1998 Survey Results Are In.....
Around the first of March we mailed out a “Performance Evaluation” to see what kind of job we are doing for our clients and to hopefully gain some insight into what our client will want or expect from us in the near future. The response was an outstanding 64% surveys returned! More than 85% of the returned surveys contained comments or a signature. Final satisfaction ratings for all questions ranged from 89.1% to 99.4%. The overall level of satisfaction with the package of services received from Asmark was 95.6%. We really appreciate all your comments, ideas, suggestions, questions and constructive criticism. We may not always like the message, but you can count on being heard. We place a great deal of importance on your feedback because it is what guides our services to make sure we meet the needs of the majority of our clients. We firmly believe the overall satisfaction rating of 95.6% is a direct result of being responsive to your input. We truly appreciate your business!

Watch Your Comments Turn Into Results!
As a direct result of your comments on our recent survey, watch for the following improvements to our services for 1999. Our plans include:

- shortening the “Basic Training” tape to something less than two hours.
- revising five of our current videos with updated footage and script revisions. Respiratory Protection, Fire Extinguisher Safety, Forklift Safety, Hazardous Materials HM126f and Worker Protection Standard will undergo a review for regulatory updates and scene improvements.
- streamlining the “Basic Training” test to a scoring sheet (like the HazMat).
- streamlining the safety training reports.
- offering an economical CD-ROM of MSDS as an update option to hard copy.
- creating a website so you can access MSDS, WPS, DOT, NFPA and other regulatory information 24 hours a day. You will also be able to exchange information such as updated physical and license dates.
- a “possible” improvement in the way we distribute new hire and monthly videos.

This Could Be Big!
One of the comments from the 1998 survey was just a little outrageous, but it prompted us to check into a technology which just may make it possible for us to dramatically change the way we distribute the new hire and monthly videos. That’s all we can say at this point.......we’ll keep you posted.

Emergency Response Course Update
Response to this course has been great for the third year in a row. Currently we only have about 18 openings left to fill all classes. This is the last year of our 3 year program so don’t get left out. At least one person from each facility should have this training. Please call Jason if you have questions or need to register.
Underground Storage Tank Deadline Approaching
Time is running out to meet the EPA’s December 22, 1998 deadline for providing underground storage tanks with corrosion, spill and overfill protection. Tanks installed prior to 1988 must be upgraded or closed by this upcoming December. According to the EPA less than 30% of the tanks have been upgraded.

Report Required for Pesticide Registrants
EPA issued a final rule to become effective June 16, 1998 requiring pesticide registrants (manufacturers, formulators) to report additional information on “unreasonable adverse effects” of their products to the agency. EPA is requiring the information to determine the safety of a pesticide under its current registration. This type of report will most likely affect the product labels we use. Changes could affect warning statements, personal protective equipment and possibly application methods.

New Requirements for Liquefied Compressed Gas
Effective July 1, 1999 transporters of liquefied compressed gases must inspect the plumbing components and hoses to ensure the connections are secure and free of leaks. The inspection must be performed on a daily basis. The person performing the unloading must be qualified to operate the equipment and must be within arm’s reach of the closure device at all times while the valve is open. The person in attendance may be away from the closure device only to engage or disengage the pump.

SIC Code vs. NAICS
The agricultural industry has become familiar with the Standard Industrial Classification (SIC Code). Most of our clients operate under SIC Code 5191 which separates us from many of the regulatory requirements that apply to manufacturers. The U.S. government has been working on a new system since the early 90’s that would replace the SIC. The North American Industry Classification System (NAICS) has been designed to categorize businesses under a more detailed system. The new system will use a six digit classification system similar to the old SIC. NOTE: We need to watch this transformation very closely to make sure the 5191 businesses maintain their “exempt” status from several of the EPA requirements such as SARA 313 reporting and stormwater permitting.

HM-200 Update
Unless last minute efforts to exempt the “farm supply to farm” transport of hazardous materials is successful, HM-200 will become fully applicable to the agricultural industry on October 1, 1998. HM-200 provides uniformity with the federal hazardous materials rules across all 50 states. The latest twist to gaining relief from this rule is a provision for the DOT to consider a “pilot program” which would evaluate innovative approaches or alternatives to a few of the hazardous materials requirements such as shipping documents, placarding and the 24 hour emergency response telephone number.

Annual HazMat Registration Coming Up
The annual renewal date of June 30 is rapidly approaching for the Hazardous Materials Registration. This $300 fee is required for certain businesses that “transport” or “offer for transport” hazardous materials. In a nutshell, any company shipping or transporting trailer loads of anhydrous ammonia, ammonium nitrate or more than 5,000 pounds of a placarded hazardous material must register. The DOT typically mails a reminder of the registration with a renewal form. Please review the mailing closely to see if your company is required to register. Those registering for the first time can request a form or ask questions by calling 202-366-4109. Give me a call if you have questions we can help you with.

Your Tax Dollars at Work
OSHA is considering a new rule which would require employers to provide regularly scheduled bathroom breaks for employees. And... The Consumer Product Safety Commission has launched an investigation into the safety of shopping carts.
Asmark Launches Program for Equipment Dealerships

Three years of research have gone into the development of an entirely new program designed especially for those businesses that sell farm equipment and implements. The new program was rolled-out on March 1st of this year and will be officially launched on September 1, 1998 with the completion of a new set of regulatory videos and training materials designed for equipment dealerships. The equipment program has been patterned off Asmark’s successful package of services for agrichemical facilities. There are many similarities between the needs of our agrichemical client and the equipment client.

We are excited about this new opportunity because it will allow us to do two things. First, we have a few customers who own both agrichemical plants and equipment dealerships. Over the past few years we have been asked to “stretch” what we do for the fertilizer and chemical plants over to their equipment dealerships. While most of the materials were relevant, the “fit” just wasn’t close enough to properly present the environmental, health and safety message. The equipment personnel were distracted and yes, sometimes even aggravated by watching materials that concentrated on agricultural chemicals and fertilizers. We are extremely excited to finally be able to offer the original nine equipment clients a program tailored to their needs. Secondly, for the first time since we started the business we have the capacity to go out and develop a new opportunity in the form of a new market. We see it as a new market that allows us to expand further into agriculture without travelling outside our normal geographic market area. We’re excited!

Natural Resources Requests Groundwater Protection Plans

Groundwater Protection Plans (GPP) were required for Kentucky businesses on August 24, 1995. There is a requirement in the GPP to provide a copy to anyone who requests one. The Kentucky Natural Resources and Environmental Protection Cabinet has contacted one of our clients and formally requested a copy of their most current GPP. We’ve been expecting the requests to start because the Cabinet’s state plan is under the gun by the federal EPA and overall awareness of clean water issues have been heightened. While it should be current, now would definitely be a good time to get your GPP out and review it to make sure it is ready to go. You can expect more requests, either one-at-a-time or possibly “blanket” by industry.

RMP Deadline - June 21, 1999

We are well on our way to completing the Risk Management Plan (RMP) for the facilities who have anhydrous ammonia and propane. We have 95% of the information it takes to complete your RMP in-house. At this point, we are waiting to hear final interpretations from the EPA and to obtain the final “lookup” tables from The Fertilizer Institute and National Propane Gas Association before we proceed. We plan to:

- Obtain the topographical maps in the summer of 1998.
- Obtain the Census Bureau software in the fall of 1998.
- Obtain updated facility information during our next compliance visit in the winter of 1998.
- Complete the written plan during March, April & May of 1999.
- Mail the finished RMP on June 1, 1999.

We expect the typical facilities “out-of-pocket” cost to be less than $100 for one of our RMP’s.

Theft of Ammonia

We have received a large number of calls reporting the theft of anhydrous ammonia. The thefts are believed to be for use in manufacturing drugs. It’s more important now than ever to perform an inspection of your ammonia facility each day and especially before anyone begins operations. The thieves don’t care what shape they may leave your equipment in and we have been advised of one serious injury so far. Another tip would be to contact the FBI in addition to your local authorities.
**EPA May Relax S.P.C.C. Rules**
EPA is proposing to eliminate the requirement for a written plan for facilities with an above-ground storage container greater than 660 gallons provided the total capacity at the facility is 1,320 gallons or less. The Agricultural Retailers Association is trying to get the 1,320 gallon quantity raised - possibly closer to 2,000 gallons. We’ll keep you posted.

**You Don’t Have To Be A Techno-Sapien To Be Affected!**
Beware the “Y2K”...the year 2000 Bug! A technological time bomb is set to explode when the year 2000 rolls around. Unprepared computer systems will believe the year to be 1900, rather than 2000. Virtually anything that is dependent on a computer chip could be affected by this problem. If you are a business using a computer system in your day-to-day operations you should seek professional help immediately to assess your situation. Are you Y2K (year 2000 compliant)?

**OSHA Revises Respirator Standard**
OSHA has replaced the respirator standard last issued in 1971 with a new strengthened version. The revised standard reflects current technology and provides clarification for administering a respirator program. The primary areas of change are as follows:

- More detailed written program
- More emphasis on “engineering out the hazards”
- Revisions to fit-testing and fit-checks
- Stepped-up recordkeeping
- Requires medical evaluation
- Updated guidance for selecting specific respiratory equipment
- Revised employee training

You can expect to see these revisions incorporated into our training materials and program this year.

**Who Pays for PPE?**
In a decision handed down late last year, the Occupational Safety and Health Review Commission (OSHRC) ruled that employers are not required to pay for personal protective equipment for their employees who must use such protection. The Commission determined that 29CFR 1910.32 cannot be interpreted to mean that employers must pay for PPE because OSHA has not consistently applied that interpretation over the more than 20 year’s since the rule’s implementation. It wasn’t until 1994 when the agency issued a compliance directive clarifying that employers were responsible to pay for PPE categorized as essential to a job. OSHA has decided not to appeal OSHRC’s decision and will probably initiate a rulemaking to clarify that employers are “expected” to pay for “nonpersonal” PPE.

**Update on UPS**
United Parcel Service (UPS) has issued a new 1998 Hazardous Materials Guide, so if you ship by UPS, you should request a copy. Anyone shipping by UPS should be aware they have requirements that go beyond what the DOT requires. You need to know this and be familiar with the requirements before you ship to avoid a problem.

**Hazardous Materials Training.....Are You Current?**
Hazardous Materials (HM126f) training is required every three years. Please review your training reports to make sure that all your employees have dates that are less than 3 years old. Hazardous Materials HM126f training is required for anyone “who during the course of employment affects the safe transportation of a hazardous material”. Typically everyone at a farm center and an equipment dealership is required to have the training. Anhydrous ammonia, ammonium nitrate, paint, oil, acetylene, oxygen gas and farm chemicals are just some of the most common hazardous materials requiring training.