



SAFETY & TECHNOLOGY ORGANIZER

NOVEMBER 2013

ENCLOSED

Safety Topic: “Emergency Action Plans”

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

Traffic Bulletin: “Driver Qualification File §391.51 – DOT Mandated Items”

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

Medical Gas Bulletin: FAQs, Medical Gas Roundtables 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 _____

EMERGENCY ACTION PLANS

The following selected information was obtained from OSHA's website
"Evacuations Plans and Procedures eTool" found at the website:
<http://www.osha.gov/SLTC/etools/evacuation/index.html>

Please follow the underlined links for more detailed information from the OSHA website.

Do I Need an Emergency Action Plan?

Almost every business is required to have an emergency action plan (EAP).

If fire extinguishers are required or provided in your workplace, and if anyone will be evacuating during a fire or other emergency, then OSHA's [29 CFR 1910.157](#) requires you to have an EAP.

The only exemption to this is if you have an in-house fire brigade in which every employee is trained and equipped to fight fires, and consequently, no one evacuates.

In most circumstances, immediate evacuation is the best policy, especially if professional firefighting services are available to respond quickly. There may be situations where employee firefighting is warranted to give other workers time to escape, or to prevent danger to others by spread of a fire. In this case, you as the employer are still required to have an [EAP](#).

To help you decide whether to have employees evacuate or fight fires, see the [Fight or Flee?](#) section of this eTool.

Still unsure about whether you are required to have an EAP??? Use OSHA's Expert System to help you determine whether you are required to have an EAP.

https://www.osha.gov/SLTC/etools/evacuation/require_eap.html

What is an Emergency Action Plan?

An emergency action plan (EAP) is a written document required by particular OSHA standards [[29 CFR 1910.38\(a\)](#)]. The purpose of an EAP is to facilitate and organize employer and employee actions during workplace emergencies. Well developed emergency plans and proper employee training (such that employees understand their roles and responsibilities within the plan) will result in fewer and less severe employee injuries and less structural damage to the facility during emergencies. A poorly prepared plan, likely will lead to a disorganized evacuation or emergency response, resulting in confusion, injury, and property damage.



Putting together a comprehensive emergency action plan that deals with those issues specific to your worksite is not difficult. It involves taking what was learned from your [workplace evaluation](#) and describing how employees will respond to different types of emergencies, taking into account your specific worksite layout, structural features, and emergency systems. Most organizations find it beneficial to include a diverse group of representatives (management and employees) in this planning process and to meet frequently to review progress and allocate development tasks. The commitment and support of all employees is critical to the plan's success in the event of an emergency; ask for their help in establishing and implementing your emergency action plan. For smaller organizations, the plan does not need to be written and may be communicated orally if there are 10 or fewer employees [[29 CFR 1910.38\(b\)](#)].

At a minimum, the plan must include but is not limited to the following elements [[29 CFR 1910.38\(c\)](#)]:

- [Means of reporting fires and other emergencies](#)
- [Evacuation procedures and emergency escape route assignments](#)
- [Procedures to be followed by employees who remain to operate critical plant operations before they evacuate](#)
- [Procedures to account for all employees after an emergency evacuation has been completed](#)
- [Rescue and medical duties for those employees who are to perform them](#)
- [Names or job titles of persons who can be contacted for further information or explanation of duties under the plan](#)

Although they are not specifically required by OSHA, you may find it helpful to include the following in your plan:

- A description of the [alarm system](#) to be used to notify employees (including disabled employees) to evacuate and/or take other actions. The alarms used for different actions should be distinctive and might include horn blasts, sirens, or even public address systems. [[More on Alarms](#)]
- The site of an alternative communications center to be used in the event of a fire or explosion; and
- A secure on- or offsite location to store originals or duplicate copies of accounting records, legal documents, your employees' emergency contact lists, and other essential records.

Now that you have read through the basic overview of an emergency action plan, find out [how to implement your plan](#).

Written Emergency Action Plans

An [emergency action plan \(EAP\)](#) is usually a written document required by particular OSHA standards. For smaller organizations, the plan does not need to be written and may be communicated orally if there are 10 or fewer employees [[29 CFR 1910.38\(b\)](#)]. The purpose of an EAP is to facilitate and organize employer and employee actions during workplace emergencies. The elements of the plan must include, but are not limited to:

- Means of reporting fires and other emergencies
- Evacuation procedures and emergency escape route assignments
- Procedures to be followed by employees who remain to operate critical plant operations before they evacuate



Procedures to account for all employees after an emergency evacuation has been completed
Rescue and medical duties for those employees who are to perform them
Names or job titles of persons who can be contacted for further information or explanation
of duties under the plan

OSHA has an e-tool that will help you develop your own written plan. This expert system will help you to create a simple EAP. This basic plan will be adequate for needs of many small and medium-sized entities. This basic plan may not be adequate for large establishments or those with more significant hazards. Users in such establishments should consider the special characteristics of their workplaces. Users can supplement this basic plan to address any situations that require special attention.

This OSHA Expert only provides information based on Federal OSHA Emergency Action Plan requirements. If you are covered by a state OSHA plan you may need to contact [your local state OSHA office](#).

Most small and medium-sized entities will get their basic plans from this system in 10 to 15 minutes. Please remember that this system does not save the plan it helps you to write, so you should save and/or print your plan when it is completed. To use the e-tool go to this website: <http://www.osha.gov/SLTC/etools/evacuation/expertsystem/default.htm#>

Businesses that deal with hazardous substances (such as [Ethylene Oxide](#), [Methylenedianiline](#), or [Butadiene](#)), or that are subject to the provisions of the [Process Safety Management of Highly Hazardous Chemicals](#), [Hazardous Waste Operations](#), or [Grain Handling](#) standards may also need to develop an emergency action plan in compliance with [29 CFR 1910.38\(a\)](#). However, these businesses are beyond the scope of this eTool.

How do I evaluate my workplace to comply with OSHA's emergency standards?

The best way to protect yourself and others is to prepare for an emergency before it happens by doing a thorough assessment of the workplace. Think about possible emergency situations and evaluate your workplace to see if it is sufficiently prepared in the following areas:

[Design and construction requirements for exit routes](#) [29 CFR 1910.36]
[Maintenance, safeguards, and operational features for exit routes](#) [29 CFR 1910.37]
[Emergency action plans \(EAP\)](#) [29 CFR 1910.38]
[Fire prevention plans \(FPP\)](#) [29 CFR 1910.39]
[Portable fire extinguishers](#) [29 CFR 1910.157]
[Fixed extinguishing systems](#) [29 CFR 1910.160]
[Fire detection systems](#) [29 CFR 1910.164]
[Employee alarm systems](#) [29 CFR 1910.165]

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

November 2013

DRIVER QUALIFICATION FILE §391.51 DOT MANDATED ITEMS

A motor carrier is required to maintain a driver's qualification (DQ) file for each driver it employs. The DQ file need not be physically one recordkeeping medium such as a file folder, but must be a filing system that is identifiable to a specific individual.

Examples would include:

- ☐ A single driver qualification file folder where everything is kept inside one file; or
- ☐ In addition to a file folder, an electronic file such as a record on a database program where you keep some or all of the required items on the computer and some in the file as a hard copy; or
- ☐ A filing system, which may contain several physical files each, labeled to a specific individual. Some employers keep a separate driver qualification file, drug and alcohol file, and a personnel file. **(This is the system that I recommend. It is the easiest and most organized.)**

The DQ file may be combined with the driver's personnel file. (I don't recommend this option because the file can get very cluttered with all the HR items.)

DQ File Contents – mandated items. (All other records are company optional.)

The following documents are to be included in a DQ file for each regularly employed driver:

1. Application for employment (391.21),
2. Motor vehicle record from states (391.23),
 - a. Must be obtained within 30 days of employment (I recommend having this before the driver drives your truck.)
 - b. Must be for the prior 3 years
3. Previous employer information (391.23),
 - a. Must be obtained within 30 days of employment
 - b. Must be for the prior 3 years
4. Road test form and certificate (391.31(g)), or license or certificate accepted in lieu of road test (391.33),
 - a. A CDL is acceptable.
 - b. Doubles / Triples or tankers must have a road test or a road test certification within the previous 3 years.





TRAFFIC BULLETIN

5. Medical exam certificate, original or a copy (391.43(g)),
 - a. Beginning January 30, 2014, a medical exam certificate is not required for CDL drivers whose motor vehicle record contains medical certification status information. The motor carrier must instead retain a copy of the driver's motor vehicle record showing certification.
6. Any letter granting a waiver of a physical disqualification (391.49),
7. Annual review of driving record (391.25),
 - a. Must be done at least annually
 - b. Must keep a copy of the state inquiry results in the file.
 - c. The motor carrier must consider the driver's accident record and any evidence that the driver has violated laws governing the operation of motor vehicles, and must give great weight to violations, such as speeding, reckless driving, and operating while under the influence of alcohol or drugs, that indicate that the driver has exhibited a disregard for the safety of the public.
8. List of violations (391.27),
 - a. The driver shall provide a list of driving violations for the previous 12 months. The driver shall sign this list.
 - b. If the driver has already provided this information as required by 383.31, then they don't have to repeat the information. 383.31 requires that drivers notify their carrier within 30 days of any vehicle violations, other than parking tickets, of which they have been convicted. The notification must be in writing and contain the 7 items listed in 383.31.
9. Any other matter relating to a driver's qualifications or ability to drive a motor vehicle safely.
10. Not required, but highly suggested is to have a copy of their current driver's license in the file. This is how you have proof of a current CDL, the proper vehicle class, the proper endorsements, and the expiration date.

A motor carrier is not required to have items 1 through 4 listed above in the DQ file for any current driver that was hired before January 1, 1971.

Retention Periods

Items 1-4 are kept in the Driver qualification permanently.

Items 5-8 may be removed from the file after 3 years from when the form was executed.
(391.51(d))

You must keep a driver's qualification file for 3 years after the person is no longer a driver. Records may be kept at the main office or at a regional or terminal location. The regulations require that records be available at the main office or other location within 48 hours after an official request has been made.





TRAFFIC BULLETIN

Common Question

“What do I do about an existing employee that I want to make a driver?” The easiest and best thing to do is to treat the employee as a brand new hire. Make sure you have used a DOT driver application form. If not, then have them fill out a new DOT employee application. You still have to do the previous employer background checks for the previous 3 years, but you do get to count the time the employee was working for you in the time period. Be sure to do the pre-employment drug screen.

The Driver Qualification File is a key component of the carrier’s safety program. Whenever the DOT does a Compliance Review, you may expect DOT auditors to spend a great deal of time on Driver Qualification Files.

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MEDICAL GAS BULLETIN

11/01/2013

Frequently Asked Questions

Q – How can I know for sure if my registration is current with the FDA?

A – Before 2009, the FDA would send you a completed registration form. Since the agency has implemented the electronic registration system, they no longer send you any form at all. The only way you can be certain that you are registered is by logging onto the FDA registration search website: <http://www.accessdata.fda.gov/scripts/cder/drls/default.cfm>. Enter a portion of your firm's name and press the "Submit Query" button. Your search results will be displayed along with the Expiration Date of your registration. Be sure all fields are complete on your registration, including the "Facility Establishment Identifier" (FEI) column. If the FEI information is missing, contact your registrar to update the information.

FYI – here are two other useful FDA websites:

- ☐ Check your drug listings: <http://dailymed.nlm.nih.gov/dailymed/search.cfm>
- ☐ Check your FDA inspection summary:
<http://www.accessdata.fda.gov/scripts/inspsearch/>
 - Enter all/part of your company name.
 - The far right hand column ("classification") is an indication of the severity of the inspection:
 - ☐ NAI – No Action Indicated (This is the classification you would like to see for your inspections)
 - ☐ VAI – Voluntary Action Indicated
 - ☐ OAI – Official Action Indicated
 - Keep in mind that not all inspections are posted on the Internet. State inspections as well as federal inspections that were hand written are not included in the database.

November Medical Gas Roundtable (11/01/2013) – Subparts H & I – Holding and Distribution, Laboratory Controls

These GAWDA Medical Gas roundtables are excellent sources of CGMP training and the latest industry compliance news. In November we will be discussing warehousing and laboratory operations.

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

- ☐ **QSR/ISO 17025** - Internal Audits and Management Reviews
- ☐ **Specialty Gas** - Gas Chromatography Fundamentals

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.





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. **Servomex Filter** - Verify that you have records that the filter on the Servomex has been inspected according to the frequency in your instrument manual.
2. **FIFO** - Assure your warehoused medical gases in inventory are rotated so that the oldest stock is distributed first. The inventory is rotated First-In-First-Out (FIFO).
3. **Segregation** – Be sure your full medical gas cylinders are segregated from your industrial gas cylinders.

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