



SAFETY & TECHNOLOGY ORGANIZER

SEPTEMBER 2012

ENCLOSED

Safety Topic: "Four Cylinder Filling Tips"

Please contact GAWDA's OSHA and EPA Consultant, Mike Dodd for more information.

Traffic Bulletin: "Electronic On-board Recorders (EOBRs)"

Please contact GAWDA's DOT and Security Consultant, Mike Dodd for more information.

Medical Gas Bulletin: FAQs, Medical Gas Roundtables, and Upcoming Professional Compliance Seminar and Micro-audit

Please contact GAWDA Medical Gas Consultant, Tom Badstubner for more information.

GAWDA is pleased to distribute this information to: Distributor and Supplier Key Contacts and all Compliance Manual Owners. Please carefully review this mailing and be sure the information is passed to the appropriate person within your organization. Timely Safety data is a benefit of Membership in GAWDA



Safety Meetings are important!

They: get your employees actively involved
encourage safety awareness
help identify problems before they become accidents
motivate employees to follow proper safety procedures

We are happy to provide you with a monthly topic for your agenda.

ROUTE TO:

- ☐ General Manager
- ☐ Safety Coordinator
- ☐ Supervisor Dept. _____
- ☐ Other _____
- ☐ Date of Meeting _____

Four Cylinder Filling Tips

I conduct high pressure cylinder / liquid container / carbon dioxide cylinder filling classes for GAWDA members all across the country. There are four items that I stress during my training classes that if done really reduce the chances of fatality or serious injury to our employees and customers.

1. Hammer test (dead ring) all steel cylinders.

DOT requires all steel cylinders approved to go 10 years between requalifications to pass a hammer test prior to each fill. I know of two cylinder failures in the past two years (one fatality and one near miss) that very likely would have not happened if the cylinder had been given a hammer test. Both cylinders were in oxygen service and had water in them when filled. Both cylinders were extremely corroded and pitted on the inside from 100% oxygen and 100% humidity. Both cylinders had been hydrotested within 2 years of the failures. Therefore, I now recommend during my training sessions that all steel cylinders be hammer tested prior to filling, not just those approved for 10 years.

2. See through the holes on the safeties on liquefied gas products such as carbon dioxide.

If a fusible metal backed safety gets installed onto a liquefied gas cylinder, then someone has made a bomb just waiting to go off. Over fill the cylinder or expose it to high temperatures causing the cylinder to go hydrostatic full and the resulting pressure can rupture the cylinder. If there is nothing wrong with the cylinder, then the failure pressure can be approximately 2.5 to 3.5 times the stamped service pressure. If the cylinder filler will just verify prior to filling that they can see through the holes on the cylinder safety, then they have verified that a fusible metal backed safety is not installed on the cylinder.

3. Verify that there is a pressure relief device (PRV) on the liquid container before filling.



4. Verify that there is a bursting disc (BD) on a liquid container before filling.

Both of these go together. I know of two instances in the past years that removing and plugging the openings where the PRV and BD were resulted in the catastrophic failure of the liquid container. Both cases resulted in near fatalities for 3 people. In both cases, the container filling people did not see that the safety devices were removed and plugged. Since then, I have continually emphasized that any person filling a liquid container find the pressure gauge and look immediately behind the gauge and ask the very important question. Does it have a PRV and a BD installed?

There are more cylinder filling tips to know and follow to prevent potential problems. These are just four of them that I give special emphasis during the cylinder filling classes. Please verify that your cylinder filling people know these four items and use them. You could be saving one of your employee's or customer's lives.

As always, if there are questions or items that I can help you with, please don't hesitate to contact me.

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TRAFFIC BULLETIN

September 2012

Electronic On-board Recorders (EOBRs)

Special Note: I usually put a note like this at the end of the Bulletin, but I want our members to get this comment up front. You will be bombarded by vendors trying to sell you devices claiming that you must comply since this has been signed into law. It is perfectly OK for you to go ahead and purchase this equipment if you feel that you need it, but don't let these vendors convince you that you must have this equipment right now.

Although the highway legislation signed into law by President Obama on July 6 contains a mandate that the Federal Motor Carrier Safety Administration (FMCSA) issue a final rule to require electronic logging devices within one year from the date of enactment, companies should understand that the final effective date for any rule requiring such devices is still uncertain for a number of reasons.

1. Just because Congress has mandated that a final rule must be issued in one year does not mean that the FMCSA will be able to meet that deadline. DOT agencies frequently are several years behind in meeting congressional mandates for rulemakings, with no repercussions.
2. The FMCSA has withdrawn a previous proposed rule to mandate electronic on-board recorders as a result of a lawsuit by the Owner-Operator Independent Drivers Association (OOIDA). The agency expects to reissue a supplemental NPRM (Notice of Proposed Rulemaking) by February 2013; assuming that they meet this timetable (a big assumption), there would likely be a 60-day comment period, and then the agency must consider the comments and draft and get approval for a final rule in just a couple of months to meet the July 2013 deadline for a final rule. It is highly unlikely that the FMCSA can issue a final rule that quickly. It is more likely that a final rule will be issued in 2014.
3. The mandate for electronic logging devices in the final rule, whenever issued, will not go into effect immediately. The FMCSA's prior proposed rule had a three-year phase-in. Most probably, any new final rule will have a two- or three-year phase-in as well.
4. Finally, OOIDA is strongly opposed to any electronic logging device mandate and is likely to file suit again to challenge the final rule. This litigation could alter the timetable as well.





TRAFFIC BULLETIN

The bottom line is that electronic logging devices will probably not be actually required for all commercial motor vehicle drivers in interstate commerce until sometime in 2016 at the earliest.

In addition, the new statutory mandate says that FMCSA must apply the requirements for electronic logging devices to all drivers who are subject to the log book requirements in 49 CFR Part 395. So if your driver does not need to prepare a log book under the current rules, he or she will not need an electronic logging device (although he or she will still be subject to the hours of service requirements).

I want to thank Rick Schweitzer for providing the above information.

If there are any questions regarding this Bulletin, please contact:

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MEDICAL GAS BULLETIN

9/01/2012

Frequently Asked Questions

Q – When will the new Food facility registration be available?

A - As you know, since 2002, the FDA has required food production and warehousing facilities to register under the Bioterrorism Act. This was a one-time registration. In 2011, the Food Safety Modernization Act required registration during the period beginning on October 1 and ending on December 31 in even numbered years. So far, the FDA has not published registration instructions. We will notify you when the FDA releases more information.

September Medical Gas Roundtable (09/07/2012) – Subpart G – Packaging and Labeling Control

These GAWDA Medical Gas roundtables are excellent sources of CGMP training and the latest industry compliance news. In September we will be discussing labeling issuance, labeling operation and expiration dating.

For your information, we are also conducting the following webinars in August:

- **Device Gases** - QSR Subpart N, O and Part 803 – Servicing, Medical Device Reporting, Statistical Techniques
- **Specialty Gas** - High Pressure Prefill Inspection and Filling High Pressure Cylinders

These and other webinars are available as a streaming recording at a time convenient to you. If you are unable to view the webinar live, just let us know and we will send you the link to the recording. If you would like to receive invitations to the training webinars, just send an email to juliet@asteriskllc.com.

Professional Compliance Seminars

The GAWDA Professional Compliance Seminar series has one more sessions in 2012:

- ☐ Central Region - Aurora, IL – October 2 - 4, 2012 (Weldcoa/Precision University)



These seminars provide certified and documented training about DOT, OSHA, FDA and plant operations. Contact juliet@asteriskllc.com for a registration form.





MEDICAL GAS BULLETIN

Micro-audit

This section of the Medical Gas Bulletin lists small steps you can take each month to improve your medical gas management system. These steps are not designed to be a full audit, but rather small steps to sample your compliance.

For this month, simply do these items:

1. **Label Inventory** – Be sure the labels in stock and at your pumpers station are correctly inventoried.
2. **Contents Statement** – Be sure all cylinder and container labels bear the contents statement (liters, cubic feet, etc.). This is a common violation and is easily correctable.

Expiration Dates – Consider discontinuing expiration dates. The FDA has been issuing violation recently for the use of expiration dates without supporting stability studies. Contact juliet@asteriskllc.com for a sample customer notification letter if needed.

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