

RECEIPT

DATE 10/03/24

No. 654585

RECEIVED FROM KBS, Inc.

\$ 350.00

Three hundred fifty and $\frac{00}{100}$ DOLLARS

FOR RENT
 FOR DE-SW-0581

ACCOUNT	
PAYMENT	
BAL. DUE	

- CASH
- CHECK
- MONEY ORDER
- CREDIT CARD

FROM 046980 TO _____

BY M.M.



RECEIVED

OCT 03 2024

DNREC - WHS

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

Language Preference:

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- 0581 Expiration Date 9/30/24

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 KBS, Inc

Location Address:	Mailing Address:
<u>4924 Lincoln Hwy West</u>	<u>PO Box 7</u>
<u>Thomasville, PA 17364</u>	<u>Thomasville, PA 17364</u>

Contact: April Annas Title: Dispatcher

Business Phone: 717-792-1800 Fax: 717-792-9171

E-mail: april@kbstrucking.com

24 hr Emergency Contact Phone: _____

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: Thomasville State: PA Date: 3/4/09

- Municipality
- Public institution
- Limited Liability Corporation (LLC) State: _____
- 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 _____

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

Attachment _____
 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 _____
 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 _____
 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 PA DEP WH 0191
- 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 _____
- No transporter permits in other states

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

DOT# 246079 MC# 152474

- 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 type="checkbox"/>	\$350,000.00 <input type="checkbox"/>
Industrial Waste	\$750,000.00 + MCS-90 <input type="checkbox"/>	\$350,000.00 <input type="checkbox"/>
Dry Waste	\$750,000.00 + MCS-90 <input type="checkbox"/>	\$350,000.00 <input type="checkbox"/>
Ash	\$750,000.00 + MCS-90 <input 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 ✓

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 ✓

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 _____
- No violations within the specified time period

16. Certification

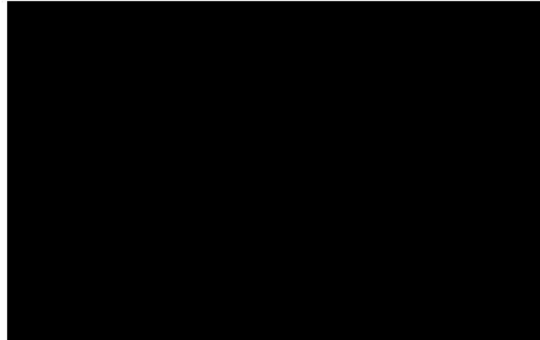
I certify under penalty of law that I have personally examined and am familiar with the information submitted in this application and all attachments and that, upon personal knowledge and information, the information is true, accurate, and complete. I am aware that there are significant penalties for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

**Signature Julie Daws Date 10/1/2024
Print Name Julie Daws Title Controller

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

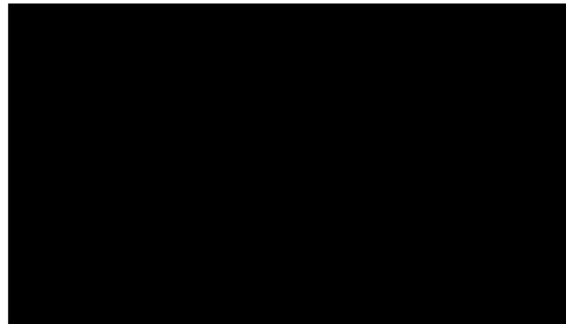
KBS, Inc. Shareholders

Scott R. Wagner



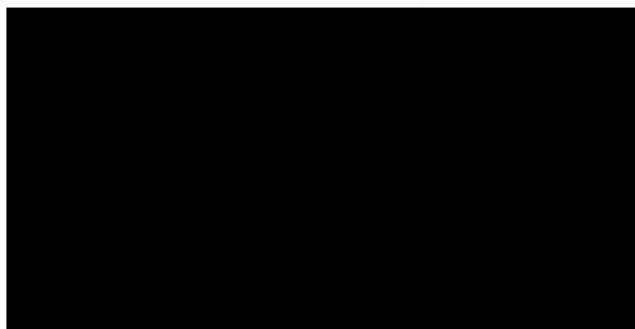
80% Shareholder

Eric Verman



10% Shareholder

Judy A. Toomey



10% Shareholder

Modern Landfill

4400 Mount Pisgah Rd.

York, PA 17404

Cumberland County Landfill

135 Vaughn Rd.

Shippensburg, PA 17257

IESI

1660 Orchard Rd.

Scotland, PA 17254

Conestoga Landfill

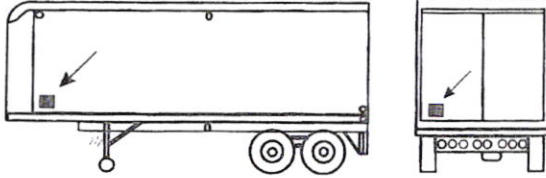
420 Quarry Rd.

Morgantown, PA 19543

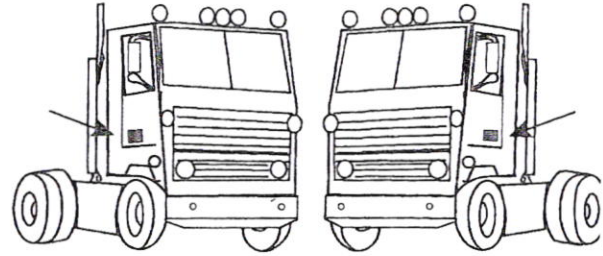
Waste Trailers

#T-2552

Apply stickers to a clean, dry surface. It may take 24 hours for adhesive to reach full tack. Do not remove stickers once they are applied.



Trucks and Truck Tractors



Each qualified waste vehicle is issued two (2) stickers. Place the stickers on the vehicle as shown in the diagram.

THIS DOCUMENT INCLUDES PRINTED WATERMARK ON REVERSE. HOLD AT ANGLE TO VIEW.

263



COMMONWEALTH OF PENNSYLVANIA Waste Transportation Safety Program Written Authorization

0191250313

Phone No. (717) 792-1800

VIN# 5MAMN482XSW084031
WH0191
Expires Mar 2025

K B S, INC.
MARC LITRENTA
PO BOX 7
THOMASVILLE, PA 17364-0007

THIS WRITTEN AUTHORIZATION MUST BE KEPT WITH THE WASTE TRANSPORTATION VEHICLE AT ALL TIMES. If lost or damaged contact DEP immediately at 717-783-9258. A replacement fee is required. Duplication or Photocopies of this original documentation are not valid.

DOCUMENT SECURITY BACKGROUND IS PRINTED IN BLUE INK ON WHITE PAPER & INCLUDES PINK THERMO-INK KEYSTONE AT RIGHT

CAUTION! REMOVE STICKERS CAREFULLY.

Applied stickers take 24 hours to reach full tack

0191250313

TRAILER

WH0191

EXP MAR 2025

VIN 5MAMN482XSW084031

PA WTSP

DEP-S25B

APPLICATION INSTRUCTIONS

1. Clean Surface To Which Sticker Will be Applied of Dirt, Grease or Oily Substances.
2. Remove Sticker From Carrier Sheet.
3. Position Sticker, Then Press Firmly Until Tightly Affixed To Surface.

0191250313

TRAILER

WH0191

EXP MAR 2025

VIN 5MAMN482XSW084031

PA WTSP

DEP-S25B

PEEL HERE

PEEL HERE



CERTIFICATE OF LIABILITY INSURANCE

DATE(MM/DD/YYYY)
03/26/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Aon Risk Services Central, Inc. Chicago IL Office 200 East Randolph Chicago IL 60601 USA	CONTACT NAME: PHONE (A/C. No. Ext): (866) 283-7122 FAX (A/C. No.): (800) 363-0105		
	E-MAIL ADDRESS:		
INSURED KBS, Inc. 4924 Lincoln Hwy W Thomasville PA 17364-9525 USA	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: Zurich American Ins Co		16535
	INSURER B: Lloyd's Syndicate No. 2987		AA1128987
	INSURER C:		
	INSURER D:		
	INSURER E:		

Holder Identifier :

COVERAGES **CERTIFICATE NUMBER:** 570104638242 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS. **Limits shown are as requested**

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			GL0348682719	04/01/2024	04/01/2025	EACH OCCURRENCE \$2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$500,000 MED EXP (Any one person) \$10,000 PERSONAL & ADV INJURY \$2,000,000 GENERAL AGGREGATE \$4,000,000 PRODUCTS - COMP/OP AGG \$4,000,000
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY			TRK 3486826-19	04/01/2024	04/01/2025	COMBINED SINGLE LIMIT (Ea accident) \$2,000,000 BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION			SCT1330724	04/01/2024	04/01/2025	EACH OCCURRENCE \$2,000,000 AGGREGATE \$2,000,000
A	<input checked="" type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR / PARTNER / EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		Y / N <input checked="" type="checkbox"/> N <input type="checkbox"/> N / A	WC348682819	04/01/2024	04/01/2025	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE-EA EMPLOYEE \$1,000,000 E.L. DISEASE-POLICY LIMIT \$1,000,000

Certificate No : 570104638242

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER State of Delaware DNREC Solid & Hazardous Waste Mgmt Branch 89 Kings Highway Dover DE 19901 USA	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>Aon Risk Services Central Inc</i>
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ADDITIONAL REMARKS SCHEDULE

AGENCY Aon Risk Services Central, Inc.		NAMED INSURED KBS, Inc.	
POLICY NUMBER See Certificate Number: 570104638242			
CARRIER See Certificate Number: 570104638242	NAIC CODE	EFFECTIVE DATE:	

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,
FORM NUMBER: ACORD 25 **FORM TITLE:** Certificate of Liability Insurance

Carrier Participation

Policy #:SCT1330724
 Policy Term: 4/1/2024-4/1/2025
 Carrier Participation:
 Lloyd's Syndicate No. 2987 - 63%
 Lloyd's Syndicate No. 4711 - 30%
 Lloyd's Syndicate No. 1618 - 7%

Policy #: USXTL0590424
 Policy Term: 4/1/2024 to 4/1/2025
 Insurer: Upland Specialty Insurance Company
 Coverage: Excess Liability
 Each Occurrence : \$1,000,000
 Aggregate: \$1,000,000



CERTIFICATE OF LIABILITY INSURANCE

DATE(MM/DD/YYYY)
03/26/2024

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	E-MAIL ADDRESS:		
INSURED KBS, Inc. 4924 Lincoln Hwy W Thomasville PA 17364-9525 USA	INSURER(S) AFFORDING COVERAGE		NAIC #
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	INSURER B: Lloyd's Syndicate No. 2987		AA1128987
	INSURER C:		
	INSURER D:		
	INSURER E:		

COVERAGES **CERTIFICATE NUMBER:** 570104638241 **REVISION NUMBER:**

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INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:			GLO348682719	04/01/2024	04/01/2025	EACH OCCURRENCE \$2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$500,000 MED EXP (Any one person) \$10,000 PERSONAL & ADV INJURY \$2,000,000 GENERAL AGGREGATE \$4,000,000 PRODUCTS - COMP/OP AGG \$4,000,000
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY			TRK 3486826-19	04/01/2024	04/01/2025	COMBINED SINGLE LIMIT (Ea accident) \$2,000,000 BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION			SCT1330724	04/01/2024	04/01/2025	EACH OCCURRENCE \$2,000,000 AGGREGATE \$2,000,000
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR / PARTNER / EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below			WC348682819	04/01/2024	04/01/2025	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE-EA EMPLOYEE \$1,000,000 E.L. DISEASE-POLICY LIMIT \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER **CANCELLATION**

State of Delaware D.N.R.E.C. Hazardous Waste PO Box 1401 Dover DE 19903 USA	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>Aon Risk Services Central, Inc.</i>
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Holder Identifier :

Certificate No : 570104638241





ADDITIONAL REMARKS SCHEDULE

AGENCY Aon Risk Services Central, Inc.		NAMED INSURED KBS, Inc.	
POLICY NUMBER See Certificate Number: 570104638241			
CARRIER See Certificate Number: 570104638241	NAIC CODE	EFFECTIVE DATE:	

ADDITIONAL REMARKS

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FORM NUMBER: ACORD 25 **FORM TITLE:** Certificate of Liability Insurance

Carrier Participation

Policy #: SCT1330724
 Policy Term: 4/1/2024-4/1/2025
 Carrier Participation:
 Lloyd's Syndicate No. 2987 - 63%
 Lloyd's Syndicate No. 4711 - 30%
 Lloyd's Syndicate No. 1618 - 7%

Policy #: USXTL0590424
 Policy Term: 4/1/2024 to 4/1/2025
 Insurer: Upland Specialty Insurance Company
 Coverage: Excess Liability
 Each Occurrence : \$1,000,000
 Aggregate: \$1,000,000

USDOT Number: 246079 Date Received: _____

Please note, the expiration date as stated on this form relates to the process for renewing the Information Collection Request for this form with the Office of Management and Budget. This requirement to collect information as requested on this form does not expire. For questions, please contact the Office of Registration and Safety Information, Registration, Licensing, and Insurance Division.

A Federal Agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2126-0008. Public reporting for this collection of information is estimated to be approximately 2 minutes per response, including the time for reviewing instructions, gathering the data needed, and completing and reviewing the collection of information. All responses to this collection of information are mandatory. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, Federal Motor Carrier Safety Administration, MC-RRA, Washington, D.C. 20590.



Endorsement for Motor Carrier Policies of Insurance for Public Liability under Sections 29 and 30 of the Motor Carrier Act of 1980

FORM MCS-90

Issued to KBS, Inc. of Pennsylvania
(Motor Carrier name) *(Motor Carrier state or province)*

Dated at Schaumburg, IL on this 17th day of May, 2024

Amending Policy Number: TRK 3486826-19 Effective Date: 04/01/2024

Name of Insurance Company: Zurich American Insurance Company

Countersigned by: Susan B. Kennedy
(authorized company representative)

The policy to which this endorsement is attached provides primary or excess insurance, as indicated for the limits shown (check only one):

- This insurance is primary and the company shall not be liable for amounts in excess of \$ 1,000,000 for each accident.
- This insurance is excess and the company shall not be liable for amounts in excess of \$ _____ for each accident in excess of the underlying limit of \$ _____ for each accident.

Whenever required by the Federal Motor Carrier Safety Administration (FMCSA), the company agrees to furnish the FMCSA a duplicate of said policy and all its endorsements. The company also agrees, upon telephone request by an authorized representative of the FMCSA, to verify that the policy is in force as of a particular date. The telephone number to call is: 800-382-2150.

Cancellation of this endorsement may be effected by the company or the insured by giving (1) thirty-five (35) days notice in writing to the other party (said 35 days notice to commence from the date the notice is mailed, proof of mailing shall be sufficient proof of notice), and (2) if the insured is subject to the FMCSA's registration requirements under 49 U.S.C. 13901, by providing thirty (30) days notice to the FMCSA (said 30 days notice to commence from the date the notice is received by the FMCSA at its office in Washington, DC).

Filings must be transmitted online via the Internet at <http://www.fmcsa.dot.gov/urs>.

(continued on next page)

DEFINITIONS AS USED IN THIS ENDORSEMENT

Accident includes continuous or repeated exposure to conditions or which results in bodily injury, property damage, or environmental damage which the insured neither expected nor intended.

Motor Vehicle means a land vehicle, machine, truck, tractor, trailer, or semitrailer propelled or drawn by mechanical power and used on a highway for transporting property, or any combination thereof.

Bodily Injury means injury to the body, sickness, or disease to any person, including death resulting from any of these.

Property Damage means damage to or loss of use of tangible property.

Environmental Restoration means restitution for the loss, damage, or destruction of natural resources arising out of the accidental discharge, dispersal, release or escape into or upon the land, atmosphere, watercourse, or body of water, of any commodity transported by a motor carrier. This shall include the cost of removal and the cost of necessary measures taken to minimize or mitigate damage to human health, the natural environment, fish, shellfish, and wildlife.

Public Liability means liability for bodily injury, property damage, and environmental restoration.

The insurance policy to which this endorsement is attached provides automobile liability insurance and is amended to assure compliance by the insured, within the limits stated herein, as a motor carrier of property, with Sections 29 and 30 of the Motor Carrier Act of 1980 and the rules and regulations of the Federal Motor Carrier Safety Administration (FMCSA).

In consideration of the premium stated in the policy to which this endorsement is attached, the insurer (the company) agrees to pay, within the limits of liability described herein, any final judgment recovered against the insured for public liability resulting from negligence in the operation, maintenance or use of motor vehicles subject to the financial responsibility requirements of Sections 29 and 30 of the Motor Carrier Act of 1980 regardless of whether or not each motor vehicle is specifically described in the policy and whether or not such negligence occurs on any route or in any territory authorized to be served by the insured or elsewhere. Such insurance as is afforded, for public liability, does not apply to injury to or death of the insured's employees while engaged in the course of their employment, or property transported by the insured, designated as cargo. It is understood and agreed that no condition, provision, stipulation, or limitation contained in the policy, this endorsement, or any other endorsement thereon,

or violation thereof, shall relieve the company from liability or from the payment of any final judgment, within the limits of liability herein described, irrespective of the financial condition, insolvency or bankruptcy of the insured. However, all terms, conditions, and limitations in the policy to which the endorsement is attached shall remain in full force and effect as binding between the insured and the company. The insured agrees to reimburse the company for any payment made by the company on account of any accident, claim, or suit involving a breach of the terms of the policy, and for any payment that the company would not have been obligated to make under the provisions of the policy except for the agreement contained in this endorsement.

It is further understood and agreed that, upon failure of the company to pay any final judgment recovered against the insured as provided herein, the judgment creditor may maintain an action in any court of competent jurisdiction against the company to compel such payment.

The limits of the company's liability for the amounts prescribed in this endorsement apply separately to each accident and any payment under the policy because of anyone accident shall not operate to reduce the liability of the company for the payment of final judgments resulting from any other accident.

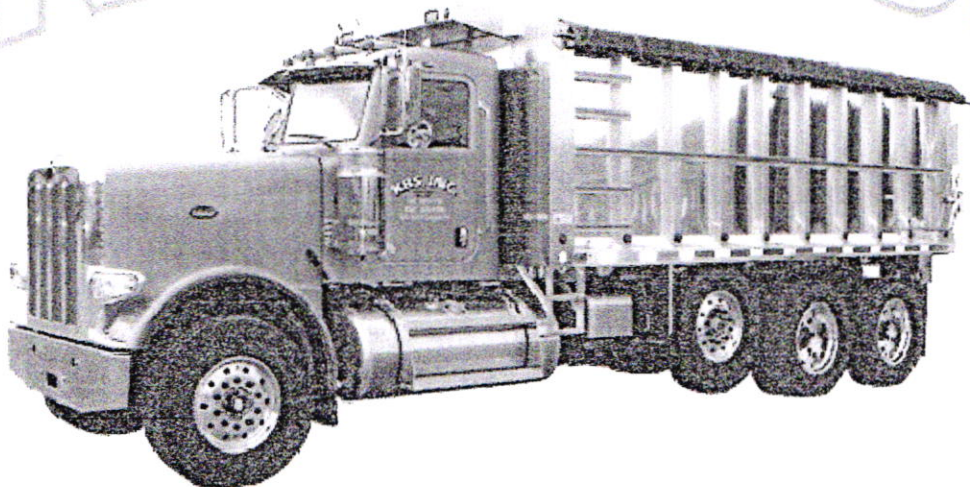
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SCHEDULE OF LIMITS — PUBLIC LIABILITY
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Type of carriage	Commodity transported	January 1, 1985
(1) For-hire (in interstate or foreign commerce, with a gross vehicle weight rating of 10,001 or more pounds).	Property (nonhazardous)	\$750,000
(2) For-hire and Private (in interstate, foreign, or intrastate commerce, with a gross vehicle weight rating of 10,001 or more pounds).	Hazardous substances, as defined in <u>49 CFR 171.8</u> , transported in cargo tanks, portable tanks, or hopper-type vehicles with capacities in excess of 3,500 water gallons; or in bulk Division 1.1, 1.2, and 1.3 materials, Division 2.3, Hazard Zone A, or Division 6.1, Packing Group I, Hazard Zone A material; in bulk Division 2.1 or 2.2; or highway route controlled quantities of a Class 7 material, as defined in <u>49 CFR 173.403</u> .	\$5,000,000
(3) For-hire and Private (in interstate or foreign commerce, in any quantity; or in intrastate commerce, in bulk only; with a gross vehicle weight rating of 10,001 or more pounds).	Oil listed in <u>49 CFR 172.101</u> ; hazardous waste, hazardous materials, and hazardous substances defined in <u>49 CFR 171.8</u> and listed in <u>49 CFR 172.101</u> , but not mentioned in (2) above or (4) below.	\$1,000,000
(4) For-hire and Private (In interstate or foreign commerce, with a gross vehicle weight rating of less than 10,001 pounds).	Any quantity of Division 1.1, 1.2, or 1.3 material; any quantity of a Division 2.3, Hazard Zone A, or Division 6.1, Packing Group I, Hazard Zone A material; or highway route controlled quantities of a Class 7 material as defined in <u>49 CFR 173.403</u> .	\$5,000,000

*The schedule of limits shown does not provide coverage. The limits shown in the schedule are for information purposes only.

KBS, Inc.



Dump Truck Service

***SPILL PREVENTION CONTROL
AND
COUNTERMEASURE PLAN
(SPCC)***

**DE Version
Solid or Residual Waste**

Prepared By:

**K B S Inc.
Route 30 & KBS Road
P.O. Box 7
Thomasville, PA 17364**

REV. 8/2006

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). Safety Vests
- (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). Pursuant to DOT & DEP Regulations
 - 2). Driver to do pretrip & posttrip inspections
- (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: Marc Litrenta Phone: [REDACTED]
- (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.

II. LIST OF EMERGENCY RESPONSE AGENCIES

1. Delaware Department of Natural Resources
& Environmental Control
800-662-8802 or 302-739-9401
2. Delaware State and/or Local Police and Fire Departments
Dial **911** or **0** (Operator)
3. The local/county emergency management official located in the
area of the spill.
Dial **911**

III. LIST OF EMERGENCY CO-ORDINATORS

At all times, there shall be at least one employee either on the installation's premises or on-call with the responsibility for co-coordinating all emergency response measures. The emergency co-coordinator is familiar with all aspects of the Contingency Plan, all operations and activities, the characteristics of all materials handled and the location of all records. In addition, this individual has the authority to commit the resources necessary to carry out the Contingency Plan.

In this plan, a minimum of two Emergency Co-coordinators are listed below for K B S, Inc:

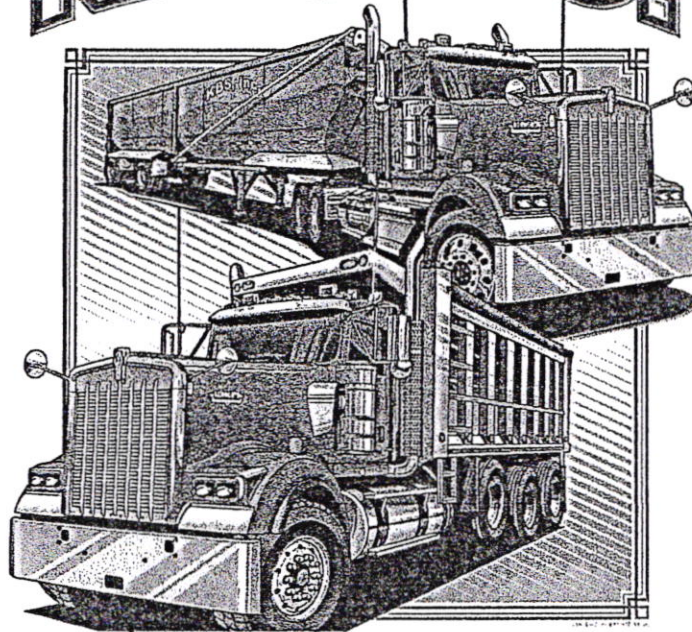
Marc Litrenta

K B S, Inc
Rt 30 & KBS Road P.O. Box 7
Thomasville, PA 17364
Work # (717) 792-1800
Cell# [REDACTED]

David Mummert

K B S, Inc
Rt 30 & KBS Road P.O. Box 7
Thomasville, PA 17364
Work # (717) 792-1800
Cell# [REDACTED]

KBS, INC.



717-792-1800
Thomasville, PA

Fleet Safety Policy

Final 2/2004
Complete Revision 2/2019
Pg 14 Record of Duty 9/2020
Pg 10 Theft of Time 1/2021
Pg 15 Record of Duty 4/2022
O:\CurrentPolicies\KBSFleetSafetyPolicy

INDEX

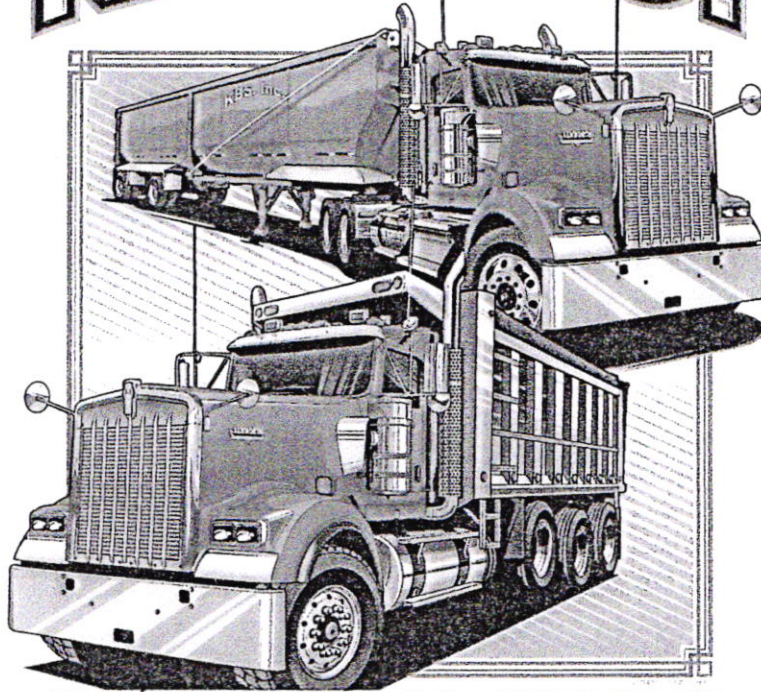
SECTION 1: POLICY

Policy	3
Scope.....	3
Responsibilities	4
Drug and Alcohol Plan Overview.....	6
Minimum Qualifications of Drivers	8
Offenses Which <u>Will</u> Cause Driver Disqualification.....	9
Offenses Which <u>May</u> Cause Driver Disqualification.....	9
Theft of Time	10
Driver Qualification File Requirements.....	11
MVR Criteria for Existing Drivers	14
HOS / Guidelines for Completing Logs	15
Drivers Vehicle Inspection Report	18
Pre/Post Trip Inspection Outline.....	19
Safe Loading	22
Cell Phone Use.....	23
Company Installed Data Collection Devices	25
Emergency Stops	26
Shop Safety Rules.....	27
Road Side Inspections.....	28
Responsibility for Citations and Fines	28
Speeding.....	29
Safe Driving Rules	30
Accident Reporting, Record-keeping and Analysis	34
Driver Responsibilities & Acknowledgment	39

SECTION 2: Accident Investigation

Accident Investigation for Preventability Guidelines and Tools	40
National Safety Council Guide	41
.....	

KBS, INC.



717-792-1800
Thomasville, PA

OPERATIONS EMPLOYEE HANDBOOK

EFFECTIVE 11/14/2022

Operations Employee Handbook Index

<u>Item</u>	<u>Page</u>
Welcome	3
Information about the Company	7
Equal Employment Opportunity	7
Our Equal Employment Statement	7
The Immigration Reform & Control Act of 1986	7
Our Harassment Statement	7
Policy Against Sexual Harassment	7
Policy Against Other Unlawful Harassment/Discrimination	8
Our Drug-Free and Alcohol Free Workplace Statement	9
Our Problem Resolution Procedure	10
Employee Physicals/Records	10
Employment Status Categories	10
Full-Time Employee Status	11
Part-Time Employee Status	11
Exempt Employee	11
Non Exempt Employee	11
Payroll Procedures and your Pay	12
Time Sheets and Payday Procedures	12
Payroll Deductions	13
Work Hours/Days	13
Overtime Pay Procedures	13
Pay Complaint/Discrepancy Procedure	14
Employee Benefits and Services	14
Benefit Plans	15
401K Pension Plan	16
Time Off with Pay Benefits	16
Family and Medical Leave	18
Time Off without Pay	20
Employee Activity and Other Benefits	20
Promotion Procedure	20
Company Facilities	20
Office/Work Facilities	20
Parking Lot and Outside Company Property	21
Bulletin Boards	21
Visitors/Security	21
Tobacco Products in the Workplace	21
Leaving Co. property during Meals and/or Breaks	21
Use of Company Vehicles	21
Standards of Conduct	22
Standards Regarding Attendance	22
Standards Regarding Personal Misconduct	22
Standards Regarding Work Performance	23
Standards Regarding Health and Safety	23
Standards Governing Solicitation and Distribution of Literature	24
Corrective Action Procedure	24

Corrective Actions for Preventable Accidents	
Injuries and Safety Violations & Meetings	25
Employee Relationships	25
Absenteeism, Tardiness and Leave Early	25
Absenteeism	26
Tardiness	27
Leave Early	27
No Call No Show	27
Personal Protective Equipment	28
What's Expected from You	28
Information/Status Changes	28
General Safety Rules	28
Leaving the Company	30
Electronic Communication/Social Media & Internet	30
Use of Personal Cell Phones	34
Work Cancellation	34
Dress Standard	34
Employee Purchases	34
Decrease in Business Demand	34
Gifts and Gratuities	35
No Work Available	35
Performance Appraisal Policy	35
NOTES	36
Employee Acknowledgment	37

K B S, Inc. DRIVERS

10/1/2024

Name	Operator #	State	CLASS
Baragano-Valladares, Osvaldo	32-665-821	PA	A
Bayrakter, Rustam	33-483-935	PA	A
Becker, Michael R.	22-638-905	PA	B
Becker, Noah J.	34-075-130	PA	A
Burns, Avin	22-567-844	PA	A
Colon-Gonzalez, Jefry	31-250-460	PA	A
Cramer, Kirk E.	28-696-525	PA	A
Diaz-Castillo, Jorge	31-061-241	PA	A
Diaz-Colon, Melvin	34-481-702	PA	A
Erb Jr, Robert S.	20-718-094	PA	A
Eshelman, Sherman L.	23-220-472	PA	A
Gaither Jr, Charles E	29-235-318	PA	A
Gemmill, Eric W.	23-504-958	PA	A
Giblin, Perry E.	27-621-080	PA	B
Graeff, David E.	18-921-386	PA	A
Howell, John R.	24-008-324	PA	A
Johns, Kevin T	25-465-095	PA	A
Kuhn, Michael J.	20-365-875	PA	B
Marshall, John H.	24-669-141	PA	B
Mercado-Roman, Christian D.	32-609-221	PA	A
Miller, Kristin L.	21-828-452	PA	A
Moore, David A	21-984-622	PA	A
Nunez-De La Cruz, Carlos N.	30-805-619	PA	A
Pena-Cruz, Lexson D.	012816572	LA	A
Perez-Rios, Roberto	35-097-294	PA	A
Picado-Garcia, Cesar E.	35-051-581	PA	A
Piedra, Juan C.	22-761-987	PA	A
Santiago-Manfredi, Leonardo	31-658-142	PA	A
Scrivens, Andrew B.	19-185-388	PA	A
Silva Colon, Rafael	26-144-963	PA	A
Stough Sr, Richard A.	19-719-690	PA	B
Wise, Michael J.	15-625-450	PA	B
Witter I, Bruce E.	20-486-804	PA	A

Yr	PA	PA Reg	MD	MD Reg	GV WT					
Unit#	Mfg	Make	Model	Desc.	S/N	Plate #	Exp Date	Plate #	Exp Date	GV Combo WT
27	17	Peterbilt	389	Tractor	1XPXD49X4HD435391	AH37531	5/31/2025			80000
2501	25	Peterbilt	567	Tractor	1XPCD49X5SD736287	AH44124	5/31/2024			80000
2502	25	Peterbilt	567	Tractor	1XPCD49X7SD736288	AH44927	5/31/2024			80000
2503	25	Kenworth	T880	Tractor	3WKZD49X7SF165942					80000
2504	25	Kenworth	T880	Tractor	3WKZD49X9SF165943					80000
2505	25	Peterbilt	567	Tractor	1XPCD49X7SD748408					80000
2506	25	Peterbilt	567	Tractor	1XPCD49X9SD748409					80000
2507	25	Peterbilt	567	Tractor						80000
2508	25	Peterbilt	567	Tractor						80000
2550	25	Peterbilt	567	Triaxle Dump	1NPCX4EXXSD736289	AH13365	6/30/2025	E54948D	1/31/2025	73280
2551	25	Peterbilt	567	Triaxle Dump	1NPCX4EX6SD736290	AG93009	6/30/2025	E54946D	1/31/2025	73280
2552	25	Peterbilt	567	Triaxle Dump	1NPCX4EX8SD736291	AG94386	6/30/2025	E54947D	1/31/2025	73280
2553	25	Peterbilt	567	Triaxle Dump	1NPCX4EXXSD736292	AH44931	6/30/2025	E52231D	6/30/2025	73280
61	20	Kenworth	W900L	Triaxle Dump	1NKWX4TX1LR392832	AG25822	6/30/2025	E44193D	4/30/2025	73280
62	20	Kenworth	W900L	Triaxle Dump	1NKWX4TX3LR392833	AG99811	6/30/2025	E52229D	6/30/2025	73280
63	20	Kenworth	T800B	Triaxle Dump (steel)	1NKDX4TX6LR392834	AF72089	6/30/2025	E55198D	4/30/2025	73280
64	20	Kenworth	T800B	Triaxle Dump	1NKDX4TX8LR392835	AF67581	6/30/2025	E64465D	4/30/2025	73280
65	20	Kenworth	T800B	Triaxle Dump	1NKDX4TXLR392836	AF79671	6/30/2025	E61603D	5/31/2025	73280
66	22	Kenworth	T800B	Triaxle Dump	1NKDX4TXNR470230	AG99807	6/30/2025	E50297D	5/31/2025	73280
67	22	Kenworth	T800B	Triaxle Dump	1NKDX4TX1NR470231	AH13366	6/30/2025	E54871D	3/31/2025	73280
68	22	Kenworth	T800B	Triaxle Dump	1NKDX4TX3NR470232	AF64962	6/30/2025	E52210D	4/30/2025	73280
69	23	Kenworth	T800B	Triaxle Dump	3BKDX4TX4PF254776	AG99808	6/30/2025	E52209D	4/30/2025	73280
70	24	Kenworth	T800B	Triaxle Dump	3BKDX4TX9RF261452	AH26632	6/30/2025	E65596D	8/31/2024	73280
71	24	Peterbilt	367	Triaxle Dump	1NPTX4EX0RD897034	AH44932	6/30/2025	E55005D	6/30/2025	73280
72	24	Peterbilt	367	Triaxle Dump	1NPTX4EX2RD897035	AE76695	6/30/2025	E54949D	1/31/2025	73280
73	24	Peterbilt	367	Triaxle Dump	1NPTX4EX4RD897036	AF47780	6/30/2025	E70715D	4/30/2025	73280
74	24	Kenworth	T800B	Triaxle Dump	1NKDX4TX0RR326918	AH26633	6/30/2025	E54230D	3/31/2025	73280
75	24	Kenworth	T800B	Triaxle Dump	1NKDX4TX2RR326919	AG25823	6/30/2025	E54872D	3/31/2025	73280
76	24	Kenworth	T800B	Triaxle Dump	1NKDX4TX7RR345644	AG99810	6/30/2025	E68234D	8/31/2024	73280
80	21	Kenworth	T800	Tractor	3WKDD49X0MF435249	AH44929	5/31/2025			80000
81	21	Kenworth	T800	Tractor	3WKDD49X7MF435250	AG38498	5/31/2025			80000
82	21	Kenworth	W900	Tractor	1XKWD49X0MR435273	AH13368	5/31/2025			80000
83	21	Kenworth	W900	Tractor	1XKWD49X2MR435274	AG56418	5/31/2025			80000
84	21	Kenworth	W900	Tractor	1XKWD49X4MR435275	AG28689	5/31/2025			80000
85	22	Kenworth	T800	Tractor	1XKDD49X8NR470233	AH37533	5/31/2025			80000
86	22	Kenworth	T800	Tractor	1XKDD49XNR470234	AH44930	5/31/2025			80000
87	22	Kenworth	T800	Tractor	1XKDD49X1NR470235	AH13369	5/31/2025			80000
90	19	Kenworth	T800	Tractor	1XKDD49X2KJ223140	AG44376	5/31/2025			80000
91	19	Kenworth	T800	Tractor	1XKDD49X4KJ223141	AG34729	5/31/2025			80000
92	19	Kenworth	W900	Tractor	1XKWD49X8KJ222776	AH44926	5/31/2025			80000
93	19	Kenworth	W900	Tractor	1XKWD49XXKJ222777	AH37532	5/31/2025			80000
96	19	Peterbilt	389	Tractor	1XPXD49X3KD269808	AH13367	5/31/2025			80000
97	20	Kenworth	W900	Tractor	1XKWD49X0LR403650	AG90600	5/31/2025			80000

K B S, Inc. Equipment List (Trailers) 1/30/2023

Unit#	Yr Mfg	Make	Desc.	S/N	PA Plate #
T-1	07	MAC	Walking Floor	5MAMN45267C013955	PT70584
T-2	07	MAC	Walking Floor	5MAMN45227C013953	PT70583
T-3	05	East	Walking Floor	1E1U1X2845RA36020	PT691C8
T-4	04	MAC	Walking Floor	5MAMN48214C007522	PT116F5
T-5	06	East	Walking Floor	1E1U1Y2826RC37695	PT4179M
T-6	06	East	Walking Floor	1E1U1Y2856RC38856	PT4183M
T-7	15	East	Walking Floor	1E1U2Z284FR051883	PT690C2
T-9	07	MAC	Walking Floor	5MAMN452X7C013960	PT2835X
T-10	03	SPECTOR	Push Out/ Compactor T	1S9EA45243S188526	PT6757M
T-11	04	MAC	Walking Floor	5MAMN48204C007527	PT963B0
T-12	03	East	Walking Floor	1E1U1Y3863RH32475	PT8522V
T-13	06	Titan	Walking Floor	2K9WF1L286H035196	PT1597V
T-14	23	MAC	Walking Floor	5MAMN4822PW066579	PT8328S
T-15	09	Kruz	Steel Dump Trailer	1K9SD40229K226751	PT1234M
T-16	23	MAC	Walking Floor	5MAMN4829PW066580	PT8717V
T-17	08	East	Walking Floor	1E1U1Y28X8RC38676	PT1473P
T-18	08	East	Walking Floor	1E1U2Y2808RJ40525	PT1474P
T-19	12	Kruz	Steel Dump Trailer	1K9SD4023CK226992	PT8411P
T-22	14	Superior	Steel Dump Trailer	1S9DS3922EE573016	PT069R5
T-23	14	Superior	Steel Dump Trailer	1S9DS3924EE573017	PT1540X
T-24	15	Superior	Steel Dump Trailer	1S9DS3928FE573037	PT738N0
T-25	15	Superior	Steel Dump Trailer	1S9DS392XFE573038	PT4675Y
T-28	18	East	Walking Floor	1E1U2Y283JR061341	PT971C1
T-29	18	East	Walking Floor	1E1U2Y285JR061342	PT971C2
T-30	14	Titan	Walking Floor	2TVWF1Z26ED000156	PT530P0
T-31	14	Titan	Walking Floor	2TVWF1Z2XED000466	PT530P1
T-32	14	MAC	Walking Floor	5MAMN5325EC028209	PT9591Z
T-33	11	MAC	Walking Floor	5MAMN5321BC020491	PT162B2
T-34	16	MAC	Walking Floor	5MAMN4824GC035061	PT001C2
T-35	15	East	Dump Trailer	1E1F9U280FR052018	PT006M6
T-36	15	East	Dump Trailer	1E1F9U282FR052019	PT006M7
T-37	15	East	Dump Trailer	1E1F9U289FR052020	PT006M8
T-38	15	East	Dump Trailer	1E1F9U289FR053071	PT7592R
T-39	16	MAC	Dump Trailer	5MADN4023GC034821	PT7593R
T-69	01	JMH	Steel Dump Trailer	1J9BH382211070348	XN83080
T-73	04	East	Dump Trailer	1E1D2U2874RD34605	XZ38725
T-74	05	Benson	Dump Trailer	5DMDAAMB85M000307	XZ38779
T-75	06	Kruz	Dump Trailer	1K9SD40266K226229	PT9964V
T-76	07	Kruz	Dump Trailer	1K9SD40297K226405	PT699G4
T-77	07	Kruz	Dump Trailer	1K9SD40207K226406	PT530P2
T-78	07	Kruz	Dump Trailer	1K9SD40227K226407	PT077S1
T-80	02	Garden State	Container Chassis	48ZGC40272W002690	PT2327R
T-81	02	Garden State	Container Chassis	48ZGC40262W002454	PT2328R
T-86	88	Hyundai	Container Chassis	145X412S6JL110475	PT530P3
T-89	14	Cheetah	Container Chassis	5EF2GC406EB781219	PT1543X
T-90	14	Cheetah	Container Chassis	5EF2GC402EB781220	PT1544X
T-91	15	Cheetah	Container Chassis	5EF2GC402FB781686	PT6848X
T-92	15	Cheetah	Container Chassis	5EF2GC404FB781687	PT6847X
T-93	16	Cheetah	Container Chassis	5EF2GC40XGB784031	PT9504Z
T-94	16	Cheetah	Container Chassis	5EF2GC409GB785347	PT307C4
T-95	16	Cheetah	Container Chassis	5EF2GC402GB785349	PT307C5
T-96	17	Cheetah	Container Chassis	5EF2GC404HB786116	PT733C9
T-97	17	Cheetah	Container Chassis	5EF2GC406HB786117	PT734C0
T-98	19	Cheetah	Container Chassis	5EF2GC403KB791105	PT183H7
T-99	19	Cheetah	Container Chassis	5EF2GC403KB791119	PT183H8
T-100	22	Dorsey	Container Chassis	5JYSC4025NPC23906	PT324N8
T-101	22	Dorsey	Container Chassis	5JYSC4027NPC23907	PT324N9

Davis, DaQuan (DNREC)

From: Davis, DaQuan (DNREC) on behalf of WHStruckers
Sent: Tuesday, October 15, 2024 3:15 PM
To: april@kbstrucking.com
Subject: RE: Missing Information on Delaware Solid Waste Transporter Application

Categories: Egress Switch: Unprotected

That was a notification that your permit expired. Also, no further info is needed.



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: april@kbstrucking.com <april@kbstrucking.com>
Sent: Tuesday, October 15, 2024 2:55 PM
To: WHStruckers <WHStruckers@delaware.gov>
Subject: RE: Missing Information on Delaware Solid Waste Transporter Application

Good afternoon.

I just received a certified letter re: the waste permit. Can you tell me if we are we good to go at this point or do you need more information?

April

From: april@kbstrucking.com <april@kbstrucking.com>
Sent: Monday, October 14, 2024 11:02 AM
To: 'WHStruckers' <WHStruckers@delaware.gov>
Subject: RE: Missing Information on Delaware Solid Waste Transporter Application

Good morning.

Please take a look at the attached documents and let me know if everything looks ok.

Thanks.

April

From: Davis, DaQuan (DNREC) <daquan.davis@delaware.gov> **On Behalf Of** WHStranporters
Sent: Wednesday, October 9, 2024 3:19 PM
To: april@kbstrucking.com
Subject: RE: Missing Information on Delaware Solid Waste Transporter Application

Great. I appreciate it.



DaQuan L. Davis

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From: april@kbstrucking.com <april@kbstrucking.com>
Sent: Tuesday, October 8, 2024 10:08 AM
To: WHStranporters <WHStranporters@delaware.gov>
Subject: RE: Missing Information on Delaware Solid Waste Transporter Application

Thanks. We'll take care of it.

From: Davis, DaQuan (DNREC) <daquan.davis@delaware.gov> **On Behalf Of** WHStranporters
Sent: Tuesday, October 8, 2024 9:49 AM
To: april@kbstrucking.com
Subject: RE: Missing Information on Delaware Solid Waste Transporter Application

Hi Ms. Annas,

Thank you for submitting a 24 hr emergency phone # and checking off out-of-state TSDFs. Please address the items listed below:

- Section 12- **We included the front page and table of contents of the spill prevention control and countermeasure plan, the fleet safety policy, and the operations employee handbook *as we have in years past for permit renewals*. Has something changed requiring each document to be sent in its entirety?**

The Driving Program does not include all the requirements please view the requirements below and add them to your driver training.

(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.

- Section 13- **I looked again and I see all of this information listed on the last 2 pages of the document so I'm not sure what is missing here.** Send the documents again. Both vehicle lists do not have an ownership category. The vehicle list with KBS., Inc. Equipment list is also missing the manufacturer GVWR and models. On the other vehicle list units 2503, 2504, 2505, and 2506 are missing license plate numbers, and units 2507 and 2508 Vin# and license plate #.
- Section 16- **The owner is not always available to sign; we had Julie Davis who is our controller and a corporate officer sign in his place as instructed. Do you need to see some sort of document that states she is a corporate officer for the company?** Julie Davis is not; listed as a corporate officer in the application. Please provide a list of all your corporate officers must provide mailing addresses, date of birth, and titles.

Please provide the information requested above via e-mail within five (5) days.

Thank you,
DaQuan Davis



DaQuan L. Davis

Environmental Scientist I

Division of Waste and Hazardous Substances

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From: april@kbstrucking.com <april@kbstrucking.com>

Sent: Friday, October 4, 2024 4:00 PM

To: WHStranporters <WHStranporters@delaware.gov>

Cc: marc@kbstrucking.com

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

With regard to Section 8 – I checked the box for out of state TSDf's and attached the revised page. The list of out of state waste facilities that we utilize on a regular basis was previously included with the packed (page 9 of the document).

From: april@kbstrucking.com <april@kbstrucking.com>

Sent: Friday, October 4, 2024 2:58 PM

To: 'WHStranporters' <WHStranporters@delaware.gov>

Cc: marc@kbstrucking.com

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

Good afternoon. Please see below. I've included our safety director for assistance as well.

---Marc I've attached a copy of everything that was mailed for your convenience. Let me know if you see what I'm missing.---

From: Davis, DaQuan (DNREC) <daquan.davis@delaware.gov> **On Behalf Of** WHStranporters

Sent: Friday, October 4, 2024 2:26 PM

To: April@KBSTrucking.com

Subject: Missing Information on Delaware Solid Waste Transporter Application

Hi Ms. Annas,

Thank you for submitting your application to renew your Delaware solid waste transporter permit. Upon review, I have found that some information is missing or needs to be updated. Please address the items listed below:

- Section 3- Please provide your company information.
 - 24hr emergency number – **717-916-7983**
- Section 8- Please check that you have out-of-state TSDFs. – **Marc please assist**
- Section 12- You did not provide a written driver training program. Please review section 12 of the application and provide driver training. – **we included the front page and table of contents of the spill prevention control and countermeasure plan, the fleet safety policy, and the operations employee handbook as we have in years past for permit renewals. Has something changed requiring each document to be sent in its entirety?**
- Section 13- You must list the **MAKE, MODEL, YEAR, VEHICLE IDENTIFICATION NUMBER (VIN), 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 company vehicle information in an electronic format, you may submit a hard copy of the vehicle information, provided it contains all information requested above.) – **I looked again and I see all of this information listed on the last 2 pages of the document so I'm not sure what is missing here.**
- Section 16- Please have the owners sign and date the application. – **the owner is not always available to sign; we had Julie Davis who is our controller and a corporate officer sign in his place as instructed. Do you need to see some sort of document that states she is a corporate officer for the company?**

Please provide the information requested above via e-mail within five (5) days.

Thank you,
DaQuan Davis



DaQuan L. Davis

Environmental Scientist I

Division of Waste and Hazardous Substances

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KBS, INC.



717-792-1800
Thomasville, PA

Fleet Safety Policy

Final 2/2004
Complete Revision 2/2019
Pg 14 Record of Duty 9/2020
Pg 10 Theft of Time 1/2021
Pg 15 Record of Duty 4/2022
O:\CurrentPolicies\KBSFleetSafetyPolicy

INDEX

SECTION 1: POLICY

Policy.....	3
Scope.....	3
Responsibilities.....	4
Drug and Alcohol Plan Overview.....	6
Minimum Qualifications of Drivers.....	8
Offenses Which <u>Will</u> Cause Driver Disqualification.....	9
Offenses Which <u>May</u> Cause Driver Disqualification.....	9
Theft of Time.....	10
Driver Qualification File Requirements.....	11
MVR Criteria for Existing Drivers.....	14
HOS / Guidelines for Completing Logs.....	15
Drivers Vehicle Inspection Report.....	18
Pre/Post Trip Inspection Outline.....	19
Safe Loading.....	22
Cell Phone Use.....	23
Company Installed Data Collection Devices.....	25
Emergency Stops.....	26
Shop Safety Rules.....	27
Road Side Inspections.....	28
Responsibility for Citations and Fines.....	28
Speeding.....	29
Safe Driving Rules.....	30
Accident Reporting, Record-keeping and Analysis.....	34
Driver Responsibilities & Acknowledgment.....	39

SECTION 2: Accident Investigation

Accident Investigation for Preventability Guidelines and Tools.....	40
National Safety Council Guide.....	41
.....	

FLEET SAFETY POLICY

Many drivers operate company owned or company leased vehicles as part of their jobs.

K B S, Inc. recognizes the importance of fleet safety in helping to reduce or prevent motor vehicle accidents, injuries, property loss and fatalities. In accordance with the Federal Motor Carrier Safety Regulations (FMCSR), **K B S, Inc.** is committed to promoting a high level of safety awareness and responsible driving behavior in all its drivers.

The purpose of this policy is to ensure the safety of those individuals who drive company vehicles and to provide guidance on the proper use of company fleet vehicles. Vehicle accidents are costly to our company, but more importantly, they may result in injury to you or others. It is the **driver/ employee's** responsibility to operate the vehicle in a safe manner and to drive defensively to prevent accidents, injuries and property damage. As such, **K B S, Inc.** endorses all applicable Federal, State and Local motor vehicle regulations relating to driver responsibility.

K B S Inc. requires each driver / employee to drive in a safe and courteous manner pursuant to the Federal, State and Local Laws and the safety guidance/ rules outlined in this manual.

The attitude you take when behind the wheel is the single most important factor in driving safely.

This program requires the full cooperation of each driver/ employee to operate his or her vehicle safely and to adhere to the responsibilities outlined in the Federal Law, State Law, Local Law and this Fleet Safety Program.

SCOPE

All drivers of company owned or leased vehicles are required to comply with this program. The program is designed to comply with K B S, Inc.'s, Federal, State and Local requirements. The program is broken down into two components:

1. **Section one applies to all company and lease drivers operating any company owned or leased vehicles.**
2. **Section two is designed to provide tools for Accident Investigation.**

Fleet Vehicle Purpose

Company vehicles are provided to support *only* K B S, Inc.'s business activities and may *only* be used by K B S, Inc. qualified and/ or authorized drivers. They are not to be considered a part of a drivers' compensation and may not be used as an inducement for employment. In all cases, these vehicles are to be operated in strict compliance with all applicable Federal Law, State Law and Local Law as well as **K B S, Inc.'s** company policy. Company vehicles will only be operated with the utmost regard for safety, care and cost-efficient use. Company vehicles may not be used for business activities of other companies.

RESPONSIBILITIES

Management

- A. Implement the Fleet Safety Program and provide assistance and resources necessary to implement and maintain the program.
- B. Establish benchmarks to ensure compliance with the fleet safety program.
- C. Coordinate with the Safety Committee following an accident per the guidelines in this manual.

Safety Director- K B S, Inc., reserves the right to add/ remove requirements as FMCSR and company policy mandates.

- A. Investigate all accidents immediately involving a motor vehicle used in performing company business.
- B. Be responsible for taking appropriate action to manage all company and leased drivers as defined by this program.
- C. Take corrective action following traffic and/or DOT citations.
- D. Review all applicants' qualifications as defined in the driver qualification section of this manual.
- E. Complete and maintain Driver Qualification files for all new and existing company and lease drivers.
- F. Screen all company and lease driver applicants using the Driver Qualification (DQ) files. This encompasses the following:
 - a. Application for employment
 - b. Driving record checks (MVR)
 - c. Previous employer references
 - d. Road test
 - e. Physical examination for drivers
 - f. Administer Substance Abuse Program
 - g. Certificate of violations
 - h. Annual review of driving record
- G. Oversee audits of driver logs and DQ files and issue corrective action if discrepancies are noted.
- G. Report "Disqualified" or "Unqualified" drivers Dispatch and Management.
- H. Maintain and update computer files accordingly.

Dispatcher- K B S, Inc., reserves the right to add/ remove requirements as FMCSR and company policy mandates.

- A. Before instructions of any kind are given to the driver, dispatch must verify in every way possible whether or not the driver is "fit for duty". Fit for duty is verification of the following:
 - Hours of service available.
 - Driver alertness.
 - Driver's current health.
 - Qualified to drive a commercial motor vehicle.
- B. Forward original copy of all roadside inspection reports to the Safety Department
- C. List all activity information with regards to drivers, owner operators, carriers and freight/ loads in the specified computer program.

Shop Foreman- K B S, Inc., reserves the right to add/ remove requirements as FMCSR and company policy mandates.

- A. Correct all deficiencies noted on the Driver's Vehicle Inspection Report (DVIR) in a timely fashion.
- B. Verify by signature on DVIR that deficiencies have been corrected.
- C. Forward a copy of all roadside inspection reports to Safety Department.
- D. Ensure all equipment meets or exceeds the standards as described in the Federal Motor Carrier Safety Regulation.
- E. Direct all shop personnel.
- F. List all activity information with regards to company owned vehicles in the specified computer program.

Shop Mechanic/ Shop Personnel- K B S, Inc., reserves the right to add/ remove requirements as FMCSR and company policy mandates. (rev. 6/15/04)

- A. Correct all deficiencies noted on the Driver's Vehicle Inspection Report (DVIR) in a timely fashion.
- B. Verify by signature on DVIR that deficiencies have been corrected.
- C. Perform all repairs / preventative maintenance as required by defect, inspection or as per the Shop Foreman.
- D. Ensure all equipment meets or exceeds the standards as described in the Federal Motor Carrier Safety Regulations.
- E. Must possess, at a minimum, a valid drivers license.
- F. List all activity information with regards to company owned vehicles in the specified computer program.

Drivers and Transportation Service Agreement Drivers-

K B S, Inc., reserves the right to add/ remove requirements as Insurance Providers, FMCSR and company policy mandates.

- 1. Always operate a motor vehicle in a safe manner as outlined within this Fleet Safety Manual and/or as per Federal Laws/ State Laws/ Local Laws.
- 2. Maintain a valid commercial driver's license with the understanding this is a condition of employment.
- 3. Maintain vehicles according to established [Federal/ State/ Local/ Company](#) standards.
- 4. Be familiar with The Federal Motor Carrier Safety Regulations/ State Laws/ Local Laws.
- 5. Accurately complete Driver's Daily Log.
- 6. Conduct daily pre-trip and post-trip inspections.
- 7. Ensure trailer bed is clean and free of all contaminants.
- 8. Keep scheduled delivery and pick-up appointments.
- 9. Company Drivers may not refuse dispatches, load assignments or work assigned by their dispatcher or management. Refusing dispatches, assignments, work can result in immediate termination of employment.
- 10. Wear seatbelt at all times when operating any and all company owned vehicles.
- 11. Limit all cell phone usage and if usage is absolutely necessary. It must be hands free only.
- 12. Report all accidents/damages, no matter how minor, to the Safety Department immediately.
- 13. Report all injuries, no matter how minor, to the Safety Department immediately.
- 14. Report traffic violations to the Safety Department within 12 hours.
- 15. Report and submit all Roadside Inspection [results](#) to the Safety Department within 12 hours.
- 16. Comply with FMCSR Parts 382, 383, and 391 pertaining to Alcohol and Substance Testing.
- 17. All CDL drivers are required, as an ongoing condition of employment, to be up to date with the required DOT physical examination and ensure medical examiners certificate is filed with the state your CDL is issued in. For the time being, you are required to carry the certificate's medical card at all times when operating company owned or leased equipment.
- 18. Understand and Comply with all policies and procedures as set forth in this manual. Failure to adhere to all policies will be considered willful misconduct and can result in immediate termination of employment.

DRUG AND ALCOHOL POLICY OVERVIEW

[Refer to actual Policy under separate cover for details]

Policy Statement

Drug or Alcohol abuse presents safety and health risks not only for the drug user, but also for any other person in contact with or affected by that user's works. **K B S, Inc.** has a responsibility to all of its employees to provide a safe workplace and also a responsibility to the public and our customers to ensure that their safety, and trust in **K B S, Inc.** is protected.

The Purpose of the Drug and Alcohol abuse prevention plan is as follows:

- ❖ To establish and maintain a healthy and safe working environment for all employees
- ❖ To ensure to our customers the reputation of the company and its employees as good, responsible citizens
- ❖ To reduce accidental injury to person or property
- ❖ To reduce absenteeism, tardiness, and indifferent job performance
- ❖ To comply with the terms and specifications of our customers contracts

The terms, conditions, procedures and methods set forth are intended to comply with company policy, contract requirements, DOT (FHWA) 49 CFR Part 382, which requires Motor Carriers and persons who operate a Commercial Motor Vehicles, as defined in Qualifications Requirements of 49 CFR Part 382.

Testing Requirements

During your employment or lease with **K B S, Inc.** you could be subject to testing under the following work related conditions:

- ❖ Pre-Employment
- ❖ Post-Accident (all accidents: require urine drug test and breath alcohol)
- ❖ Post-Injury (all injuries: require urine drug test and breath alcohol)
- ❖ Random
- ❖ Reasonable Cause

All drug testing collections will be conducted pursuant to regulations issued by agencies of the Department of Transportation (DOT) recorded in Title 49 CFR Part 40.25

Policy Violation

Drivers, Shop Personnel and Transportation Service Agreement Drivers violating the Substance Abuse and Alcohol Policy established by **K B S, Inc.** will be subject to the appropriate disciplinary action up to and including immediate termination of employment or immediate termination of Transportation Service Agreement.

Substance Abuse & Alcohol Personnel and Services

- 1. Substance Abuse and Alcohol Program Managers** **3. National Institute on Drug Abuse (NIDA) Laboratory**

Marc D. Litrenta 717-792-1800

For collections at *Concentra/ York, PA*
Quest Diagnostics

Judy Toomey 717-792-1800

- 2. Medical Review Officers**

Dr. Stephen Kracht
855-355-7058

- 4. Employee Assistance Program (EAP)**

WellSpan
Employee Assistance Program
800-673-2514

MINIMUM QUALIFICATION REQUIREMENTS

The minimum qualification standards to be applied considering the employability of new applicants for company or Transportation Service Agreement driver positions shall be as follows:

- (1) Minimum age of 23
- (2) Minimum of 2 years recent verifiable commercial truck driving experience
- (3) Must be able to read and speak English as per Federal Motor Carrier Safety Regulations
- (4) Must be physically qualified to drive a motor vehicle in accordance with Subpart E of the Federal Motor Carrier Safety Regulations (FMCSR).
(must pass required DOT physical as required in FMCSR)
- (5) Must possess a current valid commercial motor vehicle operator's driver license from Pennsylvania (PA) or Maryland (MD).
- (6) Must have medical certification on file with Pennsylvania (PA) or Maryland (MD) in accordance with FMCSA regulations.
- (7) Must not be classified "unacceptable" following an MVR Review (see page 13 of this manual)
- (8) Must not meet the criteria for "Disqualification" per part 391.15 of the FMCSR.
- (9) The prospective Driver must have working knowledge of the FMCSR, which include Part 395 - Hours of Service for Drivers.
- (10) Must be able to pass the required road test as described in part 391.31 of the FMCSR.
- (11) Must complete the driver qualification/ orientation, which includes but is not limited to completing the necessary educational materials as required by State/ Federal regulations and other miscellaneous documents as required by **K B S, Inc.**

K B S, Inc., reserves the right to add/ remove requirements as Insurance Providers, FMCSR and company policy mandates.

OFFENSES WHICH WILL CAUSE DRIVER DISQUALIFICATION

THE COMMISSION OF ANY OF THE OFFENSES LISTED BELOW IS, AT THE DISCRETION OF THE COMPANY, CAUSE FOR IMMEDIATE DISCHARGE.

REFER TO FMCSR 391.15

1. Conviction of or forfeiture of bond or collateral for a disqualifying offense including:
 - a. operating a [commercial](#) motor vehicle under the influence of alcohol (.04 or more)
 - b. operating a [commercial](#) motor vehicle under the influence of an FMCSR controlled substance, transportation or possession of such substances.
 - c. driving under the influence of alcohol as prescribed by State law.
 - d. refusing to undergo such testing as required by any State or Jurisdiction in the enforcement of 391.15.
 - e. leaving the scene of an accident involving a commercial motor vehicle
 - f. a felony involving the use of any motor vehicle.
2. Loss of driving privilege due to revocations, suspension, withdrawal or denial of operator's license, permit or privilege.
3. Failure to pass the required physical examination and obtain the required medical examiner's certificate.
4. Failure or refusal to comply with all applicable regulations as defined in the Federal Motor Carrier Safety Regulations, [State Law](#), [Local law](#) or [company policy](#).
5. Failure to comply with the K B S, Inc. Alcohol and Substance Abuse Policy.
6. [Any](#) refusal to work or carry out assigned work.

OFFENSES WHICH MAY CAUSE DRIVER DISQUALIFICATION

THE COMMISSION OF ANY OF THE OFFENSES LISTED BELOW IS, AT THE DISCRETION OF THE COMPANY, CAUSE FOR IMMEDIATE DISCHARGE.

1. Falsification of records or reports.
2. Engaging in any activity that constitutes a violation of the company's policies relating to conflicts of interest, business ethics or antitrust laws.
3. Willful failure to carry out instructions.
4. Possession of weapons, alcohol, drugs, or other nonprescription substances on company time or property.
5. Reporting for or being at work in an unfit condition, including being under the influence of intoxicants, narcotics or drugs.
6. Violation of safety rules and practices.
7. Committing a crime on company time or property or committing a crime anywhere at any time, which is punishable by imprisonment.
8. Abusive language of an insulting or derogatory nature including demeaning terms relating to race, color, national origin, religion or sex.
9. Fighting on company, agents or customer's property.
10. Engaging in conduct, which violates common decency or morality.
11. Driving under the influence of alcohol or drugs.
12. Guilty Plea for driving under the influence of alcohol or drugs.

EMPLOYEE TIME THEFT

Someone who wastes time during scheduled work hours, spends unjustified time sitting at a location not working, makes un-necessary stops, takes routes that are longer, prolongs simple tasks, and so on...

is committing THEFT ?

**KBS vehicle data collection technologies has established a growing issue with time theft from driver employees. Theft/ Stealing Time WILL result in job loss. Please note the following sections in the KBS Operations Handbook you were issued:
Section 14.2 a., b., q.; Section 14.3 a., b., c.**

K B S, Inc., reserves the right to add/ remove requirements as Insurance Providers, FMCSR and company policy mandates.

DRIVER QUALIFICATION FILE MINIMUM REQUIREMENTS

K B S, Inc., at a minimum, requires that *all* company and Transportation Service Agreement drivers meet these qualifications.

- A. **Application for employment** (391.21): all driver candidates must complete the DOT application and sign it. The I-9 Employment Eligibility Form must also be completed by all company drivers.
- B. **Commercial Driver's License (CDL)** (383): The applicant must present the CDL to Safety Director.
 - 1. A copy of the CDL, Social Security Card, and the Physical Card/ Long Form must be placed in the qualification file.
 - 2. Certification of compliance with driver license requirements must be completed.
- C. **Driver's Road Test** (391.31): The Road Test is a very important element of the qualification process. **A Road test is required by K B S, Inc., FOR ALL NEW DRIVERS.** This is the time to note the applicant's driving ability for the employment decision or for additional training if they are hired.
 - 1. The "road test" form must be completed and placed in the driver file.
- D. **Reference Checks** (391.23): In making a thorough background check, an inquiry must be made into the applicant's past three years of employment. However, it may be necessary to go beyond the 3 years to get enough data to make a decision. While 3 years is the DOT standard for references, it is not the minimum requirement for **K B S, Inc.** The Safety Director will investigate 10 years or more to develop the history of the applicant.
 - 1. Effective January 1, 1995, employers must obtain written verification from previous employer(s) any controlled substance test results for the past two years. The company must have a written record of the employment reference, inquiry and response.
- E. **Motor Vehicle Record (MVR) Check** (391.23): The Federal Law also requires that the MVR must be checked for the past 3 years for every state where the applicant had a license. The MVR check must be complete before the applicant is hired or contractor is dispatched as per **K B S, Inc.** policy; however, Federal Law requires the check to be completed within 30 days after the driver is employed.

Below is the adopted review criteria for driver applicants:

- 1. **Must possess a minimum Class B valid Commercial Drivers License for Triaxle driver applicants. Must possess a minimum Class A valid Commercial Drivers License for Tractor-Trailer driver applicants. Minimum 2 years verifiable experience operating commercial motor vehicles.**
- 2. **Three (3) or more minor moving violations within the preceding 36 months will be considered unacceptable.**
- 3. **One (1) or more serious moving violations within the preceding 12 months will require review and acceptance by management.**
- 4. **One (1) at fault / preventable accident within the preceding 12 months will require review and acceptance by management.**
- 5. **Two (2) at fault / preventable accidents within the preceding 36 months are unacceptable.**
- 6. **Any Driving Under the Influence of Alcohol and/or Drugs conviction within the preceding 60 months (5 years) is unacceptable.**
- 7. **Any of the following violations during any period will be considered unacceptable: hit and run accident charge; reckless driving; speed contest; operating during a suspension period; failure to report an accident; negligent homicide arising out of the use of a motor vehicle.**

- F. **Physical Examination (391.43) and Drug Screen (391.81):** All drivers of commercial vehicles and applicants must pass a DOT physical and drug screen. Unless certain medical problems become evident, the medical certificate is good for a 2-year period.
1. Each driver applicant must complete and pass a DOT Exam and DOT drug screen regardless of the period of time since their last exam and drug test.
 2. The examination must be completed by a qualified examiner at a facility designated by **K B S, Inc.**
 3. A signed Medical Examiners Certificate and copy of the Medical Examination Pocket Card will be filed in the driver's qualification file.
 4. The original of the Medical Examiners Certificate Pocket Card will be issued to the driver. The driver must present a copy of the Medical Examiners Certificate Pocket Card to the state entity that issued the CDL. The driver is to carry the Medical Examiners Certificate Pocket Card at all times when operating company owned or leased vehicles.
- G. **Other Qualification Standards and Procedures:** Driver applicants are given the Drug/Alcohol Abuse Policy. **K B S, Inc.** shall ensure that each driver is required to sign a statement certifying that he or she has received a copy a policy on the misuse of alcohol and use of controlled substances. **K B S, Inc.** shall maintain the original of the signed certificate and may provide a copy of the certificate to the driver.
1. Management's review of the driver applicant file must be completed before a job offer is extended. All forms listed on the Driver Qualification File Summary must be completed and included.
 2. Driver's data sheet (391.8) certifies the driver's duty time for the 7 days immediately preceding their work for **K B S, Inc.** A copy of this form is placed in the qualification file.
 3. Certificate of Violations (391.27) must be completed by every driver applicant, certifying a list of traffic violations for the past 12 months. **K B S, Inc.** updates this list at least annually. A copy of this form is to be placed in the qualification file.
- H. **Other Documents:** Other documents as required by **KBS, Inc.** policy and procedures.

K B S, Inc., reserves the right to add/ remove requirements as Insurance Providers, FMCSR and company policy mandates.

§391.51 General Requirements for Driver Qualification Files

(a) Each motor carrier shall maintain a driver qualification file for each driver it employs. A driver's qualification file may be combined with his/her personnel file.

(b) The qualification file for a driver must include:

(b)(1) The driver's application for employment completed in accordance with [Sec. 391.21](#);

(b)(2) A written record with respect to each past employer who was contacted and a copy of the response by each State agency, pursuant to [Sec. 391.23](#) involving investigation and inquiries;

(b)(3) The certificate of driver's road test issued to the driver pursuant to [Sec. 391.31\(e\)](#), or a copy of the license or certificate which the motor carrier accepted as equivalent to the driver's road test pursuant to [Sec. 391.33](#);

(b)(4) The response of each State agency to the annual driver record inquiry required by [Sec. 391.25\(a\)](#);

(b)(5) A note relating to the annual review of the driver's driving record as required by [Sec. 391.25\(c\)\(2\)](#);

(b)(6) A list or certificate relating to violations of motor vehicle laws and ordinances required by [Sec. 391.27](#);

(b)(7) The medical examiner's certificate of his/her physical qualification to drive a commercial motor vehicle as required by [Sec. 391.43\(f\)](#) or a legible photographic copy of the certificate; and

(b)(8) A letter from the Regional Director of Motor Carriers granting a waiver of a physical disqualification, if a waiver was issued under [Sec. 391.49](#).

(c) Except as provided in [paragraph \(d\)](#) of this section, each driver's qualification file shall be retained for as long as a driver is employed by that motor carrier and for three years thereafter.

(d) The following records may be removed from a driver's qualification file three years after the date of execution:

(d)(1) The response of each State agency to the annual driver record inquiry required by [Sec. 391.25\(a\)](#);

(d)(2) The note relating to the annual review of the driver's driving record as required by [Sec. 391.25\(c\)\(2\)](#);

(d)(3) The list or certificate relating to violations of motor vehicle laws and ordinances required by [Sec. 391.27](#);

(d)(4) The medical examiner's certificate of the driver's physical qualification to drive a commercial motor vehicle or the photographic copy of the certificate as required by [Sec. 391.43\(f\)](#); and

(d)(5) The letter issued under [Sec. 391.49](#) granting a waiver of a physical disqualification

MVR REVIEW CRITERIA FOR EXISTING DRIVERS

- A. This is the grading system for the evaluation of MVR's for all existing drivers. The driving history that will be reviewed is for the most recent 3-year period. There are three classifications of drivers.
- B. Review for all existing drivers will be conducted **annually** and as required by **K B S, Inc.**
- C. Drivers are required to report any and all violations *immediately* or as soon as practicable to the Safety Director.

CLASSIFICATION

- I. **Acceptable**
No Violations on MVR
May operate company owned and leased vehicles for which approved.
- II. **Probation**
4-6 Points on MVR;
and/or one at fault accident within the past 36 months
and/or one or more serious moving violations within the past 12 months
and/or three or more minor moving violations within the past 36 months.
May only operate company owned or leased vehicles if management review permits. Said driver may be subjected to disciplinary action up to and including *immediate* termination of employment or termination of the Transportation Service Agreement.
- III. **Unacceptable**
License Suspension / Revocation or Other;
and/or two or more at fault accidents within the previous 36 month period;
and/or any single conviction of Driving Under the Influence of Alcohol and/or Drugs with in the previous 12 months.
The Driver is not permitted to drive any company owned or leased commercial vehicles as per company policy and/or Federal Regulations. Any employee, employee driver or TSA driver in this category may be subjected to immediate termination of employment or termination of the Transportation Service Agreement.

K B S, Inc., reserves the right to add/ remove requirements as Insurance Providers, FMCSR and company policy mandates.

DRIVER'S DAILY LOG / EXEMPTION LOG

Every driver must comply with federal regulations regarding the maintenance of duty status records and hours of service. Duty status records must be kept current with each change of duty status.

RECORD OF DUTY STATUS (RODS) 9/29/2020 (KBS update 4/25/2022)
<p><u>Electronic Logging Device (ELD) -</u> 7 day 60 hour week <u>OR</u> 8 day 70 hour week *NEW HRS OPTION for KBS TRACTOR TRAILER DRIVERS* 34 hour re-set up to 11 hours daily driving up to 14 hour work day 30 min break (mandatory) on or before 8th hour of <u>DRIVING</u> (30 min break may be logged "<u>on duty, not driving</u>", "<u>off-duty</u>" or "<u>sleeper birth</u>") 10 hours off duty (ALL KBS tractor trailer drivers will lose "short haul exemption") (KBS typically operates within 150 air miles of KBS home terminal)</p>
<p><u>Exempt Log- Time Sheet (paper time sheet)</u> operates within <u>150</u> air-miles of KBS (KBS Traixles and some KBS Tractors) 7 day 60 hour week 34 hour re-set up to 11 hours daily driving up to 14 hour work day 10 hours off duty (may go out of 150 air mile no more than 7 days in a rolling 30 day period- requires line log for these days) (16 hour work day exemption 1 once week- requires line/ graph log for day)</p>

CONTENT ON LOGS

- G. Date – current date
- H. Vehicle Numbers – list tractor and trailer numbers. Multiple units must be listed if you were in more than one tractor or pulled more than one trailer during your 24 hour period.
- I. Mileage – Must be listed on the Total Miles Driving Today line. Total mileage for 11 hour of driving is not to exceed 517 miles for any 11-hour driving period at 55mph; 627 miles at 65mph.
- J. Driver's full signature. (as it appears on your drivers' license)
- K. The shipping document number or name of shipper and commodity for all loads must be listed.
- L. Full Name of Carrier: **K B S, Inc.**
Full Main Office Address: 4924 Lincoln Highway West, PO Box 7, Thomasville, PA 17364.
Home Terminal Address: not required
- M. Line 1: Off Duty - can be used for 10-hour break. List all time not considered on-duty time.
K B S, Inc. allows meals to take place on off-duty. (See sample letter contained herein). However, this meal break and other "off duty" breaks do not permit the driver to extend the 14 hour on duty period.
- N. Line 2: Sleeper Berth - can be used for 10 hour break. Drivers taking break and logging it in the sleeper berth, must be in the sleeper. Drivers may split on duty time by using sleeper berth periods. The first period shall be no less than 2 hours, the second period must be at least 8 consecutive hours in the sleeper berth plus 2 consecutive hours either in the sleeper berth, off duty or any combination of the two.
- O. Line 3: Driving - cannot drive any longer than 11 hours without a 10 hour break (off duty and / or sleeper berth). Total for 11 hours driving time must average no more than 47 mph for trucks operating in posted 55 mph zones. For trucks operating in 65 mph zone the maximum allowable speed is 57 mph. (based on FMCSA interpretation)
- P. Line 4: On Duty - time for loading, unloading, daily inspections, DOT inspection, PUC inspection, accidents, safety meetings, fueling, etc...any and all time on duty not driving.
- Q. Your total hours of lines 1 through 4 when added together must equal 24 hours.
- R. Location / Remarks - The name of the city, town or village, with the state abbreviation where each change of duty status occurs shall be recorded. List all Bills of Lading or Manifest Numbers or Shipper and Commodity in this section.
- S. Keep record of duty status current to the time shown for the last change of duty status.
- T. All log entries must be made by the driver only.
- U. Recap information for the day.
- V. The original copy must be filed with the office within 13 days following the completion of the form.
The company has immediate access on-line application to view your up to date logs
- W. Adverse Weather. This exception permits a driver to exceed the 11 hour driving limit by 2 hours. This exception does not permit a driver to exceed the 14 consecutive hour limit. NOTE: This exception will be monitored closely by DOT. Due to modern technologies DOT relates no driver would be uniformed of pending inclement weather.
- X. 16 HOUR EXEMPTION.
Drivers may extend the 14 hour on duty period by 2 additional hours if you:
 - 1. Are released from duty at the normal work reporting location for the previous 5 duty tours.
 - 2. Return to the normal work reporting location and are released from work within 16 hours
 - 3. Have not used this exception in the previous 7 days, except following a 34 hour restart of a 7 / 8 day period.

K B S, Inc., reserves the right to add/ remove requirements as FMCSR and company policy mandates.

CRITICAL LOG BOOK VIOLATIONS- Company Policy

10/31/2005 and after

- A. Hours of Service. If a driver accumulates three or more violations of the 11 driving, 14 total on duty or 60/70 hours of service rules in a one-month period, the following action will be taken:
- First offense – Training and verbal counseling
 - Second offense within 12 months – Training and verbal warning
 - Third offense within 12 months – Written warning and three (3) day suspension from employment, without pay.
 - Fourth offense with 12 months – Driver disqualification and/or termination of employment.
- B. Late Log Submittal. The office must receive daily logs within 13 days from the date of log completion per federal regulations.
- **Drivers who fail to submit logs within the 13 day time frame will be removed from dispatch / suspended without pay, given a verbal reprimand, and will not be placed in service until logs are received. A drivers continued refusal to turn in logs after these reprimands will be considered non compliance with Federal Regulations and unemployable.**
- C. Log Falsification – Drivers who have intentionally falsified information on their daily log will be subject to the following actions:
- First offense within 12 months– verbal warning
 - Second offense within 12 months – Written warning and three (3) day suspension from, without pay.
 - Third offense within 12 months – Driver disqualified and/or termination of employment.
- D. Technical Violation (not listed above)—Drivers who accumulate 10 or more technical violations in a one-month period will be subject to the following actions:
- First offense within 12 months – Training and verbal counseling
 - Second offense within 12 months – verbal warning
 - Third offense within 12 months – Written warning and three (3) day suspension from employment, without pay.
 - Fourth offense within 12 months – Disqualification as a driver and/or termination of employment.

K B S, Inc., reserves the right to add/ remove requirements as Insurance Providers, FMCSR and company policy mandates.

DRIVER'S VEHICLE INSPECTION REPORT (DVIR)

49 CFR 396.11–396.13

- A. Drivers are to perform a walk around Pre-Trip and a **FULL** Post-trip inspection each day on each vehicle operated. **Pre/** Post Trip inspections **with deficiencies** must be reported in writing.

The Driver's Vehicle Inspection Report must include:

1. Date of Inspection
2. Tractor/Truck number and trailer number *(if applicable)*.
3. Hours/Mileage
4. List any defect or deficiency discovered by driver that would affect the safety of operation of the vehicle, pose risk of injury to driver or public or findings may result in its mechanical breakdown.

NOTE: NEVER OPERATE ANY VEHICLE FOUND TO HAVE OUT OF SERVICE DEFICIENCIES.

Place report listing any deficiencies immediately in the drop box in the drivers' room.

5. When repairs are needed, the mechanic must certify on original copy of the DVIR that the defect or deficiency has been repaired or that the repair is unnecessary before the vehicle is operated again. The company will maintain the document for a period of no less than three (3) months
6. Name of driver making report.
9. Maintain / leave copy of DVIR's in the drivers' room at **K B S, Inc.**

Drivers who fail to perform the required FMCSA pre/post trip inspection will be considered non-compliant with FMCSA Regulations.

This designation may result in immediate termination of employment.

PRE-TRIP / POST TRIP INSPECTION OUTLINE

STEP-BY-STEP INSTRUCTIONS

Approach The Vehicle

- Note the general condition of the vehicle (is the vehicle leaning to one side, damaged, etc.?)
- Look under the tractor for signs of leaking oil, water or fuel

Under The Hood

Check the following:

- Belts - check for proper tension; look for signs of excessive wear or dry rot
- Wiring - look for cracked or melted insulation
- Hoses - should be pliable; not worn or loose
- Steering column and gear box - look for loose and missing nuts, bolts or positioning parts

Inside The Cab

Emergency Equipment - you should have the following:

- Fully charged and rated fire extinguisher. Fire extinguisher shall be securely mounted.
- Three red reflective emergency triangles
- Spare electrical fuses and bulbs

Start the Engine

- Parking brakes should be set
- Place the transmission in neutral
- Start the engine
- Listen for unusual sound or noises

Check Instruments

- Ammeter - should indicate that the battery is charging
- Oil pressure gauge - should immediately begin gradual rise to normal operating range
- Air pressure gauge - should build up to governor cut-out pressure (approximately 100-125 psi)
- Warning lights and buzzers - the low air pressure warning should cease when air pressure reaches approximately 60 psi

Check Controls

- Horns
- Windshield wipers
- Heater and defroster
- Steering wheel play - should be less than 5-10 degrees; steering wheel play or more than 10 degrees is dangerous; 30 degrees or more is an out-of-service violation

Windshield and Mirrors

- Check the windshield - look for damage, cracks
- Inspect the mirrors - adjust and clean as necessary

Turn on the parking, clearance and identification lights, headlights and 4-way flashers. Exit the cab.

WALKAROUND INSPECTION

Note the general condition of the vehicle

Step 1: Left Side of Cab

Front Wheel

- Wheel - look for cracks, missing or bent rim, and broken, bent or missing spacers, studs, clamps, or lugs
- Tire - check inflation; inspect the valve stem and cap; look for serious cuts, bulges, tread wear, or any signs of misalignment
- Hub oil level - inspect for leaks

Brake

- Brake drum - look for cracks, grease or rust
- Hoses - look for chafing, cuts and cracks
- Slack adjusters - look for damaged or missing parts
- Check air chamber mounting

Suspension

- Check the condition of the spring, spring hangers, shackles, and U-bolts

Step 2: Front of Cab

Condition of Windshield

- Windshield - look for damage; clean if necessary
- Wiper blades - look for missing or damaged blades

Lights and Reflectors

- Cab parking, clearance and identification lights - should be clean, operating and the proper color
- Reflectors - should be clean and the proper color
- Turn signals - should be clean, operating and the proper color
- Headlights - should be clean and operating

Step 3: Right Side of Cab

- Check all items as done on left side of cab

Step 4: Right Fuel Tank

Fuel Tank

- Should be securely mounted, not damaged or leaking
- Check the fuel level
- Fuel cap - should be on and secure
- Fuel crossover line - should be secure and not frayed

Condition of Visible Parts

- Rear of the engine - check for leaks
- Transmission - check for leaks
- Drive shaft - should look normal
- Exhaust system - should be secure and not touching wires, fuel lines or air lines; check for leaks

Step 5: Right Drive Wheels

Dual Wheels

- Wheels - look for cracks, missing or bent rims, creep marks on the rim, and broken, bent or missing spacers, studs, clamps or lugs
- Tires - check inflation; inspect the valve stems and caps; look for serious cuts, bulges, tread wear or any signs of misalignment
- Hub oil level - inspect for leaks

Brakes

- Brake drums - look for cracks, grease or rust
- Hoses - look for chafing, cuts and cracks
- Slack adjusters - look for damaged or missing parts
- Check air chamber mounting

Suspension

- Check the condition of the springs, spring hangers, shackles, and U-bolts
- Check axle alignment

Step 6: Rear of Tractor

Condition of Frame

- Frame and cross members - should not be bent, cracked, damaged or missing

Lights and Reflectors

- Tail lights and turn signals - should be clean, operating and the proper color
Air and electrical lines should be properly secured to the frame, not damaged or chafing

Step 7: Coupling System (if applicable)

Fifth Wheel

- Should be securely mounted to the frame
- Check for worn, bent, damaged or missing parts
- Must be properly lubricated
- No visible space between the upper and lower fifth wheel
- Locking jaws - should secure the shank, not the head of the kingpin
- Release lever - should be properly seated and the safety lock engaged

Air and Electrical Lines

- Should be free from damage, oil and grease

- Secure air hoses and electrical lines from dangling, snagging and chafing

Step 8: Right Side of Trailer

Front Trailer Support

- Landing gear or dollies - should be fully raised with no missing, bent or damaged parts (remove any rocks from the lower portion of the landing gear)
- Crank handle - should be properly seated, present and secured

Spare Tire

- Should be adequate for a spare, the proper size, and properly inflated
- Spare tire carrier/rack - check for damage
- Tire and/or wheel - should be secured in the rack

Lights and Reflectors

- Clearance lights - should be clean, operating and the proper color
- Reflectors - should be clean and the proper color

Frame and Body

- Frame and cross members - should not be bent, cracked, damaged or missing
- Body parts - should not be damaged or missing

Step 9: Right Rear Trailer Wheels

Dual Wheels

- Wheels - look for cracks, missing or bent rims, creep marks on the rim, and broken, bent or missing spacers, studs, clamps or lugs
- Tires - check inflation; inspect the valve stems and caps; look for serious cuts, bulges, tread wear, or any signs of misalignment
- Tires - should be the same type, evenly matched, with no debris stuck between them
- Hub oil level - inspect for leaks

Brakes

- Brake drums - look for cracks, grease or rust
- Hoses - look for chafing, cuts, and cracks
- Slack adjusters - look for damaged or missing parts
- Check air chamber mounting

Suspension

- Check the condition of the springs, spring hangers, shackles, and U-bolts
- Check axle alignment

Step 10: Rear of Trailer

Lights and Reflectors

- Clearance and identification lights - should be clean, operating and the proper color
- Reflectors - should be clean and the proper color
- Tail lights - should be clean, operating, and the proper color

Cargo Securement

- Cargo - should be properly tarped, blocked, tied, chained, etc.
- Rear doors/ gates - should be securely latched and locked with any required security seals in place

Step 11: Left Rear Trailer Wheels

- Check all items as done on the right side

Step 12: Left Side of Trailer

- Check all items as done on the right side

Step 13: Front of Trailer

Air and Electrical Connections

- Glad hands - should be properly mounted, free of damage and not leaking
- Electrical plugs - check the seating and safety catch
- Air lines and electrical lines - should be properly secured against tangling, snagging and chafing, with sufficient slack for turns

Lights and Reflectors

- Clearance and identification lights - should be clean, operating and the proper color
- Reflectors - should be clean and the proper color

Step 14: Left Fuel Tank

Check all items done on the right fuel tank plus:

- Drain the moisture from the air tank; close the petcock
- Check the battery and battery box - should be securely mounted to the vehicle
- Battery fluid - should be at the proper level with all cell caps present and securely tightened

RETURN TO CAB

- Re-check the gauges
- Turn off parking, clearance and identification lights, headlights and 4-way flashers
- Turn off engine

Check Air Brake System

- Release the parking brake
- Step on the brake pedal - after an initial drop of 10 to 15 lbs., air pressure should drop no more than 3 lbs. in one minute (tractor only) or 4 lbs. in 1 minute (combination unit)

Make sure you have all required documents, permits, etc.

SAFE LOADS

- A. Each **K B S, Inc.** Driver/Operator Shall Abide By The Safe Loading Practices As Outlined In Section 392.9 Of The Federal Motor Carrier Safety Regulations Manual and company policy. No **K B S, Inc.** Driver/Operator Shall Operate A Motor Vehicle Unless:
1. The Vehicles Cargo Is Properly Distributed And Secured As Specified In Sections 393.100 And 393.106 Of The FMCSR Manual.
 2. The Vehicles Tailgate, Tailboard, Doors, Tarpaulins, Spare Tire(s), Equipment Used In Its Operation, And The Means Of Fastening Its Cargo Are Properly Secured;
 3. The Vehicles Cargo Does Not Interfere With The Driver's Vision, Movement, Access To Emergency Accessories, And Exit From The Cab.
- B. In Addition To The Above, Each **K B S, Inc.** Driver/Operator Shall:
1. Ensure the vehicles cargo and its securing devices are in proper operation throughout the trip. Make any necessary adjustments to maintain the security of the load.
 2. The Driver/Operator Makes Change Of Duty Status as required during any of these periods the driver shall examine load and vehicle before driving again.
 3. Ensure exterior of trailer / bed is free of debris that could present a road hazard.
 4. The driver is responsible for keeping the trailer bed clean at all times, ensuring no cross contamination of various commodities hauled.
 5. Driver shall ensure the Triaxle or Tractor-Trailer they are operating is not overloaded or overweight.

Please be advised, it is our/ your goal and the law to only load and transport the legal weight for the areas you are traveling in. No wages or revenue will paid for any more weight than allowed by the law.

**** ALL LOADED TRIAXLES/ TRAILERS WILL BE TARPED AT ALL TIMES ****

K B S, Inc., reserves the right to add/ remove requirements as Insurance Providers, FMCSR and company policy mandates.

CELL PHONE POLICY/ DISTRACTED DRIVING POLICY

EFFECTIVE 01/03/2012

“DRIVE NOW, TALK LATER”

DEFINITIONS:

Cell/ Cellular Phone- any wireless communication device, including any smart phone.

Hand Held Mobile Telephone- any wireless communication device, including any smart phone.

Wired or Wireless Hands Free Device- any device that permits the hands free operation any cell/ cellular phone,

hand held mobile telephone and/or portable electronic device.

Portable Electronic Devices- including smart phones, GPS navigation systems, wireless tablets and personal digital assistants.

Texting- manually entering alphanumeric text into, or reading text from any cell/ cellular phone, hand held mobile telephone or portable electronic device.

Company Owned Cell/ Cellular Phone- a company wireless communication device, including any smart phone.

Personal Cell/ Cellular Phone- an employee owned or owner operator owned wireless communication device, including any smart phone

Employee- any person who is hired to provide services to a company on a regular basis in exchange for compensation and who does not provide these services as part of an independent business.

Owner Operator- any person contracted to K B S, Inc. by a Transportation Service Agreement who owns and/or operates an independent business with a vehicle for hire.

POLICY PURPOSE:

The focus of this policy is to eliminate driver distraction.

On 11/23/2011 The Department of Transportation, Federal Motor Carrier Safety Administration announced the final ruling effective 01/03/2012 issuing a ban on hand held mobile telephone while operating a commercial truck or bus.

K B S, Inc. is committed to eliminating all un-necessary distractions while driving for the safety of employees, business partners and the communities in which we operate.

There are four types of driver distractions:

Visual- these distractions occur frequently and include reading billboards, checking a cell phone display or looking at a GPS navigation system device.

Auditory- this distraction relates to sounds or noises such as music, conversation and traffic.

Cognitive- these distractions are mental activities such as daydreaming, problem solving and concentrating on conversation.

Physical- these distractions involve touch. Ranging from eating and drinking to adjusting climate controls and pushing keys on any portable electronic devices.

***** If needed, **K B S, Inc.**, can supply a company owned hands free device along with each company issued hand held mobile telephone, cell/cellular phones or portable electronic devices. Most of **K B S, Inc.** vehicles are fitted with hands free Bluetooth technology.

CELL PHONE POLICY/ DISTRACTED DRIVING POLICY (continued) POLICY:

Prohibitions

1. Employees and Owner Operators are prohibited from using any company owned or personal hand held mobile telephones, cell/cellular phones or portable electronic devices while driving company owned equipment or lease equipment. This prohibition includes time waiting in stopped traffic, traffic signals, stop signs and/or intersections.
2. Employees are prohibited from using any company owned hand held mobile telephones, cell/cellular phones or portable electronic devices while operating privately owned personal vehicles.
3. Employee and Owner Operators are prohibited from *texting* or reviewing electronic data from any company owned or personal hand held mobile telephones, cell/cellular phones or portable electronic devices while driving company owned equipment and/or lease equipment. This prohibition includes time waiting in stopped traffic, traffic signals, stop signs and/or intersections.
4. Employees are prohibited from *texting* or reviewing electronic data from any company owned hand held mobile telephones, cell/cellular phones or portable electronic devices while operating privately owned personal vehicles.

Permitted

1. Employees and Owner Operators are permitted to utilize a hands free wired or wireless device that is connected to a company owned or personal mobile telephone, cell/cellular phone or portable electronic device while driving company owned equipment and/or leased equipment. It is recommended employees and owner operators pull off the road to safe and legal parking location to utilized hands free wired or wireless device that is connected to a company owned or personal mobile telephone.
2. Employees are permitted to utilize a hands free wired or wireless device that is connected to a company owned mobile telephones, cell/cellular phone or portable electronic device while operating privately owned personal vehicles. It is recommended employees pull off the road to safe and legal parking location to utilized hands free wired or wireless device that is connected to a company owned or personal mobile telephone.
3. 911 / Emergency Calls are permitted.

Comments

Stressful or emotional conversations and driving do not mix. They are distracting and even dangerous when you are behind the wheel. Inform people you are talking with you are driving and if necessary, suspend phone conversations that have the potential to divert your attention from the road.

Disciplinary Action

Employees and Owner Operators found in violation of K B S, Inc.'s **CELL PHONE POLICY/ DISTRACTED DRIVING POLICY** will be subject to the appropriate disciplinary action:

First (1st) offense per calendar year = 1 day suspension without pay;

Second (2nd) offense per calendar year = termination of employment.

K B S, Inc., reserves the right to add/ remove requirements as Insurance Providers, FMCSR and company policy mandates.

Company Installed Data Collection Devices

iTraK GPS Vehicle Tracking is a global positioning satellite tracking device which records location and speed. No interaction is required from the driver.

SmartDrive Systems, Inc. is a video-based safety program designed to reduce our fleet collision frequency, lower fuel consumption along with operational costs bringing drivers home safely. The operating instructions which you are required to follow are:



All drivers are required to login to the SmartDrive System installed in the company owned vehicle you are operating.

Failure to login may result in disciplinary action up to and including termination of employment.

Tampering/ interfering with any data collection, data collection device, any company installed device on or in company owned vehicles or property will result in immediate termination of employment.

K B S, Inc., reserves the right to add/ remove requirements as Insurance Providers, FMCSR and company policy mandates.

EMERGENCY STOPS

PROPER PLACEMENT OF REFLECTIVE TRIANGLES

Section 393.95 of the Federal Motor Carrier Safety Regulations requires a driver of a commercial vehicle to put out flares or reflective safety triangles within 10 minutes of stopping along the highway for emergencies. All trucks manufactured after January 1, 1974 must carry three (3) bi-directional emergency reflective triangles. Trucks manufactured earlier have a choice of fuses, liquid burning flares or red electric lanterns. Flame producing devices are prohibited on trucks hauling flammables or explosives. If an emergency or breakdown occurs and you find it necessary to pull off the highway, make sure your four-way flashers are on and remain on until your reflective triangles have been properly placed.

The manner in which your markers are used depends on the road situation -- there are four basic types: hill, curve, one-way and two-way traffic.

ON A HILL OR CURVE, TWO-LANE HIGHWAY

If possible, stop where your equipment will be most visible to approaching traffic. Example: on a hill, stop before the crest of the hill. On a curve, stop before entering the curve or proceed a safe distance past the curve. Place your triangles where approaching traffic will see them in time to respond correctly. Place the triangles as you would on a straightaway. In some situations, the rear most triangle should be moved as far as 500 feet from your vehicle.

ON DIVIDED OR ONE-WAY ROADS

Wherever you have one-way traffic such as on an interstate highway, place all three triangles on the same side of you toward on-coming traffic. The first 10 feet from your equipment; the second at 100 feet and the third at 200 feet.

ON THE STRAIGHT AWAY, TWO-LANE HIGHWAYS

Place one triangle within 10 feet of the back of your equipment; the second within 100 feet and the third within 100 feet in front of your equipment in the middle of the lane you parked in.

You may turn your flashers off after placing the triangles; but turn them back on before removing the triangles.

During daylight hours only, regulations allow you to substitute two red flags placed 100 feet from the front and back of your rig. Warning devices are not required in residential or business districts if your truck is visible 500 feet away; but use your flashers to be safe.

If you have any questions as to whether your equipment is safely parked and your safety equipment is properly placed, call the state police or the local authorities and ask them to come and check it out.

K B S, Inc. SHOP SAFETY RULES

1. **ALL SHOP EMPLOYEES ARE UNDER THE DIRECT SUPERVISION OF THE SHOP FOREMAN AND / OR HIS DESIGNATE/S.**
2. **ONLY AUTHORIZED PERSONS PERMITTED IN SHOP AREA.**
 - No drivers in the shop.
 - Shop employees will move all vehicles in and / or out of shop.
 - All visitors must check-in at dispatch or front office.
 - Shop deliveries shall be under the direction / observation of a shop employee.
3. **PERSONAL PROTECTIVE EQUIPMENT MUST BE UTILIZED AT ALL TIMES WHEN WELDING OR CUTTING.**
4. **ONLY TRAINED AND CERTIFIED PERSONNEL MAY OPERATE TIRE EQUIPMENT, SHOP TOOLS, POWER INDUSTRIAL LIFTS, FRONT END LOADERS AND DOZER.**
5. **SAFETY GLASSES / GOGGLES MUST BE WORN AT ALL TIMES.**
6. **ALL SHOP WORK AREAS MUST BE KEPT CLEAN AT ALL TIMES.**

Policy Violation

Drivers, Employees, Shop Personnel and Transportation Service Agreement Drivers violating the Shop Safety Rules established by **K B S, Inc.** will be subject to the appropriate disciplinary action up to and including immediate termination of employment or immediate termination of the Transportation Service Agreement.

K B S, Inc., reserves the right to add/ remove requirements as Insurance Providers, FMCSR and company policy mandates.

ROADSIDE INSPECTIONS

The Department of Transportation and various state agencies conduct roadside inspections from time to time. If you are stopped for a PUC or DOT safety check, you should observe the following procedures:

1. Only provide the officer/ inspector with the paperwork he/she requests.
2. ALWAYS be courteous. Do not discuss matters or provide any information other than that requested. Should there be any problems, contact Dispatch or the Safety Department immediately.
3. You will be required to sign and then be issued a copy of your roadside inspection report. IF YOU ARE PLACED OUT OF SERVICE, DO NOT MOVE THE VEHICLE AND CONTACT DISPATCH IMMEDIATELY. Any required repair must be completed by a qualified mechanic and signed by the same.

The roadside inspection report MUST BE FORWARDED TO THE SAFETY DEPARTMENT and/or SHOP FOREMAN IMMEDIATELY, since we must acknowledge in writing within 15 days after you are stopped. There are severe penalties that can be levied upon **K B S, Inc.** and the driver for failing to adhere to this policy.

4. For ELD purposes, Roadside Inspections must be logged accordingly. Date, time and location must correspond exactly to that on the report. (Line 4 - On Duty, Not Driving).

Roadside inspections are public information and affect **K B S, Inc.**'s rating. Management will review all roadside inspections and issue a written response. Continued poor results will adversely affect a Transportation Service Agreement and or employment.

Responsibility for Citations and Fines

Equipment-Related Citations: **K B S, Inc.** typically has the responsibility for these types of fines. Citations or Fines that are in the driver's name are the named drivers' responsibility to pay.

Overweight Citations: It is the drivers' responsibility to ensure the load is within legal weight limits for the area the driver is traveling in. It is the driver's responsibility to weigh the load before leaving the facility where loaded and adjust weight to legal limits or to drive to the nearest scale near the facility where it was loaded. If the gross weight exceeds maximum allowable limits the driver must contact dispatch to make arrangements to either return to the loading site to remove a portion of the load or to make further arrangements at the direction of the **K B S, Inc.** The financial responsibility for overweight fines are solely at the discretion of management.

Driver Citations: It is the drivers' responsibility to ensure the vehicle is operated pursuant to all Federal Laws, State Laws and Local Laws. Citations or Fines that are to the driver or in the driver's name are the named drivers' responsibility to pay.

K B S, Inc., reserves the right to add/ remove requirements as Insurance Providers, FMCSR and company policy mandates.

SPEEDING

***Under no circumstances is speeding ever permitted.
The posted speed on any given road is the speed you must obey.***

SPEED AND LOGS

The Federal Motor Carrier Safety Administration (FMCSA) has published mileage guidance for ten-hour truck hauls (As of Dec2012 published guidance has yet to be updated by FMCSA for newer 11 hour driving rules). According to the FMCSA, the guidelines are necessary to make sure drivers do not have to exceed the posted speed limits in order to complete their runs within the 11 (eleven) hour (effective 10/31/2005) period followed by hours-of-service regulations.

As a result, the current FMCSA 392.6 guidance policy states:

Drivers are required to conform to the posted speed limits prescribed by the jurisdictions in or through which the vehicle is being operated. Where the total trip is on highways with a speed limit of 65 mph, trips of 550-600 miles completed in 10 hours are considered questionable and the motor carrier may be asked to document that such trips can be made. Trips of 600 miles or more will be assumed to be incapable of being completed without violations of the speed limits and may be required to be documented. In areas where a 55 mph speed limit is in effect, trips of 450-500 miles are open to question, and runs of 500 miles or more are considered incapable of being made in compliance with the speed limit and hours of service limitation.

Keep in mind, you cannot average 55 mph/ 65 mph since the following factors (according to the number of times occurring) cut into your average:

1. Starting from a stopped position.
2. Stopping to accomplish checkpoint gateway requirements, loading and unloading, fueling or taking required rest periods, etc.
3. Slow down in traffic or for curved sections of road.
4. Shifting gears.

ONLY WHEN NONE OF THE ABOVE AREAS APPLY CAN YOU SUPPORT A 55 MPH/ 65MPH AVERAGE.

COMPANY GUIDANCE **“NO EXCUSES” Policy on Speeding**

**You are required to obey the posted speed limits at all times.
*No matter what the circumstances, if you are speeding you are
breaking the law and Company Policy.***

All Drivers, Employees, Shop Personnel and Transportation Service Agreement Drivers violating the guideline established by K B S, Inc. ([posted speeds](#)) will be subject to the appropriate disciplinary action up to and including immediate termination of employment or immediate termination of the Transportation Service Agreement.

K B S, Inc., reserves the right to add/ remove requirements as Insurance Providers, FMCSR and company policy mandates.

K B S, Inc. SAFE DRIVING RULES

1. Company vehicles are provided for use by certain authorized employees for company business only. Unauthorized persons are never permitted on, in or to operate Company vehicles.
2. All accidents must be properly reported to the proper official of the Company. As soon as possible a fully detailed written report must be made on the prescribed Motor Vehicle Accident Report Form issued to the driver. When required by law, the operator shall make a report of the accident to the proper [Federal, State or Local](#) authorities.
3. Each employee who is authorized to operate Company vehicles shall have in his possession at all times a valid [commercial](#) driver's license and medical card. He/ [She](#) must abide by the [Federal/State/Local](#) Motor Vehicle Laws, local regulations, the rules outlined in this Manual, and such other Company rules and regulations in effect. Payment for moving violations is the responsibility of the driver involved.
4. Only authorized drivers with a valid commercial drivers license (CDL) can operate vehicles with a gross vehicle with rating (GVWR) of more than 26,000 lbs.
5. Any employee authorized to operate a company vehicle must notify the Safety Dept. [before](#) his/ [her](#) driver's license be suspended or revoked.
6. If you have a CDL and are convicted of violating, in any type of motor vehicle, a [Federal, State or Local Law](#) (other than a parking violation) you must report it to **K B S, Inc.** [within 12 hours of occurrence per this written notice](#).
7. Each dispatcher along with the safety department shall [make every effort to assure](#) that the drivers under his/her supervision are properly licensed and qualified to operate motor vehicles, and he shall evaluate the driving ability of his motor vehicle operators to insure that safe practices are being followed.
 - a. All operators of Company vehicles shall be "Defensive Drivers".
By definition, a "Defensive Driver":
 - 1) Accepts personal responsibility to operate a motor vehicle without an accident.
 - 2) Makes allowances for lack of skill or knowledge of others.
 - 3) Never permits himself to get into a driving situation which requires his rescue by another driver's skill.
 - 4) Considers road and weather conditions over which the driver has no control.
 - 5) Realizes that signs and signals are no guarantee of safety.
 - 6) Assures himself that the vehicle to be driven is in good mechanical condition.
 - 7) Exerts conscious effort, study and practice to perfect defensive driving habits.
8. The driver of any Company vehicle is in complete charge of its operation and should permit nothing to distract his attention. Authorized Passengers must recognize the driver's responsibility and avoid distracting him.
9. All persons riding in a Company vehicle shall use seat belts. It is recommended that shoulder harnesses, when available, also be used.
10. It is driver's responsibility to know that all authorized passengers have seat belts fastened before the vehicle is moved. The number of passengers in a Company vehicle shall be limited to the number of seat belts provided.

11. Never attempt to operate a vehicle while over-fatigued, drowsy, and sick or in any other condition which may render you incapable of safely operating the vehicle.
12. Employees shall not operate Company motor vehicles after consuming alcoholic beverages or narcotics or while under the influence of any controlled substance or [any substance that impairs their ability to operate machinery](#).
13. Enter or leave vehicles from the curbside when possible. When it is necessary to do otherwise, observe and keep clear of approaching traffic. Except in an emergency, do not enter or leave a vehicle when it is in motion.
14. Vehicles must be cleaned as often as necessary; however, no less than weekly. Remove mud, snow, and grease from shoes before operating a vehicle. [On a daily basis](#), keep windshield, windows [and mirrors](#) clean and free of anything that will hinder your vision. Always keep lights and registration plates clean.
15. Under no circumstances shall [drivers or authorized](#) passengers be permitted to ride having their arms or legs outside of the vehicle body, standing in the body or on running boards, or seated on fenders or on rear of the vehicle. Riding in a hazardous position on a load or where a shifting load could cause injury is forbidden.
16. The *Four-Second-Rule* must be followed to assure safe following distance. Vehicles should maintain a four-second following distance behind the vehicle in front. Four-second distance can be measured by picking out a stationary object ahead, such as a sign. When the vehicle in front of you passes the object, begin counting one-thousand-one, one-thousand-two, one-thousand-three, one-thousand-four. If you get to the sign before you get to one-thousand-four, then you are following too closely and must increase following distance. The four-second rule should be increased if road conditions are unfavorable. **Tailgating** is never permitted and will result in disciplinary action up to suspension or dismissal.
17. Regardless of [posted permitted](#) speed law, all vehicles must be operated slowly and carefully when passing through school zones, through heavy traffic, where visibility is limited, or where slow or restricted speed is necessary for safety. Be particularly alert and careful where children are playing or riding bicycles.
18. Police cars, fire trucks and ambulances on emergency missions must be given the right of way on any street or highway. Except for opposing vehicles on [divided](#) highways, all vehicles, in both directions, must stop when flashing red lights on school buses are operating.
19. If the wheels of a vehicle slip onto the shoulder of the road or into a rut, do not attempt to turn the wheels from their course until the speed has been reduced sufficiently for safe operation.
20. Headlights serve two purposes, for you to see at night and to be seen. To be seen, use your headlights at low beam during day fogs, during day storms, at dawn and at dusk. Never drive with parking lights only.
21. When approaching an oncoming vehicle, following a vehicle, or driving on well-lighted streets, use headlights on low beam.
22. Don't "overdrive" your headlights. Be sure you can stop within the range of your vision. On high beam your lights should pick up objects at least 350 feet ahead.

23. Courtesy and safety, as well as the law, require the proper use of hand or electrical turn signals. Give signals in sufficient time so drivers to both front and rear are aware of your intentions.
24. Be sure your electrical turn signal does not continue after you have completed your turn or lane change.
25. Anticipate turns and lane changes and make them without sudden steering movements. When making right and left turns, position your vehicle in the proper lane to guard your turn. Do not "shy" to the left when making right turns and do not "shy" to the right when making left turns. When stopped to make a left turn, keep wheels straight until you are ready to move. This will prevent your being forced into oncoming traffic in the event of a rear-end collision.
26. Avoid backing whenever possible. Never back around a corner or any place where vision is restricted. If possible, use another person to guide you with signals. Never back blindly.
27. Never back up on an expressway or a limited access highway. When making an exit, plan ahead, be in the proper lane, and watch for exit signs. If you should miss your exit, don't try to back up, you should continue to drive to the next exit.
28. Good visibility is the first step to safe driving, especially in winter. Keep windshields, windows, taillights and headlights free of dirt, ice, snow, etc.
29. Washers can be a great help - but they can be dangerous, too! When the temperature is below freezing, pull over to the curb or shoulder before using washers. The airstream from movement evaporates anti-freeze and quickly weakens the formula. Evaporation also takes heat from water and windshield glass. Don't risk a sudden sheet of blinding ice.
30. During winter driving, allow extra time for your trip. Speed limits are for perfect, dry conditions - half the limit may be too fast under slippery conditions.
31. Ice is twice as slippery at thirty (30) degrees as it is at zero (0) degrees. Also, it lasts longer on bridges and in shade, so be extra alert here. If you hit an unexpected ice patch, don't try to brake, accelerate, or oversteer. Maintain speed and let your vehicle "roll" through the slippery area.
32. Sunglasses are beneficial when driving in sunshine or to minimize the glare from snow. However, never use sunglasses during night driving or while entering or passing through tunnels. Sunglasses with gray lenses are recommended because they do not affect color perception.
33. Do not leave a Company vehicle unattended with the motor running or keys in the ignition switch. Before leaving a parked vehicle, remove keys, apply the brakes. Lock ignition, doors and compartments. When necessary to park in a grade, position the front wheels so any unattended movement of the vehicle will be toward the curb or side of the road and away from the street or highway.
34. Except in emergency, do not park on the traveled portion of a highway. Do not stop or park near curves, hilltops, corners, railroad grade crossings, or any place where you may create a traffic hazard.

35. All Company vehicles shall be equipped with the following accessories: a fire extinguisher, reflective triangles. Vehicles with a GVW over 26,000 lbs. must have a fire extinguisher (5BC), spare electrical fuses and three reflective triangles
36. The transmission must be kept engaged on vehicles when travelling down grades.
37. The driver must be familiar with the height, width and licensed weight limit of the vehicle he is operating and of the load being hauled.
38. The load on / in a truck must be properly distributed and, if necessary, [tarped](#), blocked, chained or otherwise secured to prevent shifting or [load loss](#). The load must be so placed that it will not interfere with the driver's vision or freedom of motion. Do not place tools or other objects where they could interfere with the safe driving of any vehicle.
39. When driving or parking on Company premises, be especially cautious and always move at a safe speed of [5 mph or less with 4 way flashers on](#).
40. When on the premises of a customer's plant, mill or right-of-way, make especially sure you drive within the speed limit, and only in areas where our work takes us.

ACCIDENT REPORTING, RECORD KEEPING AND ANALYSIS

SCOPE

- A. **K B S, Inc.** considers elimination of motor vehicle accidents as a major goal. To meet this objective, all accidents will be reported to the safety department, investigated, documented and reviewed at the monthly Safety Meeting. The investigation identifies need for:
1. A more intensive driver training and/or remedial training.
 2. Improved driver selection procedures.
 3. Improve vehicle inspection and/or maintenance activities.
 4. Changes in traffic routes.
- B. Motor vehicle accident record keeping procedures consist of the following components:
1. Documentation of causes and corrective action.
 2. Safety and Management review to expedite corrective action.
 3. Analysis of accidents to determine trends, recurring problems and the need for further control measures.
- C. Each accident will be reviewed for PREVENTABILITY by the safety director, management and peers (other drivers).

RESPONSIBILITY

Implementation of these procedures remains the responsibility of both the driver and the safety department.

- A. The DRIVER will initiate the information-gathering process as quickly and thoroughly as is feasible. (Follow Driver Accident Reporting Procedure.)

- B. The Safety Director will obtain accident data from the driver through the Accident Report form and/or by verbal communication. It is important for the Safety Director to determine the extent of the accident, especially if it involves injury or death to the driver, passengers, or other parties.

- C. The Safety Director will immediately proceed with a formal investigation to determine the underlying causes as well as what can be done to prevent similar occurrences. The accident report will be forwarded to the insurance carrier with any additional support data (e.g., witness statements, photographs, police reports, etc.)

- D. The Safety Director will initiate the process to determine preventability.

DRIVER ACCIDENT REPORTING PROCEDURES

All Company Drivers and Owner Operators are required to report all accidents / incidents no matter how minor, immediately to the Safety Department. Failure to do so will result in an immediate termination of employment or termination of Transportation Service Agreement!

1. **STOP** - Not only is it a company policy, but it is also mandated by law. Any driver who does not stop will be subject to penalty by law and to disciplinary action.
2. **ASSIST INJURED** - Assist any injured persons, but **never** move them unless absolutely necessary for their safety. Keep them comfortable until an ambulance or doctor is available.
3. **PROTECT THE SCENE** - Immediately utilize all emergency devices necessary to protect the area around the scene of the accident per DOT requirements (4-way flashers, flags, reflective triangles, etc.) to control traffic if necessary.
4. **NOTIFY THE AUTHORITIES** - Never leave the scene, your equipment, or your cargo, except in extreme emergencies. Locate a nearby phone or utilize your cell phone and call the police. If a phone is not available, write a carefully worded note, giving the location and seriousness of the accident, and give the note to a reliable motorist and have the motorist contact the police for you.
5. **NOTIFY THE SAFETY DIRECTOR** - As soon as possible. Remember all accidents must be reported to both the authorities and to safety. If you cannot make the call yourself, have a reliable motorist make it for you.
6. **GATHER PRELIMINARY INFORMATION** - Complete the Accident Reporting Kit in its entirety. When calling either the police or a company contact, write down the name of the person you spoke to for future reference
7. **FILL OUT A PRELIMINARY ACCIDENT REPORT** - Get names and addresses of all witnesses to the accident, those that are for you and against you. If witnesses refuse to give their names, write down their license numbers, or utilize the disposable camera you were issued to take a picture of the witness' license plate. Should there be no witnesses, get the name and address of the first person to arrive on the scene.
8. **DO NOT DISCUSS THE ACCIDENT WITH ANYONE EXCEPT THE POLICE, COMPANY REPRESENTATIVES, AND/OR THE INSURANCE COMPANY!** - Remember, anything you say can be used in the case. Be polite, give your name, the company's name, and offer your driver's license. Regardless of the circumstances, do not admit or promise anything and do not argue.
9. **OBTAIN PERTINENT INFORMATION** - Obtain the following for completion of the accident report:

- a. Exact location, time, and date
 - b. Make, model, type, and license number of all vehicles involved
 - c. Names and addresses of all persons involved
 - d. Names of injured and the extent of their injuries
 - e. Names and addresses for insurance companies which provide coverage for the vehicles or property involved
 - f. Estimate of the damage to all vehicles and property
 - g. Names, addresses, and/or license number of witnesses
 - h. Names and badge numbers of police officers who arrive at the scene, the police organization's name, and the station location.
10. **REMAIN AT THE SCENE** - Stay until instructed to do otherwise by a law enforcement officer, company representative or an insurance company official.

Note: Accident reporting kits: every company driver was issued and is required to have an accident reporting kit in their possession. This should include an accident report form, pen or pencil, and disposable camera.

ACCIDENT REVIEW

K B S, Inc. reviews all auto accidents to determine if the accident was preventable or non-preventable. The Safety Director and management use the National Safety Council guidelines in order to determine the chargeability of the accident. The Safety Review gathers the accident data from the following sources:

- a. **K B S, Inc.** report of accident per interviews with driver, witnesses, etc.
- b. Driver's recount of the accident;
- c. Accident report from police.

Next, the data is analyzed by breaking the accident into its component parts. They then pinpoint all accident-causing factors to decide whether the accident was preventable or non-preventable.

A discussion then occurs between safety and management as to how recurrence of the accident could be prevented. Once this is completed, a written summary is listed on the annual safety bonus sheet. The accident is further reviewed at the monthly safety meeting.

Drivers with a preventable accident and/or repeated preventable accidents may be subject to disciplinary action up to and including suspension or termination of employment

K B S, Inc.

RESPONSIBILITIES & ACKNOWLEDGMENT

Each driver / shop employee/ employee agrees to:

- *Always operate a motor vehicle in a safe manner as outlined within the Fleet Safety Program and as required Federal, State and Local Laws.*
- *Be familiar with and abide by safe operating instructions outlined in The Fleet Safety Manual.*
- *Be familiar with and abide by applicable regulations as found in The Federal Motor Carrier Safety Regulations (FMCSR) pocket book.*
- *Complete Driver Logs daily and accurately.*
- *Submit daily maintenance reports, when applicable.*
- *Conduct pre-trip and post-trip inspections daily.*
- *Wear seatbelt at all times when operating company owned equipment.*
- *Observe all posted speed limits.*
- *Report all accidents to Safety and/or Management immediately.*
- *Report all equipment damage/s to Safety and/or Management immediately.*
- *Report all injuries to Safety and/or Management immediately.*
- *Report traffic violations and results within 12 hours of occurrence.*
- *Submit all roadside inspection reports to safety within 12 hours of occurrence.*
- *Comply with Cell Phone use guidelines.*
- *Comply with **K B S, Inc.**'s Substance Abuse Policy.*
- *Comply with FMCSR Parts 382, 383, and 391 pertaining to Alcohol and Substance Testing.*

I, _____, have received and agree to comply with all the above responsibilities and provisions stated in the **K B S, Inc.** Fleet Safety Manual. I understand that non-compliance with the Federal Motor Carrier Safety Regulations (FMCSR) and Company Regulations is cause for immediate termination of employment. I understand this program requires the full cooperation of each driver/ employee to operate his or her vehicle safely and to adhere to the regulations outlined in the Federal Law, State Law, Local Law and this Fleet Safety Manual. It is further understood that by signing and acknowledging to adhere to the guidelines established in this Fleet Safety Policy does not constitute an employment contract with **K B S, Inc.** In fact, every driver relationship is considered "at-will" unless otherwise established by the President of **K B S, Inc.**

Driver Signature

Date

Witness Signature

Date

ACCIDENT INVESTIGATION FOR PREVENTABILITY GUIDELINES AND TOOLS

NATIONAL SAFETY COUNCIL

GUIDE TO DETERMINE THE PREVENTABILITY OF ACCIDENTS

A PREVENTABLE ACCIDENT IS ANY OCCURRENCE INVOLVING A VEHICLE WHICH RESULTS IN PROPERTY DAMAGE AND/OR PERSONAL INJURY, REGARDLESS OF WHO WAS INJURED, WHAT PROPERTY WAS DAMAGED, TO WHAT EXTENT OR WHERE IT OCCURRED, IN WHICH THE DRIVER IN QUESTION FAILED TO EXERCISE EVERY REASONABLE PRECAUTION TO PREVENT THE OCCURRENCE.

1. DEFENSIVE DRIVING

The Safe Driver Award is designed to recognize expert safe driving performance, not just average performance. It is based on the concept of defensive driving -- the ability to avoid accidents in spite of the wrong actions of the other driver and in spite of adverse driving conditions.

2. STANDARD OF PERFORMANCE

Accidents involve so many different factors that it is impossible to set hard, fast rules to classify them preventable or non-preventable. Management must make this determination.

In making these decisions, management will answer the question, "What standard of safe driving performance do we expect of our drivers in this company?" If a company is lenient it condones a mediocre standard of safe driving performance. Drivers respect a strict interpretation of the rules so long as the company takes the time and effort to insure that these interpretations are made consistently and impartially. The following paragraphs are offered as a guide in determining the preventability of accidents.

3. INTERSECTIONS

It is the responsibility of professional drivers to approach, enter and cross intersections prepared to avoid accidents that might occur through the action of other drivers. Complex traffic movement, blind intersections, or failure of the other driver to conform to law or traffic devices will not automatically discharge an accident as "non-preventable". Intersection accidents are preventable even though the professional driver has not violated traffic regulations. His failure to take precautionary measures prior to entering the intersection and the obvious actions of the "other driver" indicates possible involvement either by reason of his excess speed, crossing his lane in turning or coming from behind a blind spot the decision based on such entrapment should be PREVENTABLE.

4. BACKING

Practically all backing accidents are preventable. A driver is not relieved of his responsibility to back safely when a guide is involved in the maneuver. A guide cannot control the movement of the vehicle; therefore, a driver must check all clearances for himself.

5. FRONT END COLLISIONS

Regardless of the abrupt or unexpected stop of the vehicle ahead, the driver can prevent accidents by maintaining a safe following distance at all times. This includes being prepared for possible obstructions on the highway, either in plain view or hidden by the crest of a hill or the curve of a roadway. Over-driving headlights at night is a common cause of front-end collisions. Night speed should not be greater than that which will permit the vehicle to come to a stop within the forward distance illuminated by the vehicle's headlights.

6. REAR END COLLISIONS

Investigation will often disclose that a driver risked being struck from behind by failing to maintain a margin of safety in his own following distance. Rear-end collisions preceded by a roll back, an abrupt stop at a grade crossing, when a traffic signal changes, or when your driver fails to signal a turn at an intersection should be considered preventable.

7. PASSING

Failure to pass safely indicates faulty judgement and the possible failure to consider one or more of the important factors a driver must observe before attempting the maneuver. Unusual actions of the driver being passed or oncoming traffic might appear to exonerate a driver involved in a passing accident, however, the entire passing maneuver is voluntary and the driver's responsibility.

8. BEING PASSED

Sideswipes and cut-offs involving a professional driver while he is being passed are preventable when he fails to yield to the passing vehicle by slowing down or moving to the right where possible.

9. LANE ENCROACHMENT

A safe driver is rarely a victim of entrapment by another driver when changing lanes. Similarly, entrapment in merging traffic is an indication of unwillingness to yield to other vehicles or to wait for a break in traffic. Blind spots are not valid excuses for lane encroachment accidents. Drivers must make extra allowances to protect themselves in areas of limited sight distances.

Squeeze plays causing involvement with parked cars, pillars, and other road structures can be prevented by dropping back when it is apparent that the other driver is forcing the issue or contesting a common portion of the road.

10. GRADE CROSSINGS

Collisions with fixed rail vehicles, such as trains, street cars, etc., occurring at grade crossings, in traffic, in a rail yard, switch area or on private property are the responsibility of the professional driver to prevent. When a vehicle is parked across a rail siding the driver must first determine if it is safe and permissible and, furthermore, must stand by in case conditions change by the movement of rail cars during the parking interval.

11. OPPOSING VEHICLES

It is extremely important to check the action of the company driver when involved in a head on or sideswipe accident with a vehicle approaching from the opposite direction. Exact location of vehicles, prior to and at the point of impact, must be carefully verified. Even though an opposing vehicle enters your driver's traffic lane it may be possible for your driver to avoid the collision. For example, if the opposing vehicle was in a passing maneuver and your driver failed to slow down, stop or move to the right to allow the vehicle to re-enter his own lane, he has failed to take action to prevent the occurrence. Failing to signal the opposing driver by flicking the headlights or sounding the horn should also be taken into account.

12. TURNING

Turning movements, like passing maneuvers, require the most exacting care by a professional driver. Squeeze plays at left or right turns involving other vehicles, scooters, bicycles or pedestrians are the responsibility of the driver making the turn. Failure to signal, to properly position the vehicle for the turn, to check the rearview mirrors, to check pedestrian lanes or to take any other defensive action should be considered. Sudden turns by other drivers should be carefully examined. You may find that your driver failed to take precautionary action from tip-offs from the other vehicle immediately preceding the incident. U-turns by your driver that result in a collision are preventable.

13. PEDESTRIANS

Traffic regulations and court decisions generally favor the pedestrian hit by a moving vehicle. An unusual route of a pedestrian at mid-block or from between parked vehicles does not necessarily relieve a driver from taking precautions to prevent such accidents. Whether speed limits are posted or the area is placarded with warning signs, speed too fast for conditions may be involved. School zones, residential streets and other areas with special pedestrian traffic must be traveled at reduced speeds equal to the particular situation. Bicycles, motor scooters and similar equipment are generally operated by young and inexperienced operators. The driver, who fails to reduce his speed when this type of equipment is operated within his sight distance, has failed to take the necessary precaution to prevent an accident. Keeping within posted speed limits is not taking the proper precaution when unusual conditions call for voluntary reduction of speed.

14. WEATHER

Traffic regulations and court decisions are not a valid excuse for being involved in an accident. Rain, snow, fog, sleet or icy pavement have never caused an accident. These conditions merely increase the hazards of driving. Failure to adjust driving to the prevailing conditions, or to "call it a day" when necessary, should be cause for deciding an accident preventable. Failure to use safety devices such as skid chains, sanders, etc., provided by the company, should be cause for a preventable decision when it is reasonable to expect the driver to use such devices.

15. ALLEYS, DRIVEWAYS AND PLANT ENTRANCES

Accidents involving traffic originating from alleys, plant entrances and other special intersecting locations should be carefully analyzed to determine what measure the professional driver might have taken to avoid the occurrence. Failure to slow down, sound a warning or to yield to the other driver can be considered cause to judge such an accident preventable.

16. FIXED OBJECTS

Collisions with fixed objects are preventable. They usually involve failure to check or properly judge clearances. New routes, strange delivery points, resurfaced pavements under viaducts, inclined entrances to docks, marquees projecting over traveled section of road and similar situations are not, in themselves, valid reasons for excusing a driver being involved. He must be constantly on the lookout for such conditions to avoid accidents in which they are involved.

17. PRIVATE PROPERTY

When a driver is expected to make deliveries at unusual locations, construction sites, etc., or on driveways not built to support heavy commercial vehicles it is his responsibility to discuss the operation with the proper authorities and to obtain permission prior to entering the area.

18. PARKING

Unconventional parking locations, including double parking, failure to put out warning devices, etc., generally constitute evidence for judging an accident preventable. Rollaway accidents from a parked position normally should be classified preventable. This includes unauthorized entry into an unlocked and unattended vehicle, failure to properly block wheels or to turn wheels toward the curb to prevent vehicle movement.

19. MECHANICAL FAILURE

Any accident caused by mechanical failure that reasonably could have been detected by the driver, but went unheeded should be judged preventable. It is the driver's responsibility to report unsafe vehicle conditions for repairs and to obtain immediate repairs where continued operation might result in an accident. When mechanical difficulties occur unexpectedly during a trip, and a driver upon discovery, fails to check with his company for emergency instructions prior to an accident the accident is preventable. An accident caused by mechanical failure that results from abusive driving should be considered preventable.

20. NON-COLLISION

Many accidents, such as overturning, jack knifing, or running off the road may result from emergency action by the driver to prevent being involved in a collision. Examination of his driving practice prior to the incident may reveal speed too fast for conditions. The company driver's actions prior to involvement should be examined for possible errors or lack of defensive driving practice.

21. MISCELLANEOUS

Projecting loads, loose objects falling from vehicle, loose tarpaulins or chains, doors swinging open, etc., resulting in damage to the vehicle, cargo or other property are preventable when the driver's action or failure to secure them are evidenced. Cargo damage, resulting from unsafe vehicle operation, is preventable by drivers.

It is impossible to describe in detail the many ways a driver might prevent an accident without being primarily or legally responsible. The paragraphs of this guide merely highlight the most frequent occurrences based on past decisions of Accident Review Committee.

KBS, Inc.



Dump Truck Service

SPILL PREVENTION CONTROL AND COUNTERMEASURE PLAN

(SPCC)

**DE Version
Solid or Residual Waste**

Prepared By:

**K B S Inc.
Route 30 & KBS Road
P.O. Box 7
Thomasville, PA 17364**

REV. 8/2006

I. EMERGENCY REPORTING

In the event of an emergency or solid or residual waste spill during transportation the transporter will immediately notify the Delaware Emergency reporting Number: **800-662-8802** or **302-739-9401**, with the following information as required by Section 299.217 of residual waste regulations:

1. Name of the person reporting the incident.
2. Name, address and the telephone number of the transporter.
3. Telephone number where the person reporting the incident can be reached.
4. Date, time and location of the incident.
5. Mode of transportation and type of vehicle.
6. A brief description of the nature of the incident and what damages to the public health and safety, public welfare and the environment exist or may occur.
7. The nature of any injuries.
8. For each waste involved in the incident:
 - a. The name and address of the generator of the waste.
 - b. Estimated weight or volume of the waste discharged or released.

In the event of an emergency or solid/ residual waste incident during transportation, the transporter will immediately notify the state or local police and the county emergency management official of the incident and the nature of the discharge or release.

The transporter will notify the Delaware Emergency Contact at **800-662-8802** or **302-739-9401** with the specifics of the incident prior to the disposal or processing of said waste. Processing or disposal shall be in accordance with Section 287.103 (relating to emergency processing or disposal).

II. LIST OF EMERGENCY RESPONSE AGENCIES

1. Delaware Department of Natural Resources
& Environmental Control
800-662-8802 or 302-739-9401
2. Delaware State and/or Local Police and Fire Departments
Dial **911** or **0** (Operator)
3. The local/county emergency management official located in the
area of the spill.
Dial **911**

III. LIST OF EMERGENCY CO-ORDINATORS

At all times, there shall be at least one employee either on the installation's premises or on-call with the responsibility for co-ordinating all emergency response measures. The emergency co-ordinator is familiar with all aspects of the Contingency Plan, all operations and activities, the characteristics of all materials handled and the location of all records. In addition, this individual has the authority to commit the resources necessary to carry out the Contingency Plan.

In this plan, a minimum of two Emergency Co-coordinators are listed below for K B S, Inc:

Marc Litrenta

K B S, Inc
Rt 30 & KBS Road P.O. Box 7
Thomasville, PA 17364
Work # (717) 792-1800
Cell# (717) 542-2299

David Mummert

K B S, Inc
Rt 30 & KBS Road P.O. Box 7
Thomasville, PA 17364
Work # (717) 792-1800
Cell# (717) 225-5717

IV. EMERGENCY EQUIPMENT

Shovels, Brooms, Fire Extinguishers and Emergency Reflectors are located in all company vehicles used in transporting solid or residual waste. Spill Clean-up kits containing absorbent booms, absorbent wipes, drain seals, salvage drums, additional personal protective safety equipment and decontamination products will be provided after contact with the immediate supervisor and the initial need assessment requires such kit.

Personal protective clothing, safety glasses or goggles, gloves, a paper filtration device and hardhat are all provided to drivers to be utilized, as the exposure requires during daily transportation procedures. A First-Aid Kit & Eye Wash will be provided based on need by the supervisor. All equipment shall be tested and maintained as necessary to assure its proper operation in time of emergency. After an emergency, all equipment shall be decontaminated, cleaned and fit for its intended use before normal operations resume.

V. ROUTINE DECONTAMINATION PROCEDURES

After all equipment used to handle solid or residual waste including but not limited to loaders and transporting equipment that are contaminated with solid or residual waste must be de-contaminated prior to being serviced or used for any purpose other than transportation of compatible waste and prior to being serviced or used for transportation of waste, unless such wastes are compatible and are transported to a storage, treatment or disposal facility.

Contaminated waste water, waste solutions and residues generated from washing or de-contamination equipment are deemed to be a residual waste, and shall be collected and disposed or processed in compliance with applicable laws and regulations.

VI. TRAINING

All company drivers engaged in transporting solid or residual waste for K B S, Inc. shall be required to undergo training with regards to this policy.

K B S, Inc. Equipment List (Powered) 10/8/2024

Yr		Mfg	Make	Model	Desc.	S/N	PA	PA Reg	MD	MD Reg	GV WT
Unit#	Plate #						Exp Date	Plate #	Exp Date	GV Combo WT	
27	17	Peterbilt	389	Tractor	1XPXD49X4HD435391	AH44124	5/31/2025			80000	
2501	25	Peterbilt	567	Tractor	1XPCD49X5SD736287	AH44927	5/31/2024			80000	
2502	25	Peterbilt	567	Tractor	1XPCD49X7SD736288	AH37531	5/31/2024			80000	
2503	25	Kenworth	T880	Tractor	3WKZD49X7SF165942					80000	
2504	25	Kenworth	T880	Tractor	3WKZD49X9SF165943					80000	
2505	25	Peterbilt	567	Tractor	1XPCD49X7SD748408					80000	
2506	25	Peterbilt	567	Tractor	1XPCD49X9SD748409					80000	
2507	25	Peterbilt	567	Tractor		waiting for veh delivery				80000	
2508	25	Peterbilt	567	Tractor		waiting for veh delivery				80000	
2550	25	Peterbilt	567	Triaxle Dump	1NPCX4EXXSD736289	AH13365	6/30/2025	E54948D	1/31/2025	73280	
2551	25	Peterbilt	567	Triaxle Dump	1NPCX4EX6SD736290	AG93009	6/30/2025	E54946D	1/31/2025	73280	
2552	25	Peterbilt	567	Triaxle Dump	1NPCX4EX8SD736291	AG94386	6/30/2025	E54947D	1/31/2025	73280	
2553	25	Peterbilt	567	Triaxle Dump	1NPCX4EXXSD736292	AH44931	6/30/2025	E52231D	6/30/2025	73280	
61	20	Kenworth	W900L	Triaxle Dump	1NKWX4TX1LR392832	AG25822	6/30/2025	E44193D	4/30/2025	73280	
62	20	Kenworth	W900L	Triaxle Dump	1NKWX4TX3LR392833	AG99811	6/30/2025	E52229D	6/30/2025	73280	
63	20	Kenworth	T800B	Triaxle Dump (steel)	1NKDX4TX6LR392834	AF72089	6/30/2025	E55198D	4/30/2025	73280	
64	20	Kenworth	T800B	Triaxle Dump	1NKDX4TX8LR392835	AF67581	6/30/2025	E64465D	4/30/2025	73280	
65	20	Kenworth	T800B	Triaxle Dump	1NKDX4TXXLR392836	AF79671	6/30/2025	E61603D	5/31/2025	73280	
66	22	Kenworth	T800B	Triaxle Dump	1NKDX4TXXNR470230	AG99807	6/30/2025	E50297D	5/31/2025	73280	
67	22	Kenworth	T800B	Triaxle Dump	1NKDX4TX1NR470231	AH13366	6/30/2025	E54871D	3/31/2025	73280	
68	22	Kenworth	T800B	Triaxle Dump	1NKDX4TX3NR470232	AF64962	6/30/2025	E52210D	4/30/2025	73280	
69	23	Kenworth	T800B	Triaxle Dump	3BKDX4TX4PF254776	AG99808	6/30/2025	E52209D	4/30/2025	73280	
70	24	Kenworth	T800B	Triaxle Dump	3BKDX4TX9RF261452	AH26632	6/30/2025	E65596D	8/31/2024	73280	
71	24	Peterbilt	367	Triaxle Dump	1NPTX4EX0RD897034	AH44932	6/30/2025	E55005D	6/30/2025	73280	
72	24	Peterbilt	367	Triaxle Dump	1NPTX4EX2RD897035	AE76695	6/30/2025	E54949D	1/31/2025	73280	
73	24	Peterbilt	367	Triaxle Dump	1NPTX4EX4RD897036	AF47780	6/30/2025	E70715D	4/30/2025	73280	
74	24	Kenworth	T800B	Triaxle Dump	1NKDX4TX0RR326918	AH26633	6/30/2025	E54230D	3/31/2025	73280	
75	24	Kenworth	T800B	Triaxle Dump	1NKDX4TX2RR326919	AG25823	6/30/2025	E54872D	3/31/2025	73280	
76	24	Kenworth	T800B	Triaxle Dump	1NKDX4TX7RR345644	AG99810	6/30/2025	E68234D	8/31/2024	73280	
80	21	Kenworth	T800	Tractor	3WKDD49X0MF435249	AH44929	5/31/2025			80000	
81	21	Kenworth	T800	Tractor	3WKDD49X7MF435250	AG38498	5/31/2025			80000	
82	21	Kenworth	W900	Tractor	1XKWD49X0MR435273	AH13368	5/31/2025			80000	
83	21	Kenworth	W900	Tractor	1XKWD49X2MR435274	AG56418	5/31/2025			80000	
84	21	Kenworth	W900	Tractor	1XKWD49X4MR435275	AG28689	5/31/2025			80000	
85	22	Kenworth	T800	Tractor	1XKDD49X8NR470233	AH37533	5/31/2025			80000	
86	22	Kenworth	T800	Tractor	1XKDD49XXNR470234	AH44930	5/31/2025			80000	
87	22	Kenworth	T800	Tractor	1XKDD49X1NR470235	AH13369	5/31/2025			80000	
90	19	Kenworth	T800	Tractor	1XKDD49X2KJ223140	AG44376	5/31/2025			80000	
91	19	Kenworth	T800	Tractor	1XKDD49X4KJ223141	AG34729	5/31/2025			80000	
92	19	Kenworth	W900	Tractor	1XKWD49X8KJ222776	AH44926	5/31/2025			80000	
93	19	Kenworth	W900	Tractor	1XKWD49XXKJ222777	AH37532	5/31/2025			80000	
96	19	Peterbilt	389	Tractor	1XPXD49X3KD269808	AH13367	5/31/2025			80000	
97	20	Kenworth	W900	Tractor	1XKWD49X0LR403650	AG90600	5/31/2025			80000	

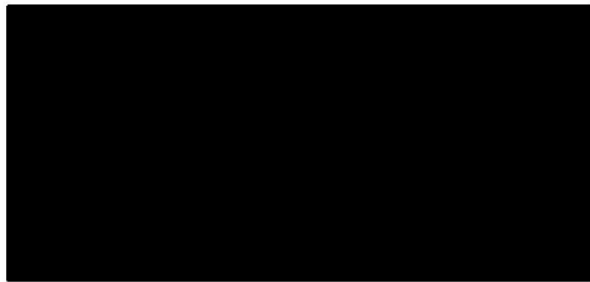
KBS, Inc Shareholders and Corporate Officers

Scott R. Wagner



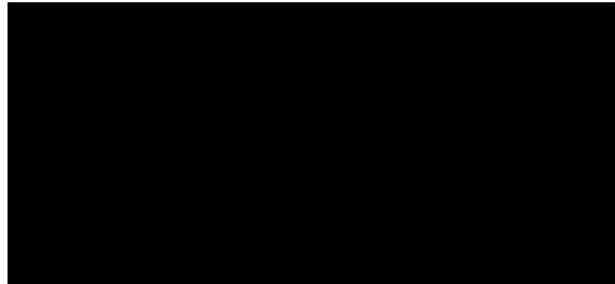
80% Shareholder

Eric Verman



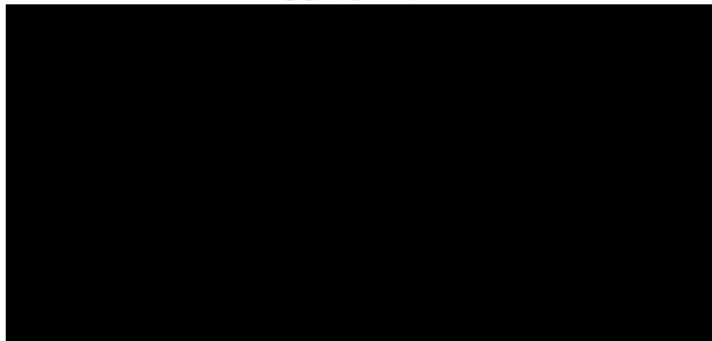
10% Shareholder

Judy A. Toomey



10% Shareholder

Julie Davis



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 PA DEP WH 0191
- 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 _____
- No transporter permits in other states

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

DOT# 246079 MC# 152474

- 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