

RECEIPT

DATE

09/12/24

No.

654559

RECEIVED FROM

MGT Logistics, LLC

\$ 350.00

Three Hundred Fifty & 00/100

DOLLARS

 FOR RENT FOR

DE-SW-1936

ACCOUNT	
PAYMENT	
BAL. DUE	

 CASH CHECK MONEY ORDER CREDIT CARD

FROM

#1013

TO

BY

E.W.



STATE OF DELAWARE
 DEPARTMENT OF NATURAL RESOURCES
 AND ENVIRONMENTAL CONTROL
 DIVISION OF WASTE AND HAZARDOUS SUBSTANCES
 COMPLIANCE AND PERMITTING SECTION

89 KINGS HIGHWAY
 DOVER, DELAWARE 19901

TELEPHONE: (302) 739-9403
 FAX: (302) 739-5060

SOLID WASTE TRANSPORTER PERMIT APPLICATION

Instructions: You must complete this application in its entirety and attach all applicable documentation. (Note: For applicants renewing an existing permit, this application requires the submission of updated information and documentation. References to material submitted under previous applications are no longer accepted.)

The application must be signed by the company owner or a corporate officer. A check or money order payable to the **“State of Delaware”** must accompany this application and be sent to:

Delaware Department of Natural Resources and Environmental Control
 Compliance and Permitting Section
 89 Kings Highway
 Dover, DE 19901

1. Type of Permit

- New – **SCRAP TIRES ONLY** Submit a check or money order, payable to the “State of Delaware,” in the amount of \$75.00.
- New – **ALL OTHERS** Submit a check or money order, payable to the “ State of Delaware” in the amount of \$350.00.
- Renewal: Permit # DE-SW- 1936 Expiration Date Sept 30 2024

Please indicate the term for which you desire your permit to be issued. Submit a check or money order, payable to the “State of Delaware,” for the indicated permit fee.

SCRAP TIRES ONLY

- One Year - \$75.00
- Two Years - \$125.00
- Three Years - \$175.00
- Four Years - \$225.00
- Five Years - \$275.00

ALL OTHERS

- One Year - \$350.00
- Two Years - \$650.00
- Three Years - \$950.00
- Four Years - \$1250.00
- Five Years - \$1550.00

2. Release to Public

Do you wish to be included on the list of transporters that is provided to persons requesting a list of Delaware permitted solid waste transporters? Yes No

3. Company Information

Company Name MGT LOGISTICS LLC

Location Address:	Mailing Address:
158 SHAPLEY DR	158 SHAPLEY DR
SMYRNA DE 19977	SMYRNA DE 19977

Contact: JOHN NGUGI Title: MANAGING DIRECTOR

Business Phone: 617 4382382 Fax: N/A



24 hr Emergency Contact Phone: 612 3275794

4. Company Ownership Information

- (a). Please indicate the company type:
- Proprietorship
 - Partnership
 - Corporation - If company is a corporation, indicate city, state, and date of incorporation.

City: _____ State: _____ Date: _____

- Municipality
- Public institution
- Limited Liability Corporation (LLC) State: DE
- Other: (must specify) _____

- (b). For each Owner, Partner, or Corporate Officer, attach a list with name, title, mailing address, date of birth, and % ownership. Include all stockholders owning greater than 5% outstanding shares.

Attachment N/A

- (c). If company is owned by or affiliated with a parent company, attach parent company name, address & mailing address, and % ownership.

Attachment N/A
 No parent company

5. Company locations in Delaware

List name and street address of each company location, including freight terminals, within the State of Delaware.

- Attachment N/A
- No Delaware locations

6. Company Affiliates

List name, location and mailing addresses, nature of business relationship of all company Affiliates, which affiliates are engaged in the business of waste transport, treatment, storage, disposal, recovery or reclamation. (Affiliated companies are defined as those companies owned by the same owners, corporate officers, or parent company.)

- Attachment N/A
- No affiliates

7. Type of Waste to be Transported

(a). Check all that apply. Refer to Delaware's *Regulations Governing Solid Waste* for definitions of waste categories.

- Residential waste
- Commercial waste (from **non-manufacturing, non-processing** businesses and offices)
- Industrial waste (from a manufacturing or industrial process)
- Dry waste: construction/demolition debris
 trees/stumps
 other (must specify) _____
- Ash: municipal incinerator
 coal ash
 other (must specify) _____
- Infectious waste
- Non-hazardous petroleum-hydrocarbon contaminated soils
- Asbestos-containing waste
- Scrap Tires

(b). Does your company collect and transport residential (household) waste from single family homes, condominiums and apartment complexes in Delaware? Yes No

(c). If you answered "YES" to question 7.b., above, does your company provide recycling services to those customers? Yes No N/A

(d). If you offer recycling services, does your company collect and transport the recyclables separately from the waste generated by your customers? Yes No

(e). If you offer recycling services, are the recyclables ultimately taken to an incinerator (waste-to-energy) or landfill? Yes No

8. Treatment, Storage, and Disposal Facilities

- (a). Do you cross state lines with the waste? Yes No
- (b). Identify in an attachment *all* solid waste Treatment, Storage, Disposal Facilities, Reclamation Facilities and Transfer Stations to which the waste will be transported.
- Delaware Solid Waste Authority locations: (attachment) _____
 - Clean Earth of New Castle, Inc. (thermal treatment facility for PHC-soils)
 - Delaware Recyclable Products, Inc. (dry waste, commercial, industrial, and PHC-soils)
 - Other in-state solid waste facilities, including private facilities: (attachment) _____
 - Out of state solid waste TSD facilities: (attachment) _____

9. Other Transporter Permits

- (a). Attach a copy of your home state solid waste transporter permit. (N/A if Delaware is your home state.)
- Attachment N/A
 - Not applicable-No transporter permit required for these solid waste types in our home state.

- (b). List solid waste transporter permits held in other states.

- Attachment N/A
- No transporter permits in other states

- (c). Indicate your Federal DOT number and Motor Carrier number:

DOT# 2297930 MC# _____

- N/A If N/A, please provide an explanation, on the following page, as to why you are not required to have a DOT or MC number.

10. Proof of Financial Responsibility

The transporter must submit proof of financial responsibility as established in section 7.2.4 of Delaware's *Regulations Governing Solid Waste*. This proof may be established by a Certificate of Insurance, with MCS-90 endorsement where applicable, or by other means approved by the Department. (The Certificate of Insurance must identify the **Department of Natural Resources and Environmental Control, Compliance and Permitting Section** as the certificate holder.)

- (a). Are you for-hire in interstate commerce? Yes No (For-Hire means you are in the business of transporting, for compensation or payment, wastes generated by a company other than your own.)
- (b). Do you transport in the State of Delaware Only (Intrastate)? Yes No
- (c). Do you transport Interstate? Yes No

- (d). Certificate of Insurance must be attached and include minimum automobile liability coverage as follows:

	FOR-HIRE INTERSTATE	ALL OTHERS
Residential Waste	\$750,000.00 + MCS-90 <input checked="" type="checkbox"/>	\$350,000.00 <input type="checkbox"/>
Commercial Waste	\$750,000.00 + MCS-90 <input checked="" type="checkbox"/>	\$350,000.00 <input type="checkbox"/>
Industrial Waste	\$750,000.00 + MCS-90 <input checked="" type="checkbox"/>	\$350,000.00 <input type="checkbox"/>
Dry Waste	\$750,000.00 + MCS-90 <input checked="" type="checkbox"/>	\$350,000.00 <input type="checkbox"/>
Ash	\$750,000.00 + MCS-90 <input checked="" type="checkbox"/>	\$350,000.00 <input type="checkbox"/>
Infectious Waste	\$1,000,000.00 + MCS-90 <input type="checkbox"/>	\$750,000.00 + MCS-90 <input type="checkbox"/>
Non-Hazardous Petroleum Contaminated Soils	\$750,000.00 + MCS-90 <input checked="" type="checkbox"/>	\$350,000.00 <input type="checkbox"/>
Asbestos	\$1,000,000.00 + MCS-90 <input type="checkbox"/> (For Hire & Private)	\$350,000.00 <input type="checkbox"/>
Scrap Tires Only	\$350,000.00 <input type="checkbox"/>	\$350,000.00 <input type="checkbox"/>

11. Spill Control and Safety

List all spill control and safety equipment which will be carried on each vehicle. (**Note:** Separate lists by type of vehicle and type of waste may be required.) Attach a copy of the Spill Control Plan. The Spill Control Plan **must** contain the following elements: (1) List of safety and spill control equipment carried in the vehicle, (2) Driver preventive measures, (3) Driver immediate corrective actions, (4) Company internal communications, (5) Company external communications including the **Delaware Emergency Reporting Numbers: 1-800-662-8802 and 302-739-9401**, and (6) Cleanup and decontamination measures.

✓ Spill Control Plan: Attachment YES

12. Driver Training

IN SUMMARY OR OUTLINE FORM, describe the procedures that your company takes to ensure that all company drivers are safe and competent drivers. Small owner-operators may describe their years of experience and driving record in lieu of a formal program.

- (a). Include requirements for special licenses (e.g. CDL, including any special endorsements), any special training received, including dates training was received (e.g. asbestos training), and any ongoing company programs. (e.g. weekly safety meetings or annual refresher courses);
- (b). Include your company procedure for periodic checks of the driver's records for moving violations, and your company policy on progressive counseling/discipline based on points;
- (c). Describe how drivers are instructed in the following:
 - (i) Knowledge of proper handling procedures for the type of solid waste being transported.
 - (ii) Familiarity with the approved accidental discharge containment plan. (Spill Control Plan)
 - (iii) Familiarity with the conditions of the solid waste transporter's permit.

✓ Driver Training, attachment YES

13. Vehicle Identification

On the form provided with this application, list **MAKE, MODEL, YEAR, SERIAL NUMBER, LICENSE PLATE NUMBER, STATE OF REGISTRATION, MANUFACTURER'S GVWR and OWNERSHIP** of all vehicles used for the transportation of solid waste. You must list both motorized and container units. (If you maintain a list of company vehicles in a computer database you may submit a print out of the vehicles provided it contains the information requested herein.)

NOTE: You must notify CAPS in writing of any changes to information contained within this application, such as additions or deletions of vehicles, in accordance with conditions of the issued permit.

Vehicle List Attached

14. Vehicle Operator Information

Is a list of all vehicle operators attached? Yes

What tax form do you submit to the IRS for your vehicle operators?

- Form W-2
 Form 1099-Misc
 Other


15. Environmental Record

List all criminal citations, arrests, convictions, civil or administrative violations, and civil or administrative enforcement actions, and the disposition(s) thereof for the violation or alleged violation of any environmental statute, regulation, permit, license, approval, or order, regardless of the state in which it occurred. Indicate whether it was a local, state, or federal violation or alleged violation. List all such items for the applicant, and if the applicant is other than an individual, for any employee while employed by the applicant, or any partner, officer, or director of the applicant as an individual or for any former business of such partner, officer, or director. For civil or administrative violations or alleged violations, list all such items for the last five (5) years from the date of the application. Information submitted under this section is subject to verification. **Failure to submit complete and accurate information may lead to permit denial or revocation.**

- Attachment N/A
 No violations within the specified time period

16. Certification

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this application and all attachments and that, upon personal knowledge and information, the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information.

**Signature  Date Sept 11 2024
Print Name JOHN NGUGI Title MANAGING DIRECTOR

****A legal owner or corporate officer must sign the application****

SPILL CONTROL PLAN FOR SOLID WASTE HAULERS

- (1) Spill control and safety equipment carried in each vehicle:
 - 1). Reflectors and/or flares
 - 2). Fire extinguisher
 - 3). First aid kit
 - 4). Heavy-duty gloves, hard hat
 - 5). Flashlight
 - 6).
- (2) All loads will be enclosed, covered, or tarped to prevent accidental discharge of the waste during transport to the disposal facility.
- (3) The driver will perform the following pre-trip inspections:
 - 1).
 - 2).
- (4) If there is an accident or other emergency which causes a portion of the load to be spilled, the driver, if uninjured, will contact the following designated company coordinator:
Name: _____ Phone: _____
- (5) The designated coordinator will contact the state and municipal authorities where the accident occurred. If the accident or spill has the potential to cause environmental damage, (either due to the nature of the waste, location of the accident, or additional factors such as leaking oil, gasoline, or hydraulic fluid) the person contacted will notify the state emergency response team, by calling one of the following numbers:
Delaware: 911, (302) 739-9401 or 1-800-662-8802 (*Other numbers may be listed as follows, however, the listed Delaware numbers **must** be included in the spill control plan.*)
Maryland:
New Jersey:
- (6) The designated coordinator will contract for clean-up services with another company. (*This is optional, however, if another company is to be contracted, please append a list of cleanup companies by either region or state.*)
- (7) This plan will be carried in all vehicles, along with the permit.

09/11/2024

Policy Number: **04326379**

Underwritten by: 38 - United Financial Casualty Co.



Certificate of Insurance

<u>Certificate Holder</u>	<u>Insured</u>	<u>Agent</u>
DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, COMPLIANCE AND PERMITTING SECTION 89 KINGS HIGHWAY DOVER DE, 19901	MGT LOGISTICS LLC 158 SHAPLEY DRIVE SMYRNA, DE 19977	SMALLS INS AGENCY Address: 5227 W WOODMILL DR 43 WILMINGTON, DE 19808

This document certifies that insurance policies identified below have been issued by the designated insurer to the insured named above for the period(s) indicated. This certificate is issued for information purposes only. It confers no rights upon the certificate holder and does not change, alter, modify, or extend the coverages afforded by the policies listed below. The coverages afforded by the policies listed below are subject to all the terms, exclusions, limitations, endorsements, and conditions of these policies.

Policy Effective Date: 01/25/2024	Policy Expiration Date: 01/25/2025
<u>Insurance Coverage(s)</u>	<u>Limits</u>
BODILY INJURY AND PROPERT DAMAGE LIABILITY	\$1,000,000 COMBINED SINGLE LIMIT
UNINSURED/UNDERINSURED MOTORIST	\$25,000 EACH PERSON /\$50,000 EACH ACCIDENT
UNINSURED MOTORIST PROPERTY DAMAGE	\$10,000 EACH ACCIDENT \$250 DEDUCTIBLE
PERSONAL INJURY PROTECTION	\$15,000 EACH PERSON/\$30,000 EACH ACCIDENT
PROPERTY PROTECTION COVERAGE	\$10,000 EACH ACCIDENT-INCLUDED WITHIN PIP LIMIT

Description of Location/Vehicles/Special Items

Scheduled autos only	Limits
2004 VOLVO VNL (4V4NC9THX4N352356)	COMPREHENSIVE/COLLISON DEDUCTIBLE \$1,000

Certificate Number
25424DMB-01379

Please be advised we will not notify certificate holders in the event of mid-term cancellation.

A handwritten signature in black ink, appearing to read "K. P. My" with a long horizontal stroke extending to the right.

Form 5241 (10/02)

Davis, DaQuan (DNREC)

From: john Sanford <john.mgt1@gmail.com>
Sent: Thursday, September 12, 2024 9:13 PM
To: WHStranporters
Subject: Re: Missing Information on Delaware Solid Waste Transporter Permit Application
Attachments: Activity.pdf; MGT LOGISTICS LLC-2.pdf

Good Evening,

Hope all is well, attached please find the control spill ,pre trip inspection, training manual, list of the vehicle.

- 5- Is 158 Shapley Drive, Smyrna, DE 19977 the only company location in Delaware?
- Yes that's the only location

Please do not hesitate if you have any questions.

Kind Regards
NGUGI
MGT Logistics Llc
p 617 4382382

On Thu, Sep 12, 2024 at 5:19 PM WHStranporters <WHStranporters@delaware.gov> wrote:

Hi Mr. Ngugi,

The application you submitted has been deemed incomplete. The following items are missing :

- 4(b) The ownership information was not provided. Please submit.
- 5- Is 158 Shapley Drive, Smyrna, DE 19977 the only company location in Delaware?
- 11- The spill control plan is missing pre-inspection and a designated emergency coordinator. Please update your plan.
- 12. No driver training or experience was submitted. Please provide this.
- 14- No list of vehicle operators was submitted. Please prove this.
- 16.- Not signed by the owner. Please have the owners sign the application.

Please provide the requested information via email within 5 days.

Thank you,

DaQuan Davis



DaQuan L. Davis

Environmental Scientist I

Division of Waste and Hazardous Substances

☎ 302-739-9403

✉ daquan.davis@delaware.gov

📍 89 Kings Hwy SW, Dover, DE 19901

🌐 dnrec.delaware.gov



Davis, DaQuan (DNREC)

From: john Sanford <john.mgt1@gmail.com>
Sent: Wednesday, September 18, 2024 11:52 AM
To: Davis, DaQuan (DNREC); WHStranporters
Subject: Fwd: Missing Information on Delaware Solid Waste Transporter Permit Application
Attachments: Owner Information.docx; VEHICLE INFORMATION - See Item 13 of the application..pdf

----- Forwarded message -----

From: **john Sanford** <john.mgt1@gmail.com>
Date: Tue, Sep 17, 2024 at 6:45 PM
Subject: Re: Missing Information on Delaware Solid Waste Transporter Permit Application
To: WHStranporters <WHStranporters@delaware.gov>

Good Evening,
Attached , please find the information you requested.

Kind regards
NGUGI
MGT Logistics Llc
P 617 4382382

On Tue, Sep 17, 2024 at 1:43 PM WHStranporters <WHStranporters@delaware.gov> wrote:

Hi,

The information below is due tomorrow (September 18, 2024):

- Section 4- The ownership information was not provided. Please provide an attachment that indicates the owner's name, title, mailing address, date of birth, and % ownership.
- Section 12- Do you train drivers on the solid waste transporter permit conditions and the spill control plan? Also, do you conduct periodic checks of driving records?
- Section 14- Please provide a list of your vehicle operators/drivers.
- Section 16- The application is not signed by the owner as no ownership information was provided. Please have the owners sign the signature page of the application and send it back to me.

Thank you,

DaQuan Davis



DaQuan L. Davis

Environmental Scientist I

Division of Waste and Hazardous Substances

 302-739-9403

 daquan.davis@delaware.gov

 89 Kings Hwy SW, Dover, DE 19901

 dnrec.delaware.gov



From: Davis, DaQuan (DNREC) **On Behalf Of** WHStranporters

Sent: Friday, September 13, 2024 9:14 AM

To: john Sanford <john.mgt1@gmail.com>

Subject: RE: Missing Information on Delaware Solid Waste Transporter Permit Application

Hi,

Some information is still missing on the application.

- Section 4- The ownership information was not provided. Please provide an attachment that indicates the owner's name, title, mailing address, date of birth, and % ownership.
- Section 12- Do you train drivers on the solid waste transporter permit conditions and the spill control plan? Also, do you conduct periodic checks of driving records?
- Section 14- Please provide a list of your vehicle operators/drivers.
- Section 16- Application is not signed by the owner as no ownership information was provided. Please have the owners sign the signature page of the application and send it back to me.

Please provide the requested information via email within 5 days.

Section 4
MGT LOGISTICS LLC
158 SHAPLEY DR
SYMRNA DE 19977

PERSONELL:
JOHN NGUGI
OWNERSHIP 100 %



Section 12:

JOHN is the only owner operator /driver for MGT.
Experience: CDL For 20 years plus.

STATE OF DELAWARE

Five Year Driving Record

DATE 08/04/2022 10:04 AM

FORM NO. 1

NAME AND RESIDENTIAL ADDRESS NGUGI JOHN N 158 SHAPLEY DR SMYRNA, DE 19977-6839		LICENSE NUMBER [REDACTED]	LICENSE CLASS CDL CLASS A		ENDORSEMENTS	
MAILING ADDRESS		DATE OF BIRTH [REDACTED]	SEX M	EYES BRO	HEIGHT 5ft 07in	WEIGHT 160
LICENSE STATUS VALID	CDL STATUS VALID	ORIGINAL ISSUE DATE 9/29/2021	CURR LIC ISSUED 9/29/2021	LICENSE EXPIRES 11/26/2028	RESTRICTIONS	
[REDACTED]		HAZ MAT	ACC POINT			
						0



I, the undersigned, an officer of the Division of Motor Vehicles for the State of Delaware, in whose charge the above records are, DO HEREBY CERTIFY that the above is a true and correct copy of the driving record of the above named individual as it appears in the Division of Motor Vehicles, and that I am the officer having legal custody of this record.



STATE OF DELAWARE

RECORD NO. 1

Five Year Driving Record

DATE 08/04/2022 10:04 AM

NAME AND RESIDENTIAL ADDRESS NGUGI JOHN N 158 SHAPLEY DR SMYRNA DE 19977-6839	LICENSE NUMBER	[REDACTED]		LICENSE CLASS	CDL CLASS A	ENDORSEMENTS		
	DATE OF BIRTH	SEX	EYES	HEIGHT	WEIGHT			
MAILING ADDRESS	[REDACTED]	M	BRO	5ft 07in	160			
[REDACTED]				EXPIRES	2028	RESTRICTIONS		
				CURT	CMV	HAZ	ACC	POINT
				D		MAT		
							0	



I, the undersigned, an officer of the Division of Motor Vehicles for the State of Delaware, in whose charge the above records are, DO HEREBY CERTIFY that the above is a true and correct copy of the driving record of the above named individual as it appears in the Division of Motor Vehicles, and that I am the officer having legal custody of this record



Thank you,

DaQuan Davis



DaQuan L. Davis

Environmental Scientist I

Division of Waste and Hazardous Substances

📞 302-739-9403

✉️ daquan.davis@delaware.gov

📍 89 Kings Hwy SW, Dover, DE 19901

🌐 dnrec.delaware.gov



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Sent: Thursday, September 12, 2024 9:13 PM

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Subject: Re: Missing Information on Delaware Solid Waste Transporter Permit Application

Good Evening,

Hope all is well, attached please find the control spill ,pre trip inspection, training manual, list of the vehicle.

- 5- Is 158 Shapley Drive, Smyrna, DE 19977 the only company location in Delaware?
- Yes that's the only location

Please do not hesitate if you have any questions.

Kind Regards

NGUGI

MGT Logistics Llc

p 617 4382382

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- 11- The spill control plan is missing pre-inspection and a designated emergency coordinator. Please update your plan.
- 12. No driver training or experience was submitted. Please provide this.
- 14- No list of vehicle operators was submitted. Please prove this.
- 16.- Not signed by the owner. Please have the owners sign the application.

Please provide the requested information via email within 5 days.

Thank you,

DaQuan Davis



DaQuan L. Davis

Environmental Scientist I

Division of Waste and Hazardous Substances

 302-739-9403

 daquan.davis@delaware.gov

 89 Kings Hwy SW, Dover, DE 19901

 dnrec.delaware.gov





State of Delaware
Office of Supplier Diversity
Division of Small Business
820 N. French Street, 10th Floor
Wilmington, Delaware 19801

MGT LOGISTICS LLC
158 SHAPLEY DRIVE
SMYRNA, DE 19977

OSD CERTIFICATION TYPE
MBE

CERTIFICATION NUMBER DE22104212
EXPIRATION DATE 10/27/2025

A handwritten signature in blue ink, appearing to read "Shavonne H. White".

Shavonne H. White
Director, Office of Supplier Diversity





State of Delaware Division of Revenue

— Temporary License —

Valid for 60 days from Receipt Date

License number: 2022811738

Name: MGT LOGISTICS LLC

Trade Name: MGT LOGISTICS LLC

Address: 158 Shapley Dr
Smyrna, DE 19977-6839

Activity	Record	Tax Year	Tax Period	Business Code	Amount
Renew License	07082447	2024-2025	7/1/2024	General Serv. LLC	\$224.00
				Receipt Date	One Stop DLS
				04/17/2024	24-00008-1

MGT LOGISTICS LLC

(1) Spill control and safety equipment carried in each vehicle:

- 1). Reflectors and/or flares
- 2). Fire extinguisher
- 3). First aid kit
- 4). Heavy-duty gloves, hard hat, steel toe boots, Safety goggles
- 5). Flashlight
- 6). Extra straps
- 7). Shovel
- 8). Broom
- 9). 10 pounds of absorbent material or the equivalent in absorbent pillows
- 11). Large plastic garbage bags
- 12). Protective overalls

(2) All loads will be enclosed, covered, or tarped to prevent accidental discharge of the waste during transport to the disposal facility.

(3) The driver will perform the following pre-trip inspections:

- 1). Visual review of tanks, hoses, and fittings to identify any leaks. All leaks should be immediately repaired. Additionally, drivers should make sure that the vehicle has an up-to-date spill kit on board to manage spills.
- 2). Safety Equipment, Fire extinguisher, flags.
- 3). Tarpaulin system is safe and secure (whole container is covered).
No loose debris hanging out of the trailer.
- 4). Coupling Devices are in good working condition.
- 5). Doors are secured and locked (trailer).
- 6). All lights, reflectors.
- 7). Brakes and connections are in good working order.

(4) If there is an accident or other emergency which causes a portion of the load to be spilled, the driver,

if uninjured, will contact the following designated company coordinator:

Name: JOHN NGUGI

Phone: (617) 4382382

(5) The designated coordinator will contact the state and municipal authorities where the accident occurred. If the accident or spill has the potential to cause environmental damage, (either due to the nature of the waste, location of the accident, or additional factors such as leaking oil, gasoline, or hydraulic fluid) the person contacted will notify the state emergency response team, by calling one of the following numbers:

Delaware: 911, (302) 739-9401 or 1-800-662-8802 (Other numbers may be listed as follows, however, the listed Delaware numbers must be included in the spill control plan.)

Maryland:

New Jersey:

(6) The designated coordinator will contract for clean-up services with another company. (This is optional, however, if another company is to be contracted, please append a list of cleanup companies by either region or state.)

(7) This plan will be carried in all vehicles, along with the permit.

MGT LOGISTICS LLC

DRIVER TRAINING MANUAL

(A). Safety First – Reducing Accidents & Injuries

1. Unsafe Driving – speeding, reckless driving
2. Fatigued Driving – HOS violations
3. Driver Fitness – lacks valid CDL
4. Controlled Substance/Alcohol
5. Vehicle Maintenance – brakes, lights, etc.
6. Cargo Related – load securement
7. Crash History – frequency and severity

(B). What should you be doing?

1. Understand how BASICS works and FMCSA's methodology.
2. Make sure your drivers are aware of FMCSA rules (Hours of service, overweight, cargo securement, etc.)
3. Review your CSA data and contest not at fault Accidents
4. Reducing distracted driving is a top DOT priority:
 - Texting Ban for CDL Drivers – Up to \$2,750 fine.
 - Proposed Handheld Cell Phone Ba

(C). Improving Your Safety Program

- Identify Goals and Objectives
 - Determine your safety problem areas. How? Look at your data!
- * OSHA or injury logs
- * Loss reports – insurance company
- * Accident reports
- * Workers comp data

(D). Solid Waste Safety

The Bottom Line

- There is no magic solution
- Identify principal causes and address them.
- Successful employers are focusing on employee behavior.
- The goal is continued improvement.
- Don't wait until an accident happens, better safe than sorry

(E). How to Reduce Fatalities, Accidents and Injuries

1. Look at your injury logs and workers comp. data.
 - Frequency "what is common"
 - What is most expensive? (severity)
2. Driver Training:
 - New drivers – how long? (Two weeks or two hours)
 - Coaching the Refuse Driver
 - Pre-trip and post-trip inspections.
3. Helper Training:
 - Lifting – videos, hands-on.
 - Dealing with traffic.
 - Wearing PPE
4. Route Observation:
 - Observe workers on routes.
 - Coach if not following rules: Talk to them not at them.
5. Safety meetings and communication.
6. Accident Investigation:
 - Root cause analysis.
7. Incentives/Discipline:

- Driving (speed, cell phone, turn signals)
- PPE (high visibility; gloves; shoes; eyewear)
- Safety belts and Equipment

3. Front line employees need to understand how they benefit – make it personal.

What's in it for them?

1. Employee can't provide for his/her family if dead, injured or unemployed.
2. Tie worker's personal interests (e.g., hunting, fishing) to workplace safety.

Communicate the program:

1. Signs/posters – make it interesting.
2. Verbal reminders.

Training:

1. Short, ongoing, interactive.
2. Language and literacy barriers.
3. Use pictures and videos.
4. Use humor Transfer Stations/Landfills/MRF's

Fewer injuries, but accidents can have fatal consequences.

– collisions, falls, maintenance, ergonomic injuries.

- All employees need to wear PPE.
- Need to remind customers about safety rules.
- Pre-trip and post-trip on heavy equipment.
- Lock Out Tag Out (LOTO)
- Follow traffic directions and speed limit rules.
- Stay close to vehicle.
- Fire prevention/suppression.
- NO SCAVENGING.

Decision Making – On the Route

- Individual rewards (e.g., X yrs. no accident).
 - Group rewards (e.g., x months no accident/injury)
 - Progressive discipline – 3 strikes v. zero tolerance.
- and Injuries

8. Medical Management:

- A light duty program is an effective way to get a worker back to work. Median days missed due to reportable injury/illness for collection employees is five.

9. Equipment/Technology:

- Cameras, lighting packages, collision avoidance systems, etc.

10. Routing/Workload.

Improving Your Safety Program

- Look for patterns – time of day, type of accident or injury, certain employees (repeaters), temporary workers or weather conditions.
- Identify a few priorities based on frequency and/or severity.
- Route observation.

Reducing Fatalities, Accidents and

Injuries is Everyone's Job

1. Owners and Senior Management need to take it seriously:

- Establish a goal and make it a priority
- Resources and Training
- Communication – signs, posters, etc.

2. Supervisors need to reinforce rules and do route observations:

What are the typical bad decisions that get solid waste drivers into unsafe situations?

1. Not fit for work
2. Inadequate Pre-Trip or Post-Trip
3. Rushing/Excessive Speed
4. Personal Protective Equipment (PPE)
5. Safety Belt
6. Cell phones, texting, and other distractions
7. Lack of communication with helper or other drivers

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COMPANY GUIDELINES FOR DRIVERS DISCIPLINE:

Progressive discipline is a method of discipline that uses graduated steps for dealing with problems related to an employee's conduct or performance that do not meet clearly defined standards and policies. The ultimate objective of progressive discipline is to help employees correct conduct problems and resolve performance issues in the earliest stages. Using a progressive discipline system:

- Provides a consistent, objective, and fair process for disciplining.
- Promotes open communication between a supervisor and his or her employee.
- Improves employee productivity.
- Potentially increases employee retention by resolving issues.
- Provides important documentation should a termination become necessary.

If you are currently using a progressive discipline system or are considering developing one, it is prudent to review your steps with a trusted employment law attorney. The following are sample steps that may typically be included in a progressive discipline system:

Step 1: Counseling

For a first offense where the infraction is minor, an oral discussion characterized as "counseling" is usually appropriate. The employee's supervisor should inform the employee of the infraction and clearly advise the employee both of the conduct expected and that future infractions may result in more severe discipline. Counseling sessions are different from verbal warnings because counseling sessions are used as a pre-emptive measure before the problem becomes too serious.

Step 2: Verbal Warning

A verbal warning may be appropriate for a more serious offense where counseling is inadequate. It could also be a step following counseling. When issuing an oral warning, the employer should clearly advise the employee as to what is needed to remedy the employee's infraction and advise the employee that more severe disciplinary consequences will follow if the infraction is repeated.

Note: If your company provides for such a nonpunitive first step, the supervisor should nevertheless maintain a written record of the counseling or verbal warning in order to prove that it used progressive discipline in the event that the problem continues.

Step 3: Written Warning

The next step in a progressive discipline system is the written warning. A written warning usually follows an unsuccessful verbal warning, or new problems that have arisen. This document should clearly state

the infraction and the consequences for a repeat offense. The written warning should be addressed to the employee and a copy placed in the employee's personnel file.

- **Second Written Warning.** An employer may wish to include a second written warning as part of its progressive discipline program, or the employer may move directly from the first written warning to the next step (demotion, suspension, etc.). The determination of how many steps should be in the policy and the details of each step will be informed in large part by the nature of the business and the nature of the disciplinary issues that generally arise in that environment.

Step 4: Possible Next Courses of Action

Depending on the nature or repetition of the offense, one or more of the following actions may be appropriate.

- **Suspension.** Another possible course of action would be a suspension without pay. The length of the suspension may vary from a day or two to a week or more, depending on the seriousness of the infraction.
- **Termination.** The decision to terminate an employee should be one made as the result of consultation by the employee's supervisor with one or more upper-level managers (as well as legal counsel, if appropriate). The decision should never be made by a single person. Consistency is important. An employer opens itself to various legal claims if one employee is discharged for an infraction while another employee is merely suspended for a few days for the same infraction.