



Volume 40

February 1, 2007

Reminder: Time to Post Your 300A

It's time to complete your 2006 injury and illness recordkeeping obligations by posting the *Summary of Work-Related Injuries and Illnesses (OSHA Form 300A)*. OSHA requires that the notice be displayed from February 1st to April 30th of each year in a conspicuous place where employee notices are customarily posted. A company official must certify the information in Form 300A was examined and is believed to be correct and complete. More information on the OSHA Form 300A requirements can be found in the Hazard Communication section of your Compliance Manual.

New 0-45-0 Bin Sign Available Soon

We were recently made aware of a change in the nutrient analysis of granular triple super phosphate (GTSP) from 0-46-0 down to 0-45-0. We have been advised the new product with the lower analysis may become the standard product available in the United States. We received calls from several clients that were cited by their state fertilizer authority when the GTSP in inventory failed to yield the 0-46-0 analysis. The new 0-45-0 bin signs are currently being printed and expected to be added to our online catalog on the website by February 15th.

ASVA Submitted to DHS for Review

The Department of Homeland Security (DHS) requested a copy of the methodology behind the Asmark Security Vulnerability Assessment (ASVA) this past week. DHS has indicated that security assessment methodologies approved as meeting the Center for Chemical Process Safety (CCPS) criteria should be approved by the department. The ASVA methodology received CCPS approval in January 2003 and has been used to conduct more than 3,488 SVAs at 2,569 locations. We have been working with **Richard Gupton**, Vice President for Policy & Counsel with the Agricultural Retailers and the Agricultural Security Working Group (ASWG) to help ensure the ASVA methodology receives DHS approval. ASWG is comprised of the Agricultural Retailers Association (ARA), The Fertilizer Institute (TFI) and CropLife America (CLA).

New Developments in State Chemical Security Rules

Democratic lawmakers are drafting legislation to block language in pending Department of Homeland Security (DHS) chemical security regulations that would preempt states from setting more stringent standards than the federal plan. The DHS plan blocks any state chemical security laws if the department believes such laws "frustrate" the purposes of the federal plan. The DHS plan also does not mandate any specific measures industry must take, such as requiring the use of Inherently Safer Technology (IST), and allows facilities to submit their own proposals detailing how they intend to meet the department's security standards for high-risk facilities. Source: *CropLife America*

HM-215I Final Rule Will Affect DOT Shipping Descriptions

The Pipeline and Hazardous Materials Safety Administration (PHMSA) published a final rule for HM-215I, Harmonization with International Standards, on December 29, 2006. The rule includes several changes to the Hazardous Materials Regulations, including the following revisions that are anticipated to affect retailers:

- Adoption of a single shipping paper description sequence (United Nations Identification Number, proper shipping name, hazard class or division, packing group);
- Revised requirements for the use of the package orientation mark (arrows);
- Revision of the classification criteria for PG III flammable liquids (Class 3);
- Revision of the classification criteria and packing group assignments for Division 6.1 materials;

Immediate voluntary compliance is authorized as of January 1, 2007, however the old shipping paper sequence may be used until January 1, 2013. The old classification for Class 3 and Division 6.1 may be used until January 1, 2012.

IL Adds to SARA Tier II Reporting Requirements

As a last minute addition, the Illinois Emergency Management Agency (IEMA) added requirements to include an electronic copy of the site plan for the facility. Asmark Institute clients can access an electronic copy of their current site plan on our website under *Online Services*. Also added are fields for facility longitude and latitude. The IEMA website provides a lookup tool to help you determine your longitude/latitude. We received calls that IEMA's website was down for the first two weeks of the year and were left to wonder what new requirements would surface. Although the program asks for other pieces of information, such as safe guard measures and an emergency plan, these are not required for submission.

ABAK Secures Exemption from Lights & Brakes

The AgriBusiness Association of Kentucky championed HB 499, the Fertilizer "Buggy Bill," which exempts fertilizer equipment used in intrastate transportation from federal regulations requiring the equipment to be outfitted with lights and brakes independent of the towing unit. Nurse wagons, pull-type spreaders and sprayers, and other specialized equipment found around agricultural retailer's facilities, came under scrutiny in Kentucky last spring once again when DOT officers cited the equipment as commercial motor vehicles that were required to be equipped with lights and brakes. Several states have similar exemptions for this type of equipment commonly referred to as "implements of husbandry."

Quotable & Notable

"The Congress is definitely a deeper shade of green after these elections," said Melinda Pierce, a Sierra Club lobbyist. "We'll be setting the agenda and picking off wins, in the meantime, until 2009, when a new president takes office," she said of a bill in Congress designed to address chemical runoff and suffocating loads of sediment which plague the Mississippi River.

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