, and other unconditional employment terms. An employee has no greater right to reinstatement or to other benefits of employment than if the employee had been continuously employed during the FMLA leave period.

An employee will not be entitled to restoration where the employee is unable to perform an essential job function with or without reasonable accommodation because of a physical or mental condition, including the continuation of a serious health condition.

Any employee who fraudulently obtains FMLA leave is not protected by FMLA's job restoration or maintenance of health benefits provisions.

Key Employees

A “key employee” is a salaried FMLA-eligible employee who is among the highest paid ten percent of the salaried and non-salaried employees within 75 miles of the employee’s worksite. The determination of whether an employee is a salaried employee will be made at the time of the leave request.

Restoration to the same or equivalent position after return from FMLA leave may be denied to key employees if B-H Transfer Co. decided at the time of the leave request that restoration (not absence) will cause substantial and grievous economic injury to B-H Transfer Co.’s operations (e.g., where the Company must hire a permanent replacement for the employee). Written notice of intent to deny restoration will be given in person or via certified mail and in accordance with the Act, and the employee will be given a reasonable time in which to return.

If a key employee elects not to return immediately after having been so notified, B-H Transfer Co. will maintain health coverage and will not attempt to recover premium payments made on behalf of the employee during the remainder of leave or until the employee declares an intent not to return.

The employee may still request reinstatement at the end of FMLA leave. Any denial by B-H Transfer Co. will be in writing and delivered in person or via certified mail in accordance with the Act.

Maintenance of Employee Benefits

For the duration of FMLA leave, B-H Transfer Co. will maintain coverage under the Health Care plan under the same conditions as if the employee had been working. While on FMLA leave, employees are required to continue making their share of premium payments to the insurance carrier as if the employee was not on leave.

The B-H Transfer Co.’s obligation to continue coverage during leave ceases if the employee’s premium is more than 30 days late. B-H Transfer Co. will provide at least 15 days written notice that payment has not been received and coverage will drop 15 days after the date of the letter if payment is not received by the date. Should coverage lapse, the employee will nevertheless be restored to coverage in full upon return from FMLA leave, without any additional requirements, as of the employee had never left.

B-H Transfer Co.’s obligation to maintain health benefits under the FMLA ceases if and when an employee informs B-H Transfer Co. of their intent not to return to work from leave (including at the start of leave if B-H Transfer Co. is so informed), or the employee fails to return from leave and thereby terminates their employment.

B-H Transfer Co. will recover all premium payment paid by B-H Transfer Co. during unpaid FMLA leave if the employee fails to return to work and in accordance with the Act.

Questions

Questions about this policy and eligibility for FMLA leave should be directed to the Director of Human Resources. Please call with any questions.

Section 14: Truck Assignment

Truck Assignment

Drivers will be classified in groups that describe the type of hauls that he/she typically runs. These “groups” are not to be considered restrictions on how or where a driver runs, only to be used as a guide for helping to determine the most efficient and profitable use of company equipment and in the assignment of new trucks.

Group 1: Nationwide (Slurry and/or Bulk drivers run anywhere in the 48 states and Canada)

Group 2: Regional (Slurry and/or Bulk drivers run primarily the southeastern states)

Group 3: Local (Slurry and/or Bulk drivers run interplant loads, Armstrong)

Group 4: Tank washers and spot drivers

Group 5: Crude

New Truck Assignments

1. New trucks (newly purchased) will be assigned to the group for which the purchase is intended.
2. New trucks will be assigned to drivers within the group based on the following criteria:
 - a. Seniority (less than 1 year not eligible except as noted in b. below)
 - b. When a new truck is purchased for a specific account, a specified driver (existing driver or new hire) may be assigned to the new truck. The President must approve this.
 - c. Qualification to operate all accessory equipment, pumps, blowers, etc. placed on the new truck.
 - d. Agreement to transport loads calling for the use of all such equipment.
 - e. A driver receiving a new truck will not be eligible for another new truck until all eligible drivers in his/her group have received a new truck.
 - f. Driver’s file will be reviewed for performance issues, safety violations and improper care of assigned equipment. Excessive disciplinary actions regarding these 3 items may prohibit assignment of new truck. (Revised 9/21/07)

Truck Reassignments

Drivers not receiving new trucks may be given the opportunity to upgrade their trucks based upon the type of service the truck will be used in and the driver’s seniority at B-H Transfer Co.

The President reserves the right to change or modify these policies without notice as he feels necessary to benefit the Company.

Section 15: Hazmat – Table of Contents

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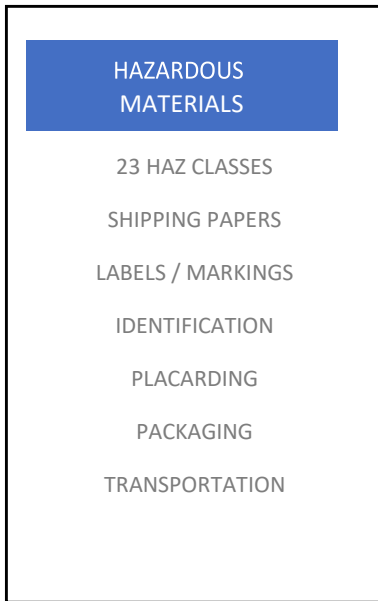
Section 15: Hazmat

Hazmat

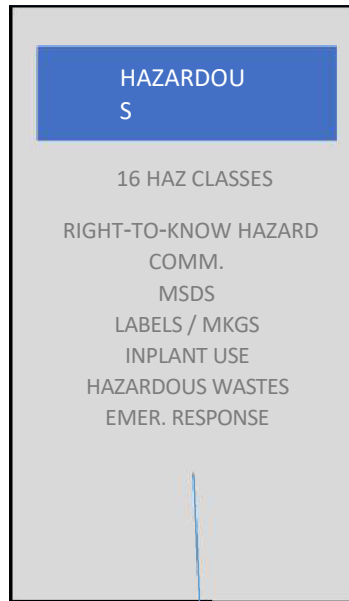
OBJECTIVES OF HAZARDOUS MATERIAL

TO EDUCATE DRIVERS ABOUT THE REGULATIONS GOVERNING HAZARDOUS MATERIALS AND HAZARDOUS SUBSTANCES TRANSPORTATION ACCORDING TO THE CODE OF FEDERAL REGULATIONS (CFR) 49 & 40 AND THE FEDERAL MOTOR CARRIER SAFETY REGULATIONS (PARTS 390-399). AND THE PROCEDURE TO FOLLOW IF A SPILL OCCURS.

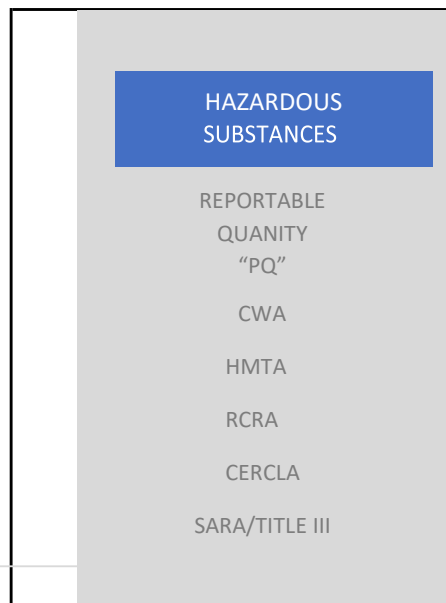
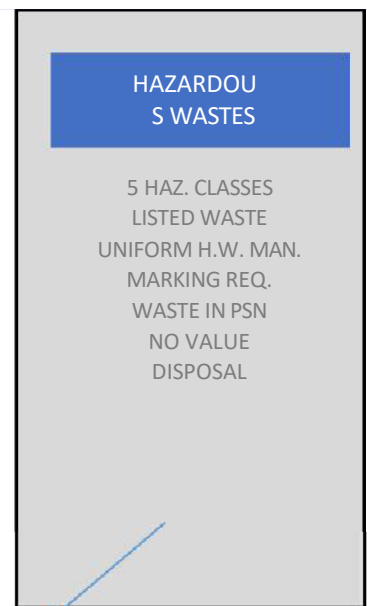
Dot – cfr 49



osha –cfr 20



epa/DOT cfr 40/49



"PQ" VALUES

5000 LBS.

1000 LBS.

100 LBS.

10 LBS.

1 LBS.
RANDOM

Definitions

Definitions

WHAT IS A HAZARDOUS MATERIAL?

A substance or a material, including a hazardous substance, which has been determined by the Secretary of Transportation to be capable of posing an unreasonable risk to health, safety, and property when transported in commerce, and has been so designated. “CFR 49 171.8” “NOTE: Hazardous Substance and Hazardous Waste are Hazardous Materials.”

WHAT IS A HAZARDOUS SUBSTANCE?

According to the definition, hazardous substance is “A material and its mixture or solutions that:

10. Is listed in the appendix to 172.101 “Reportable quantities or RQ table”
11. Is in a quantity, in one package, “i.e. tank truck” which equals or exceeds the reportable quantity “RQ” listed in the appendix to 172.101 for that substance.”

In other words, if a chemical is listed in the “RQ table” and if we are hauling the amount listed in the “RQ” column or more, then we are hauling a hazardous substance.

Basically, a hazardous substance is a material, usually a mixture of chemicals, when released into the environment in specific quantities called “reportable quantities,” the chemical poses a risk and must be reported to the EPA by the company. The reportable quantities were determined by the EPA and found in the “RQ table.”

Reportable Quantities Ranges: 5000 lbs./2270 kgs.
1000 lbs./454 kgs.
100 lbs./45.4 kgs.
10 lbs./4.54 kgs.
1 lb./454 kgs.

FLASH POINT

“The minimum temperature at which a liquid gives off vapor within a test vessel in sufficient concentration to form an ignitable mixture with the air near the surface of the liquid.” In other words, it’s the minimum temperature at which vapors can ignite or flash if a spark or ignition source is present.

COMBUSTIBLE LIQUID

A liquid having a flash point between 100 degrees and 200 degrees.

Examples: Crude Oil
Petroleum
Formaldehyde
Fuel Oil

CORROSIVE MATERIAL

A liquid or solid that causes visible destruction or irreversible damage to skin tissue at the point of contact, or that has a severe corrosion rate on steel.

Example: Phosphorus Pentachloride
Solid Potassium Fluoride Solution
Sulfuric Acid

FLAMMABLE LIQUID

Any liquid which, under specified test procedures, has a flash point of less than 100 degrees.

Example: Crude Oil*
Petroleum*
Ether
Gasoline

*Depending on the flash point, can be a combustible liquid or a flammable liquid.

FLAMMABLE SOLID

Any solid material, other than an explosive, that is liable to cause fires through friction, retained heat from manufacturing processing, or that can be ignited readily and when ignited burns so vigorously and persistently, that it can create a serious transportation hazard.

Example: Potassium, Metal or Metallic
Potassium Sulfide
Zirconium Scrap

OTHER REGULATED MATERIALS (ORM)

ORM D is a material that does not meet the definition of a hazardous material, which is listed as an ORM in the hazardous material table (172.101).

NOTE: A commodity classed as an ORM D is not subject to the hazardous materials regulations for transportation by highway, unless it is a hazardous substance.

ORM-D

An ORM-D is listed as a consumer commodity. This category does not pertain to cargo tank shipments. These are commodities which are already packaged and are ready to be sold on the resale level.

Example: Lighter fluid, packaged and shipped to a grocery store

ORGANIC PEROXIDE

A derivative of hydrogen peroxide in which part of the hydrogen has been replaced by an organic material.

Example: Benzoyl Peroxide

OXIDIZER

A material, which readily gives off oxygen to stimulate the combustion of organic matter.

Example: Nitrate
Inorganic Peroxide
Chlorate

BLASTING AGENTS

A material designed for blasting that has been tested and has shown little probability of initiating an explosion or of burning and exploding.

Example: Ammonium Nitrate - Fuel Oil Mixture

IRRITATING MATERIALS

A liquid or solid, which upon contact with fire or when exposed to air, gives off dangerous or intensely irritating fumes.

Example: Tear Gas Grenades

TOXIC BY INHALATION

A liquid, other than a liquefied compressed gas, which gives off toxic vapors at normal temperature (68 degrees), and which may or may not also meet the definition of another class of hazardous material.

Example: Methyl Isocyanate, Flammable Liquid, Phosphorous Trichloride

SHIPPER RESPONSIBILITIES

Shipper Responsibilities

IDENTIFICATION

The shipper is required to identify what the product is they want us to haul. This is done by laboratory analysis to test what the product is (and whether it is hazardous or not), and by use of CFR 40 & 49.

NOTIFICATION

The shipper is required to inform us if a product is a hazardous material or waste when they call us for a pickup. They should provide the shipping name, hazard class and ID number and the quantity. B-H Transfer does not haul hazardous waste. If you are given a hazardous waste manifest for a load, notify your supervisor immediately.

SHIPPING PAPERS

The shipper is required to fill out the shipping paper correctly and provide the proper information, appearing in this order:

1. Proper product description
2. Proper hazard class
3. Proper 4-digit identification number
4. Total quantity
5. Shipper's signature

PROVIDING PLACARDS

The shipper is required to provide the correct placards to the driver.

Q. What new requirements govern the shipping papers used to transport hazardous materials?

A. To harmonize the U.S. requirements with those of other countries, and alternate shipping paper description sequence is now authorized that allows the description to begin with the UN number: e.g. "Acetone, 3, UN1090, PGII" or UN1090, Acetone, 3, PGII"

Beginning on October 1, 2005, subsidiary hazard classes must be entered in parentheses following the primary hazard class.

e.g. Diisobutylamine has a primary hazard of 3-flammable liquid and a subsidiary hazard of 8-corrosive-its basic description would be: "diisobutylamine, 3 (8), UN 2361 PGIIUI"

Beginning on October 1, 2007, the number and types of packaging must be listed on the shipping papers.

CARRIER & DRIVER RESPONSIBILITIES

Carrier & Driver Responsibilities

NOTIFICATION

The dispatcher must inform you that you will be handling a hazardous material at the time of dispatch.

SHIPPING PAPERS

You must ensure that the information is complete and correct, and matches the information you were given by dispatch. You must ensure the identification number (UN or NA) and the hazard class (i.e. flammable liquid, corrosive liquid, etc.) matches the placards provided by the shipper/generator.

The shipping paper must be signed by an authorized representative of the shipper. This signature may be shown either manually, by typewriter, or by other mechanical means (stamper).

PLACARDING

You are responsible for placing the placards received by the shipper onto the cargo tank. Remember, the identification number and hazard class on the placards must match what is on the shipping paper. It is also the carrier's responsibility to replace lost or stolen placards while the shipment is in transit.

Revised 5/29/13

LOADING/UNLOADING (GENERAL REQUIREMENTS)

Loading / Unloading (General Requirements)

The following procedures and precautions must be observed by the driver loading and unloading hazardous materials.

12. GUARD AGAINST HAZARDS

Commodities may offer several hazards under varying conditions. For example, the primary hazard of a flammable liquid is fire but in certain situations vapors of the liquid may be toxic and leaking shipment of flammable liquids can cause damage to skin tissues or other freight.

13. KEEP FROM HEAT

Excessive heat, such as loading into trailers and leaving the unit in the hot sun, can increase the possibility of hazard from hazardous materials.

14. PROTECT FROM MOISTURE

Moisture can cause a reaction in certain hazardous materials and result in fire, toxic fumes or contamination.

15. KEEP WELL VENTILATED

16. CHECK SHIPPING PAPERS

Make sure that the product being loaded matches the description on the shipping papers.

17. SMOKING

No smoking or open flame is permitted around any unit being loaded or unloaded.

18. The parking brake must be set with the engine off (unless you are using the pump) while the vehicle is being loaded or unloaded.

19. All hazardous materials should be kept free from extreme changes in temperature.

20. Wear Personal Protective Equipment.

PENALTIES FOR NON-COMPLIANCE

Penalties for Non-Compliance

Penalties for non-compliance can be very severe. The following penalties can be charged to the shipper, driver, and carrier if federal and state regulations are not followed:

CIVIL	\$10,000/day for each incident. When a violation is a continuing one, each day of the violation constitutes a separate offense.
CRIMINAL	\$25,00 and/or up to 5 years in prison
CONSENT	Unusual or severely restrictive rules/procedures imposed on a shipper or carrier which must be complied with.

SHIPPING PAPERS

Shipping Papers

GENERAL

A shipping paper is a document used to identify the freight being offered for transportation. This term covers any shipping order, bill of lading, waybill, or other document serving a similar purpose. Each shipment of hazardous materials must be accompanied by a shipping paper.

WHEN SHIPPING PAPERS ARE REQUIRED

Properly filled out shipping papers must accompany most hazardous materials for transport. Other regulated materials (ORM) D are exempt from shipping paper requirements when they are to be transported by highway, unless they are a hazardous substance.

NOTE: It is the responsibility of the shipper to properly prepare the shipping paper for the shipment of hazardous materials. In turn, it is your responsibility to be certain that the shipping paper is prepared prior to accepting the shipment.

HAZARDOUS MATERIALS DESCRIPTION

The basic description of a hazardous material on a shipping paper must contain the following information in the following sequence:

Proper shipping name, hazard class, identification number, total quantity, and shipper's signature.

PROPER SHIPPING NAME

If we are going to haul 5,000 gallons of a product called Toluene, the first step is to try to find Toluene in the hazardous material table (172.101). See following page.

The proper name is found in column (2). Therefore, the proper shipping name is: "TOLUENE."

HAZARD CLASS

The hazard class is shown in column (3) of the hazardous material table (172.101). In our example column (3) shows us that the hazard class for Toluene is flammable liquid. So now our shipping paper reads: "TOLUENE, FLAMMABLE LIQUID."

NOTE: Inclusion of the hazard class is not required when the words of the proper shipping name contain the key words of the hazard class. For example:

"FLAMMABLE LIQUID, N. O. S., FLAMMABLE LIQUID, UN1325" can be listed as "FLAMMABLE LIQUID, N. O. S., UN1325" since the proper shipping name (FLAMMABLE LIQUID, N. O. S.) contains the hazard class (FLAMMABLE LIQUID), it is not necessary to list it twice. However, it is recommended.

IDENTIFICATION NUMBER

The identification number is found in column (3A) of the hazardous material table (172.101). Continuing with our example, column (3A) for Toluene shows us that the identification number is UN1294. So now our shipping paper reads: "TOLUENE, FLAMMABLE LIQUID, UN1294."

(1)	(2)	(3)	(3A)	(4)	(5)		(6)		(7)		
					Packaging		Maximum net quantity in one package		Water shipments		
+/ A/ W	Hazardous materials description and proper shipping names	Hazard class	Identification Number	Label(s) required (if not excepted)	(a)	(b)	(a)	(b)	(a)	(b)	(c)
					Exceptions	Specific requirements	Passenger carrying aircraft or railcar	Cargo aircraft only	Cargo vessel	Passenger vessel	Other requirements
	Tetrazine (dry) Tetrazolyl azide (dry) Tetryl See High explosives Textile treating compound or mixture, liquid	Forbidden Forbidden									
	Thallium salt, solid, n.o.s. Thallium sulfate, solid Thinner for rust preventive coating. See Paint related material. Thiocarbonylchloride See Thiophosgene Thioglycolic acid	Corrosive material Poison B Poison B	NA1760 NA1707 NA1707	Corrosive Poison Poison	173.364 173.364	173.249a 173.365 173.365	1 quart 50 pounds 50 pounds	10 gallons 200 pounds 200 pounds	1,2 1,2 1,2	1,2 1,2 1,2	
	Thionyl chloride	Corrosive material	UN1940 UN1835	Corrosive Corrosive	173.244 None	173.245 173.247	1 quart Forbidden	1 gallon 1 gallon	1,2 1	1,2 1	Glass carboys in hampers not permitted under deck Keep dry. Glass carboys not permitted on passenger vessels.
	Thiophenol. See Phenyl mercaptan. Thiophosgene	Poison B	UN2474	Poison	None	173.356	Forbidden	1 gallon	1	5	Shade from radiant heat.
	Thiophosphoryl chloride	Corrosive material	UN1837	Corrosive	None	173.271	Forbidden	1 quart	1	1	Keep dry. Glass carboys not permitted on passenger vessels.
A	Thiram	ORM-A	NA2771	None	173.505	173.510	No limit	No limit	1,2	1,2	
	Thorium metal, pyrophoric	Radioactive material	UN2975	Radioactive material and flammable solid	none	173.418	Forbidden	2-5 pounds	1,2	1,2	
	Thorium nitrate	Radioactive material	UN2976	Radioactive and Oxidizer	None	173.419	Forbidden	25 pounds	1,2	1,2	Separate longitudinally by a complete hold or compartment from explosives
	Time fuze. See Fuze, time Tin chloride, fuming. See Tin Tetrachloride, anhydrous Tin perchloride. See Tin tetrachloride, anhydrous Tin tetrachloride, anhydrous	Corrosive material	UN1827	Corrosive	173.244	173.247	1 quart	1 quart	1	1	Keep dry. Glass carboys not permitted on passenger vessels
	Titanium metal powder, dry or wet with less than 20% water Titanium metal powder, wet with 20% or more water Titanium sulfate solution containing not more than 45% sulfuric acid Titanium tetrachloride	Flammable solid Flammable solid Corrosive material Corrosive material	UN2546 NA1352 NA1760 UN1838	Flammable solid Flammable solid Corrosive Corrosive	None None 173.244 173.244	173.208 173.208 173.297 173.247	Forbidden Forbidden 1 quart 1 quart	75 pounds 150 pounds 1 gallon 10 gallons	1,2 1,2 1 1	5 5 4 1	Shade from radiant heat. Keep dry. Keep dry. Glass carboys not permitted on passenger vessels
	Toluene (toluol)	Flammable liquid	UN1294	Flammable liquid	173.118	173.119	1 quart	10 gallons	1,2	1	
A	Toluenediamine	ORM-A	NA1709	None	173.505	173.510	No limit	No limit	1,2	1,2	
	Toluene diisocyanate	Poison B	UN2078	Poison	173.345	173.346	Forbidden	55 gallons	1,3	1,3	Shade from radiant heat.
	Torch. See Fireworks, common Torpedo, railway	Class B explosive ORM-A Class C explosive	NA2761	Explosive B	None	173.91	Forbidden	200 pounds	1,2	1,2	Passenger vessels in metal lockers only
A	Toxaphene	ORM-A		None	173.505	173.510	25 pounds	100 pounds	1,2	1,2	
	Toy caps	Class C explosive		Explosive C	None	173.100 173.109	50 pounds	150 pounds	1,3	1,3	
	Toy propellant device	Class C explosive		Explosive C	None	173.111	50 pounds	150 pounds	1,3	1,3	
	Toy smoke device	Class C explosive		Explosive C	None	173.111	50 pounds	150 pounds	1,3	1,3	
	Toy torpedo. See Fireworks, special 2,4,5-TP. See 2,4,5-Trichlorophenoxypropionic Tracer	Class C explosive		Explosive C	None	173.105	50 pounds	150 pounds	1,3	1,3	

NOTE: UN=UNITEDNATIONS

NA=

NORTHAMERICA

§172.101 Hazardous Materials Table

Taken from The Bureau of National Affairs, Inc., Chemical Substance Control, 7-26-90/12-1-88, page 39
231:422, TRANSPORTING, No. 99, HAZARDOUS MATERIALS TRANSPORTATION TABLE 231:423

TOTAL QUANTITY

Total Quantity

Except for empty packaging, the type of packaging and the quantity (gals. or lbs.) must be shown before or after or both before and after the basic description. In our example, we are hauling 5,000 gallons of Toluene in one tank truck. So now our shipping paper reads: “1 T/T TOLUENE, FLAMMABLE LIQUID, UN1294, 5,000 GALS.”

NOTE: The required description of hazardous materials on a shipping paper and on all copies must be printed (manually or mechanically) in English.

A hazardous material shipping paper may contain additional information not inconsistent with the required information. This information (e.g. A tariff description for rating or billing) must follow all the information required by the hazardous materials regulations.

ADDITIONAL DESCRIPTION REQUIREMENTS

Additional Description Requirements

HAZARDOUS SUBSTANCES

The next step is to determine if Toluene is a hazardous substance. The RQ table is to be accessed to see if Toluene is listed. See the following page.

Since Toluene is listed and we are hauling more than RQ amount (1,000 lbs.) the letter “RQ” (Reportable Quantity) must be entered on the shipping paper before the proper shipping name. So now our shipping paper reads:

“1 T/T RQ TOLUENE, FLAMMABLE LIQUID, UN1294, 5,000 GALS.”

So, when you see “RQ” on the shipping paper, you know the chemical is a hazardous substance.

When the proper shipping name for a mixture or solution of a hazardous substance does not identify the product making it a hazardous substance, the name or names of these materials as listed in the RQ table must be entered in parentheses in association with the basic description. For example:

“RQ HAZARDOUS SUBSTANCE LIQUID, N. O. S., ORM-E NA9188, (ADIPIC ACID)”

Adipic Acid is the chemical in the mixture that is a hazardous substance.

TABLE 302.4 - LIST OF HAZARDOUS SUBSTANCES AND REPORTABLE QUANTITIES - Continued
 {Note: All Comments/Notes Are Located at the End of This Table.}

Hazardous Substances	CASRN	Regulatory Synonyms	Statutory			Final RQ	
			RQ	Code†	RCRA Waste Number	Category	Pounds (Kg)
Thioacetamide	62555	Ethanethioamide	1*	4	U218	A	10 (4.54)
Thiodiphosphoric acid,	3689245	Tetraethyldithiopyrophosphate	1*	4	P109	B	100 (45.4)
tetraethyl ester							
Thiofanox	39196184	2-Butanone,3,3-dimethyl-1 (methylthio)-, O[(methylamino)carbonyl]oxime	1*	4	P045	B	100 (45.4)
Thiomidodicarbonic.....	541537	Dithiobiuret	1*	4	P049	B	100 (45.4)
diamide[H2N)C(S)]							
2NH							
Thiomethanol.....	74931	Methanethiol Methylmercaptan	100	1,4	U153	B	100 (45.4)
Thioperoxydicarbonic.....	137268	Thiram	1*	4	U244	A	10 (4.54)
diamide[H2N)C(S)]							
2S2, tetramethyl							
Thiophenol.....	108985	Benzenethiol	1*	4	P014	B	100 (45.4)
Thiosemicarbazide.....	79196	Hydrazinecarbothioamide	1*	4	P116	B	100 (45.4)
Thiosemicarbazide.....	79196	Hydrazinecarbothioamide	1*	4	P116	B	100 (45.4)
Thiourea	62566	Thiourea	1*	4	U219	A	10 (4.54)
Thiourea,(2-chlorophenyl) ...	5344821	1-(o-Chlorophenyl)thiourea	1*	4	P026	B	100 (45.4)
Thiourea,1-naphthalenyl	86884	alpha-Naphthylthiourea	1*	4	P072	B	100 (45.4)
Thiourea, phenyl	103855	Phenylthiourea	1*	4	P093	B	100 (45.4)
Thiram	137268	Thioperoxydicarbonic diamide[(H2N)C(S)]2S2 tetramethyl	1*	4	U244	A	10 (4.54)
Toluene.....	108883	Benzene, methyl	1000	1,2,4	U220	C	1000 (454)
Toluenediamine	95807	Benzenediamine, ar-methyl	1*	4	U221	A	10 (4.54)
	496720						
	823405						
	25376458						
Toluene disocyanate	584849	Benzene, 1,3-disocyanatomethyl-	1*	4	U223	B	100 (45.4)
	90187						
	25376458						
o-Toluidine	95534	Benzenamine,2-methyl-	1*	4	U328	B	100 (45.4)
p-Toluidine	106490	Benzenamine,4-methyl	1*	4	U353	B	100 (45.4)
o-Toluidine hydrochloride	636215	Benzenamine, 2-methyl-hydrochloride	1*	4	U222	B	100 (45.4)
Toxaphene	8001352	Camphene octachloro-	1	1,4	D015	X	1 (.045)
2,4,5-TP acid	93721	Propionic acid 2-(2,4,5-trichlorophenox)-Silvex (2,4,5-TP)	100	1,4	U233	B	100 (45.4)
2,4,5-TP esters	32534955		100	1		B	100 (45.4)
1H-1,2,4-Triazol-3-amine	61825	Amitrole	1*	4	U011	A	10 (4.54)
Trichlorfon.....	52686		1000	1		B	100 (45.4)
1,2,4-Trichlorobenzene.....	120821		1**	2		B	100 (45.4)
1,1,1,-Trichloroethane	71556	Ethane,1,1,1,-thrichloro-Methyl Methylchloroform	1*	2,4	U226	C	1000 (454)

Taken from *The Bureau of National Affairs, Inc., 4-19-90, page 41 Reportable Quantities, No. 115, 221:1985*

HIGHLIGHTING HAZARDOUS MATERIALS

Highlighted Hazardous Materials

When a shipping paper covers both hazardous materials and non-hazardous materials, the regulations require that the hazardous materials be highlighted by one of the following ways:

21. The hazardous materials shall be described first on the shipping paper.
22. The hazardous materials description may be in a color that must clearly contrast with any description of none hazardous material.

NOTE: A highlighter pen may be used to mark the hazardous material also.

23. The entry for hazardous material may be noted by an “X” (“RQ” for hazardous substances) placed in a vertical column on the shipping paper entitled “HM,” appearing before the proper shipping name.

ADDITIONAL NOTATION REQUIRED

Empty Packaging

A copy of the shipping paper must remain with the tank truck until it is cleaned and purged of all vapors. If a tank truck contains the residue of a hazardous material, the words “Residue, last contained” must be entered on the shipping paper. For example, after we have delivered the 5,000 gallons of Toluene, we would keep a copy of the shipping paper and write on it:

“RESIDUE, LAST CONTAINED RQ TOLUENE, FLAMMABLE LIQUID,

UN1294” SHIPPING PAPER ACCESSIBILITY

During transportation, shipping papers for hazardous materials must be accessible in case of an accident, or for inspection by the authorities as follows:

24. Shipping papers for hazardous materials may be carried separately from all other shipping papers.
25. If hazardous material shipping papers are carried with other shipping papers, they must appear first.
26. They can be distinctively tabbed. Markers used for tabbing may be a distinct color and may also show the class of hazardous material involved.
27. When you are at the wheel, the hazardous material shipping papers must be within your reach when restrained by the seat belt, readily visible to a person entering the cab, or in a container affixed to the inside of the driver’s door.
28. When you are not at the wheel, the hazardous material shipping papers must be left on the driver’s seat, or they must be in container on the driver’s door.

NOTE: The shipping papers must be typed or printed with no abbreviations within the proper shipping name description except for the quantity (e.g. gals.,lbs.).

SHIPPING PAPER CHECK LIST

Shipping Paper Checklist

1. PROPER SHIPPING NAME.
2. PROPER HAZARD CLASS.
3. PROPER ID# (UN/NA + 4 DIGITS).
4. TOTAL QUANTITY.
5. SHIPPER'S CERTIFICATION.
6. IS AN RQ NEEDED?
7. IS IT PRINTED? IN ENGLISH?
8. IF PROPER SHIPPING NAME HAS "N.O.S." (TECHNICAL NAME).
9. NO ABBREVIATIONS.
10. HAZARDOUS MATERIAL LISTED FIRST OR HIGHLIGHTED OR "RQ" OR "X" HM COLUMN.
11. EMERGENCY PHONE NUMBER.
12. PACKING GROUP I, II OR III SPECIFIES REQUIREMENTS THAT PACKAGE OR CONTAINER MUST MEET.

PLACARDING

Placarding

GENERAL

Any cargo tank containing any quantity of hazardous materials must be placarded on each end and each side.

- The shipper is required to provide the proper placards for the hazardous material shipment.
- The carrier/driver is required to affix the proper placards for the hazardous material shipment on each end and each side of the cargo tank.

CARGO TANKS AND PORTABLE TANKS

Each cargo tank and portable tank that is required to be placarded when it contains a hazardous material must remain placarded when it is emptied unless it is:

7. Reloaded with a material which is not subject to the hazardous material regulations (non-hazardous), or
8. Sufficiently cleaned and purged of vapors to remove any potential hazard.
9. Once cleaned and purged of vapors the placards must be removed.

NOTE: No persons may transport a hazardous material in a cargo tank unless the cargo tank is marked on each side and end with the identification number specified for the material.

ORM commodities do not need placards unless they are.

DRIVING RULES

Driving Rules

STATE AND LOCAL LAWS

Every motor vehicle containing hazardous materials must be driven and parked in compliance with the laws, ordinances, and regulations of state and local laws, unless they vary from the regulations of the Department of Transportation.

ATTENDANCE

A motor vehicle that contains hazardous materials, which is located on a public street or highway or the shoulder of a public highway, must be attended by its driver.

NOTE: The vehicle does not need to be attended while its driver is performing duties that are necessary to his duties as the operator of the vehicle.

A motor vehicle is attended when the person in charge of the vehicle is:

29. On the vehicle.
30. Awake and not in the sleeper berth.
31. Within 100 feet of the vehicle and has it within his unobstructed view.

A qualified representative of a motor carrier is a person who:

32. Has been assigned by the carrier to attend the vehicle.
33. Is aware of the nature of the hazardous materials contained in the vehicle he attends.
34. Has been instructed in the procedures he must follow in emergencies.
35. Is authorized to move the vehicle and has the means and ability to do so.

NOTE: The rules mentioned above do not relieve the driver from any obligation imposed by law relating to the placing of warning devices when a vehicle is stopped on a public street or highway.

PARKING

A motor vehicle which contains hazardous materials must not be parked on or within 5 feet of the traveled portion of a public street or highway, except for brief periods when the necessities of operation require the vehicle to be parked and make it impractical to park the vehicle in any other place.

ROUTES

Unless there is no other alternative, a motor vehicle which contains hazardous materials must be operated over routes which do not go through or near heavily populated areas, places where crowds are assembled, tunnels, narrow streets, or alleys.

FIRES

A motor vehicle containing hazardous materials must not be operated near an open fire unless you have first taken precautions to determine that the vehicle can safely pass the fire without stopping. A motor vehicle containing hazardous materials must not be parked within 300 feet of an open fire.

SMOKING

No person may smoke or carry a lighted cigarette, cigar, or pipe on or within 25 feet of:

- A motor vehicle which contains explosives, oxidizing materials, or flammable materials; or
- An empty tank motor vehicle which has been used to transport flammable liquids or gasses, and which require to be placarded.

FUELING

When a motor vehicle that contains hazardous materials is being fueled:

25. Its engine must not be running; and
26. A person must be in control of the fueling process at the point where the fuel tank is being filled.

TIRES

27. A driver must examine each tire on a motor vehicle at the beginning of each trip and each time the vehicle is parked.
28. If, as the result of an examination pursuant to paragraph (1) of this section, or otherwise, a tire is found to be flat, leaking, or improperly inflated, the driver must cause the tire to be repaired, replaced, or properly inflated before the vehicle is driven. However, the vehicle may be driven to the nearest safe place to perform the required repair, replacement, or inflation.
29. If, as the result of an examination pursuant to paragraph (1) of this section, or otherwise, a tire is found to be overheated, the driver shall immediately cause the overheated tire to be removed and placed at a safe distance from the vehicle. The driver shall not operate the vehicle until the cause of the overheating is corrected.
30. Compliance with the rules in this section does not relieve a driver from the duty to comply with the rules in part 397.5 and part 397.7.

RAILROAD CROSSING

Any cargo tank or placarded vehicle containing hazardous materials or any vehicle carrying any amount of chlorine, must make a fuel stop not more than 50 feet or less than 15 feet from the nearest rail of a highway grade crossing.

STOPS ARE NOT REQUIRED AT:

31. Crossings that are marked “abandoned” or “exempt.”
32. Streetcar crossings.
33. Crossings used exclusively for industrial switching within a business district.
34. Crossings directed by a flagman, police officer, or functioning green traffic signal.

NOTE: If no stop is required, you must reduce speed and take due care in crossing.

EMERGENCY PROCEDURES

Emergency Procedures

GENERAL

In the event of a spill or other emergency, you must follow company procedures for protecting the scene, obtaining assistance, notifying your supervisor and the Safety Department in Sandersville, GA, and gathering information necessary for making reports. In addition, the following procedures should be followed when hazardous materials are involved.

SPILL PROCEDURE

Spill Procedure

In the event of a spill you must:

- Contain the spill so it does not spread and flow into any waterway. NOTE: If a Popsicle stick can float in it, it may be considered waterway!
- Immediately notify your supervisor and the Safety Department to obtain instructions.

ON THE HIGHWAY

On the Highway

36. Secure area.
37. Do not let people congregate in the vicinity of the spill or fire unless they are authorized to engage in combating the fire or helping to handle the spill.
38. Keep fires, flame and lighted cigarettes, cigars, and pipes away from the scene.
39. Set reflective triangles on the highway to prevent an accident. Flame-producing signals shall not be used when transporting hazardous materials of any type.
40. Prevent leaking liquids from draining into the highway or into sewers and streams by damming up the liquid or by digging a drainage trench.
41. Contact Police & Fire Dept. or have someone do it for you.
42. Assist victims if any.
43. Know your load. Refer to shipping papers for name and hazardous materials classification of each commodity in your unit. Give information to fire and/or police in case of emergency involving your unit.
44. Show shipping papers to emergency response personnel so they can determine the nature of the commodities and plan fire-fighting techniques accordingly.
45. Obtain names, addresses & phone numbers of witnesses where available.
46. Do not talk to anyone other than police or B-H insurance agent about the problem and under no circumstances admit guilt to anyone.
47. Leaking tanks may be transported only the minimum safe distance necessary to reach a place where safe transfer or the hazardous materials to another tank can be made.
48. Flammable liquid may be transferred from one container to another or from one vehicle to another on public roads in emergencies only. Containers must be bonded or grounded before and during transfer of the liquid from one container to another. Emergency signals (reflective triangles) must be set up during the operation. No transfer of a load is to be performed unless your supervisor and/or the Safety Department give the go-ahead.
49. Once the area is secured from unauthorized personnel and the spill has been dammed, call your supervisor and the Safety Department in Sandersville, GA.

EMERGENCIES IN TERMINALS

Emergencies in Terminals

50. In case of fire, give priority to moving vehicle containing hazardous materials away from the terminal. Whenever possible, a prearranged location should be used.
51. Check all inbound units for signs of leakage.
52. If leaking is noted at any time, stop operations and determine source of leak and nature of material. Check shipping papers for proper shipping name and hazard class of materials.
53. Personnel must avoid direct contact with leaking hazardous materials.
54. If strong fumes are present, or if personnel become ill, remove affected personnel from scene, close up unit and move it as far from all terminal buildings as possible. Avoid leaving the unit where leaking will adversely affect other nearby persons or property.
55. Notify fire, police, and ambulance. Safety will notify other authorities if needed.

NOTE: If hazardous materials in a vehicle are found to be leaking, or on fire or have any appearance of being in an unsafe condition, you should notify your supervisor and the Safety Department.

THE TELEPHONE NUMBERS, AGAIN, ARE ON THE LAST PAGE.

You must not leave your vehicle to make such notification unless there is no danger to the general public or unless the vehicle is under guard by a responsible individual. It may be necessary to have another person make such notification while you stay with the vehicle.

Depending on the nature of the spill, the Safety Department must make written reports to governmental agencies, so it is imperative that you keep track of all the details regarding the incident.

FIRST RESPONSE TO HAZARDOUS MATERIALS INCIDENTS

First Response to Hazardous Materials Incidents

See U.S. DEPARTMENT OF TRANSPORTATION GUIDEBOOK FOR FIRST RESONSE TO HAZARDOUS MATERIALS INCIDENTS.

EMERGENCY RESPONSE NUMBER IS ON BILL OF LADING ON ALL HAZARD MATERIAL LOADS AND IS THE CONTACT NUMBER TO CALL. YOU SHOULD THEN CALL THE B-H SAFETY DEPARTMENT.

Caller to either center should attempt to provide as much of the following information as possible: (Callers should use the centers even if minimum information is available.)

- Caller name and call back number.
- Name of carrier, shipper/manufacturer of facility operator, and responsible party.
- Nature of material released or any identifying information.
- Container type, truck number, vessel name, or other identifying information.

NOTE: As a first responder at the scene of a hazardous materials incident, seek additional and more specific information about any material in question as soon as possible.

Guidebook should not be used during cleanup phase for spilled materials, nor should it be used to determine compliance with any regulations.

EMERGENCY RESPONSE

Emergency Response

In the event an accident or incident results in a significant spill that could cause environmental harm, you should first contact the B-H Safety Department immediately.

The terminal manager/safety manager will work closely with any emergency response contractors to ensure that all Federal, State, and local regulations are adhered to. It must be understood by all that, even though we may contract for emergency response services, B-H Transfer is still ultimately responsible for the proper cleanup and disposal of any spilled material.

OH MATERIALS (OHM), Findlay, OH, 800-537-9942, Scott Lyle, 7days/week, 24 hours/day; 419-423-3526, Nationwide Regional Office, Norcross, GA, 404-729-3900

CLEAN HARBORS, Chicago, IL, 773-646-5111, 7 days/week, 24 hours/day, Nationwide

PUBLIC RELATIONS IN EMERGENCIES

Public Relations in Emergencies

You should advise emergency service personnel of the names and classes of Hazardous Materials in the cargo and show the shipping papers to them. You should not speculate on the nature of the material or the cause of the incident. You should politely decline to answer questions at the scene and refer questions to the Safety Department. **DO NOT SIGN ANY STATEMENTS UNDER ANY CIRCUMSTANCES!**

Any inquiries made by the Press, Radio, or Television personnel concerning a spill will be directed only to the President. This official will give out ONLY such information of which he is absolutely certain. This procedure **MUST BE FOLLOWED**. Curiosity seekers must be kept away to prevent their being injured or hampering evacuation or clean-up procedures.

INSTRUCTIONS FOR REPORTING HAZARDOUS MATERIALS INCIDENTS

Instructions for Reporting Hazardous Materials Incidents

THE FOLLOWING MUST BE REPORTED IMMEDIATELY TO THE SAFETY DEPARTMENT AND SUPERVISOR:

1. All unauthorized, unintentional and/or accidental spills or releases (including minor leaks) of commodities classified as hazardous under federal and/or State Department of Transportation and Environmental Protection Agency regulations, including hazardous materials, hazardous substances, and extremely hazardous substances.
56. All spills or releases of oil (lubricating, hydraulic, etc.) fuel (diesel, gasoline, etc.), or other materials that can cause damage to the environment, including water discoloration.
57. All incidents that result in any damage to tanks and containers, or other rolling stock containing hazardous materials, substances, and/or wastes.

HAZARDOUS SPILLS IN SHOP AND FUEL ISLAND

Hazardous Spill in Shop and Fuel Island

58. Stop leak by shutting off flow of product or plugging leak if safely possible.
59. Dam area to prevent spread of hazardous product.
60. Notify Supervisor and Safety Department
61. Use Emergency Response kit in shop for damming and clean up
62. Refer to Emergency Response book in shop office if product hazard is unknown.

