

RECEIPT

DATE

12/27/24

No.

628185

RECEIVED FROM

Lewis Environmental, LLC

\$ 1550.00

One thousand five hundred fifty and $\frac{23}{100}$ DOLLARS☐ FOR RENT☒ FOR

DE-HW-0483

ACCOUNT		
PAYMENT		
BAL. DUE		

☐ CASH☒ CHECK☐ MONEY
ORDER☐ CREDIT
CARD

FROM

63583

TO

BY

M.M.



RECEIVED

DEC 27 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

HAZARDOUS WASTE TRANSPORTER PERMIT APPLICATION

Instructions: You must complete this application in its entirety and attach all applicable documentation.

(**Note:** For applicants renewing an existing permit, this application requires the submission of updated information and documentation.)

The application must be signed by the company owner or a corporate officer. A check payable to the "State of Delaware" must accompany this application.

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

1. Type of Permit

☐ New – Submit a check or money order, payable to the "State of Delaware," in the amount of \$350.00.

☒ Renewal: Permit # DE-HW- 483 Expiration Date March 31, 2025

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.

☐ 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 hazardous waste transporters? ☒ Yes ☐ No

3. Company Information:

Company Name: Lewis Environmental, LLC

Location Address:	Mailing Address:
155 Railroad Plaza	PO Box 639
Royersford, PA 19468	Royersford, PA 19468

Contact Person: Brandon D Smith

Title: Senior Vice President

Business Phone: 610-495-6695

Fax: 610-495-6697

E-mail: bsmith@discoverlewis.com

24 hr. Emergency Phone: [REDACTED]

EPA Identification Number: PAD987378940

Employer's Federal Tax ID Number: 23-2852615

4. Type of Company: (Check One)

☐ Proprietorship

☐ Partnership

☐ Corporation – City, State and Date of Incorporation: _____

☐ Municipality

☐ Public Institution

☒ Other – Explanation: Limited Liability Corporation

5. Parent Company Information:

Parent Company Name: The Lewis Group, LLC

Parent Company Address: _____

6. Ownership/Stockholder Information:

For each owner, partner, or corporate officer, list the name, title, home address, and date of birth.

☒ List of owners, partners, or corporate officers: Attachment 1

List the name and address of all stockholders owning greater than 5% outstanding shares.

☐ List of stockholders: Attachment _____

☒ Not Applicable

7. Company Affiliations:

List all other companies owned by the same owners, corporate officers, or parent company that are engaged in the business of solid or hazardous waste transportation, treatment, storage, disposal, recovery, or reclamation.

- ☐ List of company affiliates: Attachment _____
☒ No company affiliates

8. Type of Hazardous Waste to be Transported:

Indicate the waste types to be transported. (Note: Characteristic and listed hazardous wastes identified in Delaware's *Regulations Governing Hazardous Waste* (DRGHW) Part 261 are equivalent to RCRA 40 CFR Part 261 wastes.) Check all that apply.

- ☒ Part 261 characteristic or listed hazardous wastes
☒ Used or waste oils (as defined by Part 279, Used Oil Management Standards)
☒ Spent antifreeze exhibiting a characteristic of hazardous waste
☒ PCB-contaminated hazardous waste
☒ Spent fluorescent lighting tubes and ballasts when managed as non-universal waste

9. Treatment, Storage, and Disposal Facilities:

List all treatment, storage, and disposal facilities that have agreed to accept the hazardous wastes identified above.

- ☒ List of treatment, storage, and disposal facilities: Attachment 2

10. Other Transporter Permits:

List all hazardous waste transporter permits held in other states.

- ☒ List of transporter permits: Attachment 3
☐ No hazardous waste transporter permits held in other states

11. Federal DOT and Motor Carrier Numbers:

Indicate your Federal DOT number and Motor Carrier number:

DOT# 700974 MC# _____

12. Proof of Insurance:

The transporter identified in this application must meet or exceed minimum insurance requirements as set forth in DOT Title 49 CFR Part 387. The DNREC Compliance and Permitting Section must be identified as the certificate holder. Also include a current MCS-90 endorsement or affirmation that the endorsement is still in effect.

- ☒ Certificate of insurance and MCS-90: Attachment 4

13. Spill Control and Safety Equipment:

List all spill control and safety equipment that will be carried on each vehicle.

☒ List of spill control and safety equipment: Attachment 5

14. Spill Control Plan:

Attach a copy of the Spill Control Plan that describes prevention, containment, and clean up procedures during transportation. The plan must demonstrate compliance with the requirements outlined in DRGHW Sections 263.30, 263.31, and 263.105. **Spill Control Plans must contain the following Delaware Emergency Reporting Telephone Numbers: 1-800-662-8802 and 302-739-9401.**

☒ Spill Control Plan: Attachment 5

15. Driver Training:

Attach a copy of your driver training program. All drivers must be trained in current DOT Motor Carrier Safety Regulations and have knowledge of the proper handling procedures for the type of waste transported, the hazardous waste manifest system, and safe vehicle operation as provided in 49 CFR Parts 383, 390 – 399, and DRGHW Section 263.104. All drivers must be familiar with the approved Spill Control Plan.

☒ Driver Training Program: Attachment 6

16. Controlled Substance Testing:

Do you maintain a controlled substance testing program for drivers in your employment (including contract drivers) in compliance with Federal DOT 49 CFR Part 391?

☒ Yes

☐ No, Explain:

17. Vehicle Identification Information:

List all vehicles to be used for the transportation of hazardous waste into, out of, or through Delaware. You may use the form provided or another printout that contains all required information.

☒ Vehicle Identification Information: Attachment 7

18. Environmental Record:

List all criminal citations, arrests or 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 other 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 application.

- ☒ Environmental Record: Attachment 8
☐ Not Applicable – No violations within the specified time period

19. Signature:

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 of legal owner or corporate officer

Brandon D. Smith

Printed Name

12/24/24
Date

Senior Vice President
Title

ATTACHMENT 1



155 Railroad Plaza
P.O. Box 639
Royersford, PA 19468

p: 610-495-6695
emergency: 800-258-5585
DiscoverLEWIS.com

DE-SW-0882

Attachment 1

The Lewis Group, LLC – 100%
(Parent Company)
Tax ID 81-4811950
155 Railroad Plaza
Royersford, PA 19468

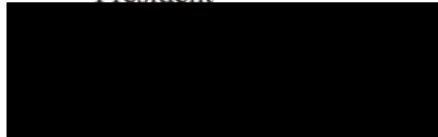
Lewis Environmental, LLC – 100%
Tax ID 23-2852615
155 Railroad Plaza
Royersford, PA 19468

Lewis Environmental, LLC Officers

Richard D. Lewis – 0%
CEO



David J. Lindenmuth – 0%
President



Stephen Pelná – 0%
Senior Vice President



Brandon D. Smith – 0%
Senior Vice President



John William Powers – 0%
Secretary and Treasurer



The Lewis Group Holdings, LLC (Delaware LLC)
Ownership Table - Class A Units (common)

Member	Class A Units	Ownership Percentage before Dilution
RAML, Inc.	6,000.00	27.90%
Tecum Capital Partners III, L.P.	3,911.92	18.19%
Tecum TLG Blocker Holdings, LLC	188.08	0.87%
Tecum Equity Coinvest – Lewis Group, LLC	1,752.50	8.15%
Five Points Credit SBIC IV, L.P.	3,950.00	18.37%
SharpVue Capital Credit Fund II, LP	3,783.33	17.59%
SharpVue Capital Opportunity AI Fund, LP	30.50	0.14%
SharpVue Capital Opportunity QP Fund, LP	136.17	0.63%
Glen Oaks Capital, LLC	750.00	3.49%
Glen Oaks Capital Partners I, LLC	1,000.00	4.65%
Total	21,502.50	100.00%



155 Railroad Plaza
Royersford, PA 19468

Remediation Solutions for Every Environment.

ATTACHMENT 2



101 Carroll Drive
New Castle, DE 19720

emergency: 800-258-5585
DiscoverLEWIS.com

DE-HW-483

Attachment 2

Treatment, Storage, and Disposal Facilities

ACV (AKA Cycle Chem)

550 Industrial Drive
Lewisberry, PA 17339

Republic Environmental Systems (PA), Inc (AKA Clean Earth)

2869 Sandstone Drive
Hatfield, PA 19440

Clean Harbors Environmental Services, Inc.

2858 Route 322
Bridgeport, NJ 08014

Veolia ES Technical Solutions, LLC

125 Factory Lane
Middlesex, NJ 08846

Envirite of Pennsylvania (AKA US Ecology)

730 Vogelsong Road
York, PA 17404

ATTACHMENT 3

		PERMITS				REPORTING	
Office and Service Centers	Permit/EPA/Registration Numbers	Number	App. Due by	Issued	Expires	Monthly/Quarterly/Annually	Due By
Lewis Environmental Inc.	US DOT No.	700974	N/A	N/A	N/A	N/A	N/A
	Federal Tax Id No.	232852615	N/A	N/A	N/A	N/A	N/A
Corporate							
155 Railroad Plaza	Environmental Protection Agency						
Royersford, PA 19468	EPA I.D. No.:	PAD987378940		6/13/2000	N/A	N/A	N/A
	EPA I.D. No. FLORIDA	FLR000234633		5/27/2020	N/A	N/A	N/A
Service Centers	U.S. Department of Transportation						
Royersford Service Center	Hazardous Materials Registration No.	061522550394EG		7/1/2022	6/30/2025	N/A	N/A
455 Railroad Plaza							
Royersford, PA 19468	Pennsylvania Department of Environmental Protection						
	Hazardous Waste Transporters No.:	PA-AH 0591	2/28/2023	8/1/2023	5/31/2024	Quarterly	4/20, 7/20, 10/20, 1/20
New Castle Service Center	Municipal/Residual Waste Transporters No.:	WH1536	10/1/2023	12/10/2022	1/1/2024	N/A	N/A
101 Carroll Drive	Regulated Medical and Chemotherapeutic Transporters No:	PA-HC0280	7/31/2023	8/30/2023	10/31/2025	Annual	31-Mar
	Waste Tire Transporter Authorization	WTT2768	10/1/2023	12/19/2023	1/31/2025	Annual	31-Mar
New Castle, DE 19720							
Bloomsburg Service Center	Maryland Department of the Environment						
18 Industrial Dr.	Oil Operations Permit No.:	2009-OPV-2340	8/1/2028	11/8/2023	11/8/2028	Annual	31-Jul
Bloomsburg, PA 17815	Controlled Hazardous Substances Certificate No.	HWH 628	5/1/20223	8/1/2023	6/30/2024	N/A	N/A
New Cumberland Service Center	State of Delaware Department of Natural Resources & Environmental Control						
144 Reno Ave.	Hazardous Waste Transporters No.:	DE-HW-0483	12/31/2024	4/1/2020	3/31/2025	N/A	N/A
New Cumberland, PA 17070	Solid Waste Transporters No.:	DE-SW-0882	12/31/2024	4/1/2020	3/31/2025	Annual	1-Apr
	Infectious Waste Transporters No:	DE-SW-0882	12/31/2024	4/1/2020	3/31/2025	Annual	1-Apr
Lakeland Service Center							
2005 Edenfield Place	State of New Jersey Department of Environmental Protection - A901						
Lakeland, FL 33801	Hazardous Waste DEP No.:	50233	3/1/2025	6/15/2023	6/30/2025		
	Solid Waste DEP No.:	20235	3/1/2025	6/15/2023	6/30/2025		
	CPCN					Annual	1-Jun
	A901 Annual Update					Annual	1-Nov
	DEC ALS					Biennial	1-May
	Florida Department of Environmental Protection						
	Facility ID No.:	PAD987378940					
	Used Oil Transporter	N/A	2/1/2024	5/31/2023	6/30/2024	Annual	1-Mar
	Hazardous Waste Transporters	N/A	2/1/2024	5/31/2023	6/30/2024	N/A	N/A
	New York State Waste Transporters						
	Hazardous and Solid Transporter Permit	PA-334	8/1/2024	11/9/2023	11/9/2024	Annual	1-Mar
	Broward County Florida	WT-21-0059	5/1/2025	6/16/2023	6/30/2025		
	Used Oil, Non-Hazardous Industrial Waste Solid/Liquid)					Monthly	15th of Each Month
	RCRA Hazardous Waste						

ATTACHMENT 4

Proof of Insurance and MCS-90



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

12/11/2024

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 Graham Company, a Marsh & McLennan Agency, LLC company One Penn Square West Philadelphia PA 19102	CONTACT NAME: Matthew McGurkin	FAX (A/C, No):
	PHONE (A/C, No, Ext): 215-567-6300	
	E-MAIL ADDRESS: McGurkin_Unit@grahamco.com	
	INSURER(S) AFFORDING COVERAGE	
	INSURER A: Nautilus Insurance Company	
	INSURER B: Great Divide Insurance Company	
INSURED Lewis Environmental, LLC 155 Railroad Plaza Royersford, PA 19468	NAIC #	
	17370	
	25224	
	28932	

COVERAGES **CERTIFICATE NUMBER:** 103637543 **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.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD 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 type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y	ECP2027470-16	11/1/2024	11/1/2025	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 25,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
B	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY		BAP2027471-16	11/1/2024	11/1/2025	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ COMP/COLL DEDUCTIBLE: \$ SEE BELOW
A	<input type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$		FFX2027473-16	11/1/2024	11/1/2025	EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000 \$
B	<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 N N/A	WCA2027472-16	11/1/2024	11/1/2025	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER INCLUDES USL&H E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A C	Professional Liability/Pollution Contractors Equipment		ECP2027470-16 MKLM7IM0055363	11/1/2024 11/1/2024	11/1/2025 11/1/2025	Each Claim/Agg Occurrence/Aggregate: CE Policy See below \$1,000,000 \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Sole negligence of the additional insured not provided.

AUTO COMP/COLL DEDUCTIBLE:
\$1,000 Deductible - Collision & Comprehensive (Private Passenger and Light Trucks)
\$2,000 Deductible - Collision & Comprehensive (Medium Trucks)
\$5,000 Deductible - Collision & Comprehensive (Heavy, Extra Heavy and Tractor) - COVERAGE PROVIDED BY CONTRACTORS EQUIP. POLICY
\$1,000 Deductible - Collision & Comprehensive (Trailers)

See Attached...

CERTIFICATE HOLDER **CANCELLATION**

Delaware Department of Natural Resources & Environmental Control Solid & Hazardous Waste Management 89 Kings Highway Dover DE 19901	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

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ADDITIONAL REMARKS SCHEDULE

AGENCY Graham Company,		NAMED INSURED Lewis Environmental, LLC 155 Railroad Plaza Royersford, PA 19468	
POLICY NUMBER			
CARRIER	NAIC CODE	EFFECTIVE DATE:	

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,
 FORM NUMBER: 25 FORM TITLE: CERTIFICATE OF LIABILITY INSURANCE

Contractors Equipment Policy (including Cargo):
 Equipment leased, rented borrowed from others: \$500,000
 Contractors Equipment Scheduled Limit: \$4,953,326
 Theft Coverage (except Employee Theft) included

Cyber Liability Policy # D98324963 - Carrier: Ace American Insurance Company - NAIC # 22667 Eff Date: 11/1/24 Exp Date: 11/1/25
 Aggregate Limit: \$1,000,000

USDOT Number: _____ 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, Registration 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.



United States Department of Transportation
Federal Motor Carrier Safety Administration

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 Lewis Environmental LLC of Pennsylvania ☒
(Motor Carrier name) (Motor Carrier state or province)

Dated at 12:00 noon ☒ on this 2nd ☒ day of July ☒, 2024 ☒

Amending Policy Number: BAP2027471-15 Effective Date: 11-1-2023

Name of Insurance Company: Great Divide Insurance Company

Countersigned by: 
(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: 215-553-7360

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 <https://portal.fmcsa.dot.gov/UrsRegistrationWizard/>.

(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.

(continued on next page)

SCHEDULE OF LIMITS — PUBLIC LIABILITY

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 49 CFR 171.8 , 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 49 CFR 173.403 .	\$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 49 CFR 172.101 ; hazardous waste, hazardous materials, and hazardous substances defined in 49 CFR 171.8 and listed in 49 CFR 172.101 , 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 49 CFR 173.403 .	\$5,000,000

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

ATTACHMENT 5

Spill Control and Safety Plan (Transportation Contingency Plan)



155 Railroad Plaza
P.O. Box 639
Royersford, PA 19468

p: 610-495-6695
emergency: 800-258-5585
DiscoverLEWIS.com

Revised Dec. 2024

TRANSPORTATION AND CONTINGENCY PLAN

STANDARD PROCEDURE

Prior to leaving the loading site, drivers will ensure drums are closed properly, not leaking and are securely in place.

All liquid cargo is to be inspected ensuring all loading and unloading lines have caps securely in place, and that there is no discharge going to the ground.

In the event of an accident or another emergency, which causes a discharge of cargo, implement the procedures as set forth in this contingency plan.

If product can be contained using your spill kit, deploy pads and absorbent booms to block spillage from entering storm drains or possible entrances to ditches, which lead to waterways.

REMEMBER YOUR SAFETY AND THE SAFETY OF OTHERS IS PARAMOUNT IN ALL SITUATIONS.

EMERGENCY REPORTING

In the event of an emergency or a hazardous waste spill during transportation, Lewis Environmental, Inc. (Lewis) will immediately notify the local municipality by dialing 911, informing them of the occurrence and the nature of the spill.

Lewis will then immediately notify the applicable state environmental agency (see contact list attached) and the National Response Center (24-Hours) with the following information:

- 1) Name of person reporting the incident
- 2) Lewis Environmental, Inc.
455 Railroad Plaza
Royersford, PA 19468
EPA ID No. PAD987378940
- 3) A telephone number where the person reporting the incident can be reached
- 4) Date, Time and Location of the incident

- 5) Type of truck you are driving (i.e. vac truck, dump truck)
- 6) A brief description of the incident, including type of incident
- 7) For each waste involved in the spill:
 - a. The name and EPA identification number of the generator of the waste (from the manifest),
 - b. Shipping name, hazard class and UN or NA number of the waste spilled,
 - c. Estimated quantity of waste spilled; and,
 - d. The extent of contamination to land, water or air.
- 8) Shipping name, hazard class and the UN or NA number of any other waste carried.

Lewis will submit a report in writing as required by 49 CFR. 171.16 to the Chief, Information System Division, Transportation Programs Bureau, Department of Transportation, Washington, D.C. 20590 and to all others as required by 263.30(E).

EMERGENCY RESPONSE COORDINATORS

Stephen Peln, Senior Vice President
Cell Phone – [REDACTED]

Justin Lineman, Director / Emergency Services
Cell Phone – [REDACTED]

Brandon D. Smith, Senior Vice President
Cell Phone – [REDACTED]

EMERGENCY RESPONSE CONTRACTOR / RESPONSE NETWORK

Lewis Environmental, LLC., 800-258-5585, 455 Railroad Plaza, Royersford, PA
Lewis Environmental, LLC., 800-258-5585, 101 Carroll Drive, New Castle, DE 19720
Lewis Environmental, LLC., 800-258-5585, 18 Industrial Drive, Bloomsburg, PA 17815
Lewis Environmental, LLC., 800-258-5585, 2005 Edenfield Place, Lakeland, FL 33801
Lewis Environmental, LLC., 800-258-5585, 5500 Paxton St. Harrisburg, PA 17111
Lewis Environmental, LLC, 800-258-5585, 900 Industrial Dr., Waterford Works, 08089
Lewis Environmental, LLC 800-258-5585, 50 Hampton St., Metuchen, NJ 08840

Lewis Environmental, Inc. is a full-service environmental emergency response company. We have highly trained and skilled emergency response teams and contractor network on call 24 hours a day, 365 days a year.

We can respond to all types of petroleum and chemical spills, both inland and on open waterways. We have the flexibility to mobilize and provide quick response times, thus providing maximum clean-up effectiveness. We are able to provide services for

D-C-B-A RESPONSES



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LIST OF EMERGENCY RESPONSE AGENCIES

ALL LOCAL POLICE AND FIRE DEPARTMENTS – **911**

NATIONAL RESPONSE CENTER – **800-424-8802** (24 HOURS)

LEWIS ENVIRONMENTAL, INC. 24-HOUR EMERGENCY NUMBER – **800-258-5585**
PENNSYLVANIA

PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY (PEMA) – **800-424-7362**

DEPARTMENT OF ENVIRONMENTAL QUALITY – **800-541-2050**

PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Region	Emergency Phone	Region Headquarters	Counties Supervised
Southeast	717-787-4343	2 East Main Street Norristown, PA 19401 Phone: 484-250-5900	Bucks, Chester, Delaware, Montgomery, Philadelphia
Northeast	717-787-4343	2 Public Square Wilkes-Barre, PA 18711-0790 Phone: 570-826-2511	Carbon, Lackawanna, Lehigh, Luzerne, Monroe, Northampton, Pike, Schuylkill, Susquehanna, Wayne, Wyoming
Southcentral	717-787-4343	909 Elmerton Avenue Harrisburg, PA 17110 Phone: 717-705-4700	Adams, Bedford, Berks, Blair, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lancaster, Lebanon, Mifflin, Perry, York
Northcentral	717-787-4343	208 West Third Street Suite 101 Williamsport, PA 17701 Phone: 570-327-3636	Bradford, Cameron, Centre, Clearfield, Clinton, Columbia, Lycoming, Montour, Northumberland, Potter, Snyder, Sullivan, Tioga, Union
Southwest	717-787-4343	400 Waterfront Drive Pittsburgh, PA 15222-4745 Phone: 412-442-4000	Allegheny, Armstrong, Beaver, Cambria, Fayette, Greene, Indiana, Somerset, Washington, Westmoreland
Northwest	717-787-4343	230 Chestnut Street Meadville, PA 16335-3481 Phone: 814-332-6945	Butler, Clarion, Crawford, Elk, Erie, Forest, Jefferson, Lawrence, McKean, Mercer, Venango, Warren



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DELAWARE

DELAWARE EMERGENCY RESPONSE – **1-800-662-8802 and 302-739-9401**

DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL
- 24 HOUR COMPLAINT AND SPILL NOTIFICATION LINE - **1-800-662-8802**

FLORIDA

FLORIDA DEP STATE WATCH OFFICE - **1-800-320-0519**

MARYLAND

DEPARTMENT OF THE ENVIRONMENT – **866-633-4686**

NEW JERSEY

NJDEP 24-HOUR ENVIRONMENTAL INCIDENT HOTLINE – **1-877-927-6337**

NEW YORK

DEPARTMENT OF ENVIRONMENTAL CONSERVATION – **800-457-7362**

ALABAMA

ALABAMA EMERGENCY MANAGEMENT AGENCY – **800-356-9596**

ALABAMA DEPARTMENT OF PUBLIC SAFETY – **334-242-4378**

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT – **334-260-2700**



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EMERGENCY EQUIPMENT	
VEHICLES	LIGHT EQUIPMENT/PUMPS
Roll-Off Trucks	3000-5000 Pressure Washers - Cold
Dump Trucks	3000-5000 Pressure Washers - Hot
Tractors	5k-7K Generators
3,000 Gal. Carbon Steel Vacuum Trucks	1"-2" Double Diaphragm Chemical Pumps
3,000 Gal. Stainless Steel Vacuum Truck	1"-2" Double Diaphragm Petroleum Pumps
Pick-Up/Service Trucks	185 CFM Tow Behind Air Compressors
Utility Trucks	Confined Space Entry (CSE) Packages
Rack/Stake Body Trucks	HEPA Vacuums
Box Trucks	Mercury Vacuums
Corporate/Sales Vehicles	LayMor 3c Walk behind Sweepers
	All-Terrain Vehicles
	Fork Lifts
TRAILERS	
6,500 Aluminum Vacuum Trailer	BOATS/MARINE RESPONSE
16' Confined Space Rescue Trailers	14' Jon Boats
Boat Trailers	Alumite Airboat
24' Cargo Trailers	22' Aluminum Work Boat
24' Hazardous Materials Response Trailers	27' Aluminum Work Boat
24' Non-Hazardous Materials Response Trailers	27' Carolina Skiff Work Boat
24' Marine Response Trailers	18" Containment Boom
5-Ton Equipment Trailer	
48' Box Trailers	HEAVY EQUIPMENT
	Kubota Skid Loader
CONTAINERS/CHEMICAL STORAGE	CAT Skid Loader
20 CY Roll-off Containers	
30 CY Roll-off Containers	MONITORING EQUIPMENT
275 Gallon Poly Totes	Multi-Gas Meters
55 Gallon Open Head Steel Drums	Mercury/Jerome Meter
55 Gallon Open Head Poly Drums	Photo Ionization Detectors (PID)
55 Gallon Closed Head Steel Drums	RAD Meters
55 Gallon Closed Head Poly Drums	Benzene Meters
	Draeger Meters/Tubes
SPILL RESPONSE MATERIALS	
Absorbent Pads (Oil Only)	
Absorbent Pads (Universal)	
Safe T Sorb™ Oil Absorbent (40lb.) bags	
Oil Pick Up (25lb.) bags	
Oil Absorbent Blankets	
Oil Absorbent Boom	
Tanker Rollover Kits	
PPE (Level A, B, C, D)	
SCBA Equipment	



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EMERGENCY EQUIPMENT MAINTENANCE AND DECONTAMINATION PROCEDURES

All equipment shall be tested and maintained as necessary to assure its proper operation in the event of an emergency. After an emergency, all equipment shall be decontaminated, cleaned and made fit for its intended use before normal operations resume.

EXTERNAL COMMUNICATIONS

All Drivers have a cellular telephone, which the drivers will use to contact the emergency response coordinator and/or notify the emergency response agencies.

VEHICLE DECONTAMINATION PROCEDURES

All vehicles and equipment will be decontaminated with a pressure washer or hand wiped and sprayed with an appropriate decontamination solution and air-dried. Contaminated run-off will be collected and pumped into a drum.

EMPLOYEE TRAINING PROGRAM

Lewis Environmental employees are trained by our certified Health & Safety Director with many years of experience in the transportation of hazardous materials.

Our employees are OSHA 40-hour trained and received monthly review and yearly training on many subjects including hazardous communication, material safety data sheets, first aid, spill prevention, spill response and hazardous material operations.

All CDL drivers are schooled in the proper handling of hazardous materials and have in their possession the Pocket Guide to Hazardous Materials (HM-181) along with a current US DOT Emergency Response Guidebook.

SPILL CONTROL AND SAFETY EQUIPMENT

All trucks are to be equipped with the following spill control and safety equipment and the equipment is to be checked as part of each pre-trip inspection.

1. Spill control equipment/safety equipment
 - A. Current U.S. D.O.T. Emergency Response Guidebook
 - B. Spill Kits
 - C. Hard Hat with Face Shield



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- D. Salvage Drum (Stake Body Trucks)
- E. Tyvek Suit
- F. First Aid Kit
- G. Eye Wash Bottle
- H. Fire Extinguisher
- I. Reflective Triangles



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ATTACHMENT 6

Driver Training

Lewis Environmental Driver Training Programs and Policies

1. All new hires are required to complete a Pre-employment physical which includes DOT regulated Drug & Alcohol testing. Annual physical and DOT Drug & Alcohol testing is completed yearly. Lewis also conducts Post Accident Testing, Random Testing, Return to Work and Reasonable Suspicion Drug & Alcohol testing.
2. All new employees are OSHA 40 HAZWOPER Trained with recurring 8-Hr OSHA Refresher training yearly. All staff is required to complete the 8-Hr. OSHA refresher training annually. Various topics of the refresher training pertaining to driving include:
 - DOT/RCRA Training
 - HAZCOM
 - First Aid/CPR/AED
 - Fire Extinguisher Training
3. All new employees receive mandatory orientation training which includes Health & Safety, DOT/Hazmat, Hours of Service and Hazmat Security-Transportation Training,
4. All new drivers receive Smith Driver training, which is a behavioral based nationwide safety platform which includes classroom and on the road training by a certified instructor. A Driver Training Certificate is received at the completion of driver training.
5. All new employees are required to complete the Short Service Employee (SSE) Training Manual which includes Vehicle Operations, Waste Handling and H&S. (HS-015 SSE Policy is attached)
6. Lewis Environmental utilizes Samsara to track hours of service/driving hours and GPS information on vehicles. Each truck is equipped with a GPS and a forward and rear facing camera.
7. Lewis Environmental conducts a monthly safety meeting in which all employees are expected to attend via TEAMS application or in person. If unable to attend, employees are expected to review the recorded meeting and sign off on an attendance log documenting the safety meeting review.

8. Lewis Environmental Conducts Pre-Departure Checklists of drivers before they depart the local operations center. These audits are random and usually performed by another CDL driver, Supervisor, or Manager (Example attached)
9. Lewis Environmental has a Fleet Management Group responsible for conducting annual inspections, periodic inspections and repairs on the fleet of vehicles.
10. Lewis 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);
 - HS-004 Safety Driving Operations policy requires drivers operating Commercial Motor Vehicles to possess a Commercial Driver's License (CDL) with Hazmat endorsement.
 - All new employees receive mandatory orientation training which includes Health & Safety, DOT/Hazmat, Hours of Service and Hazmat Security-Transportation Training. (Training records available upon request)
 - All new employees are required to complete the Short Service Employee (SSE) Training Manual which includes Vehicle Operations, Waste Handling and H&S. (HS-015 SSE Policy is attached)
 - HS-057 All employees operating Vacuum trucks receive in depth training on the operations and use of all Lewis Environmental vacuum trucks. (see HS-057 Vacuum Trucks policy attached)
 - All new Drivers are required to receive "On the Job" training and are required to qualify on vehicles prior to operating vehicles solo. A Smith Driver Training Certificate is received at the completion of driver training.
11. Lewis' company procedures for periodic checks of the driver's records for moving violations, and your company policy on progressive counseling/discipline based on points include:
 - Lewis Environmental conducts Pre-employment background checks on all employees which includes driving records.
 - Safety performance history records checks are conducted at the time of hire. 3-year non-CDL and 10-year CDL.
 - Lewis Environmental conducts an annual driving record check on all employees during its 8-hr OSHA Refresher training.
 - HS-004 Safe Driving Policy describes the enforcement of violations along with the progressive discipline based on points.



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12. Lewis Environmental provides all new employees training on Hazardous Waste Management during it's 40-Hr OSHA HAZWOPER Training. Included in this training is the following:

- Regulatory background
- Hazardous waste identification and characterization
- Hazardous waste generator requirements
- Container storage and tank requirements
- Storage areas
- Pre-transportation requirements
- Recordkeeping and reporting
- Emergency response
- Waste minimization

13. Lewis Health & Safety Policies

- HS-015 – Short Service Employee Policy (policy attached)
- HS-001- Incident Reporting Policy is enforced. (policy attached)
- HS-004 Safe Driving Operations Policy is enforced. (policy attached)
- HS-005 Fatigue Management Policy is enforced. (policy attached)
- HS-010 Drug & Alcohol Policy is enforced. (policy attached)
- HS-032 Mobile Equipment Policy enforced (policy attached)
- HS-057 Vacuum Truck Policy is enforced (policy attached)
- HS-080 Disciplinary Policy is enforced (policy attached)



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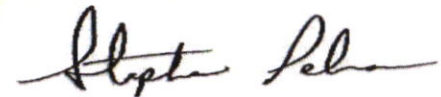
Lewis Environmental Certificate of Completion

Presented to

Lewis Environmental, LLC

**Lewis Environmental recognizes all Management and Field Personnel for completing the
Smith System Driver Direct On Road Defensive Driving Course**

(Individual certificates available upon request)



Stephen Perna, MS, CSP
Sr. Vice President

Pre Departure Checklist

Location Details

Date	Location	Crew Members
Inspector	Driver	

Checklist

1. Driver License

Photo of License

License Expiration Date

Comment

3. ELD Current

Comment

2. DOT Medical Card Present

Photo of Card

DOT Expiration Date

Comment

4. DVIR, Current and Previous

Comment



Pre Departure Checklist

5. Observed proper Pre-Trip Inspection

Comment

7. Placards displayed Properly

Comment

9. Current ERG Pocket Guide Present

Comment

11. First-Aid Kit and Two eye wash bottles present

Current Expiration Date

Comment

13. Trailer Check (if applicable): Jack test completed, All lights functioning properly, All chains properly secured, Hitch pins in place & Equipment secured

Comment

6. BOL/Manifest Correct

Comment

8. Current FMCSA Pocket Guide Present

Comment

10. Emergency Equipment Present and up to date (i.e. Fire Extinguisher, triangles, spare fuses, spill kit)

Fire Extinguisher Inspection Date

Comment

12. Equipment Check: All Equipment Secured

Comment

14. Waste being transported?

Photo of the states waste being transported in

Vehicle & Trailers

Vehicle	Front	Passenger Side	Rear	Driver Side

Inspector Signature

Date



Company Policy Number: HS-032

Policy Name: Mobile Equipment Policy

Department: Health & Safety

Date Last Modified: October 12, 2023

Mobile Equipment (Heavy Equipment) Policy:

1.0 Definitions

Heavy Equipment - All rubber-tired, self-propelled scrapers, rubber-tired front-end loaders, rubber-tired dozers, wheel-type agricultural and industrial tractors, crawler tractors, crawler-type loaders, and motor graders, with or without attachments, that are used in construction work.

Qualified Operator - an experienced craftsperson who has received training and demonstrated competency to operate a specific piece of equipment.

Site Manager - The associate responsible for work conducted on the site.

2.0 Policy

- A. Any person who operates mobile equipment must be a qualified operator, trained, certified, and authorized by their Site manager to operate the particular piece of equipment in use, and be capable of offering proof by means of license, certification or authorization. Health and Safety will maintain employee training records.
- B. Any person who operates or performs maintenance or service on mobile equipment must know, understand, and follow the manufacturer's specifications, recommendations and instructions.
- C. It is required that all records relating to maintenance or repairs on equipment owned and operated by Lewis Environmental Group, are maintained.
- D. Everyone who operates or maintains mobile equipment must understand and follow manufacturer specifications, recommendations and instructions.
- E. At the beginning of each shift, the operator should inspect and check the assigned equipment, report immediately to his or her supervisor if there are any

malfunctions of the clutch or the braking system, steering, lighting, or control system and locking/tagging out the equipment if necessary.

- F. Unauthorized personnel should not be permitted to ride on equipment unless it is equipped to accommodate passengers safely.
- G. The operator should make sure the warning signal is operating when the equipment is backing up.
- H. No operator should operate mobile equipment without the protection of an enclosed cab or approved eye protection.
- I. When available a driver will wear a seat belt and before starting the equipment adjust it to fit.
- J. The operator will not use or attempt to use any vehicle in any manner or for any purpose other than for which it is designated.
- K. The operator should not load any vehicle/equipment beyond its established load limit and shall not move loads, which because of the length, width, or height that have not been centered and secured for safe transportation.
- L. Hydraulic lines must be maintained to prevent leakage. If catastrophic failure of a hydraulic system occurs, the spill must be cleaned up according to site, local, state and governmental regulations.
- M. The operator of a gasoline or diesel vehicle should shut off the engine before filling the fuel tank and should ensure that the nozzle of the filling hose makes contact with the filling neck of the tank. No one should be on the vehicle during fueling operations except as specifically required by design. There should be no smoking or open flames in the immediate area during fueling operation.
- N. Any equipment should not be loaded beyond its established load limit and should not move loads which because of the length, width, or height cannot be centered and secured for safe transportation.
- O. All earth-moving equipment except for dump trucks and hydraulic excavators are required to have a rollover protection system.
- P. For security purposes all equipment keys must be removed from equipment and stored in a secured central location when not being used and equipment may not leave a site without the approval of the project manager.

Lewis Environmental - Department of Health & Safety

Company Owned or Leased Heavy Equipment Daily Inspection Log

Project Name & #:	Project Location:	Date:
Year, Make, Model:	Assigned Operator:	
Mileage/Hours:	Field Project Manager:	
Status: Owned or Leased?	Rental Co., Location, #:	

Enter in each section below either "OK", "Bad", or "N/A", and also if there are any needed repairs or maintenance.

Tracks, tires, wheels		
Fluids		
Brakes		
Horn		
Lights		
Clutch		
Windshield Wiper		
Glass		
Rear View Mirror		
Body		
Cover		
Frame		
Dump Mechanism		
Steering		
Warning Lights		
Motor (wiring)		
Radiator		
Belts		
Hoses		
Fire Extinguisher		
Signal System		
Fuel & Gas Lines		
Fuel Tank		
Exhaust System		
Boom		
Boom Hoist		
Hooks		
Grab Bars, Steps		
Inspected by:		
Day & Date inspected:		
Notes:		

Development History	Name	Date
Writer	Evan Painter, Env. Health Intern	7/22/13
Reviewer	Stephen Pelná, Dir. of H&S	7/22/13
Reviewer	Dave Thompson, Mgr. of H&S	2/1/17
Reviewer	P Doug Everlof, Dir of H&S	12/13/19
Reviewer	Francisco Gallardo, Senior H&S Manager. Review without changes	10/12/2023
Approved by		



Company Policy Number: HS-015

Policy Name: Short Service Employee

Most Recent Update: January 30, 2023

Department: Health & Safety

SHORT SERVICE EMPLOYEE

The purpose of this procedure is to provide guidelines and requirements for Short Service Employees (SSE), new employees, anticipated to work on field activities, with less than six (6) months of service at Lewis. A Short Service Employee may not work alone. A work crew must adhere to a 1:1 ratio of mentor to SSE exclusive of the supervisor or designated crew lead.

Prior to starting work, the host facility (project coordinator, contractor contact, and/or on-site supervisor) must be notified if Short Service Employees are to be present on work crews.

Additional requirements are that new employees:

- Receive initial job training and safety orientation;
- Are appropriately supervised and are easily identified by visual means; and,
- Are assigned a qualified supervisor who will aid them in acclimating to the workplace.
- Wear the Short Service Employee stickers on their hardhat

Current Lewis Environmental employees meeting the definition of an SSE must meet all requirements of this procedure prior to performing field work unsupervised. In addition, this document provides guidance to new employees for actions to take when asked to work unsupervised at a site before they have met the requirements of this procedure.

Employees hired for the position of driver or operator, are permitted to work alone if they have been cleared to perform the tasks required by a competent person.

Employees without any prior machine operating experience are not permitted to operate machinery without supervision.

SCOPE

This procedure applies to personnel assigned to work in the field on Lewis Environmental projects.

TRAINING

Personnel assigned to work on field activities at Lewis Environmental job sites or manage personnel working on field activities at Lewis Environmental job sites shall be trained to the requirements of this procedure. Training shall be documented and retained as a quality record.

TERMS AND DEFINITIONS

High Risk Activity – An activity or task that poses a threat to life, health, environment or property – typically includes excavation, tank cleaning, water blasting, system installation, jack-hammering, driving, operating machinery, marine operations, confined space entry, emergency response, etc.

Low Risk Activity – An activity or task that poses some risk of a loss; however, does not typically pose a significant threat to life, health, environment or property – includes sampling, utility mark-outs, boom pull, logistical support, shop duties, etc.

Short Service Employee (SSE) – Personnel working for Lewis Environmental for less than 6-months.

PROCEDURE

Responsibilities for the implementation of the SSE Program are as follows:

Supervisor Responsibilities:

- Verify that the SSE receives training and skills for assigned tasks from qualified Lewis Environmental employees.
- Verify that the SSE is appropriately identified as described in this program.
- Follow Lewis Environmental policies and procedures.
- Identify Trainers from their program area to assign to SSEs.

SSE Trainer/Peer Responsibilities:

- Have experience in performing the work tasks for the work tasks to be assigned to the SSE.
- Willing and able to effectively listen to the SSE to assess (using the tools provided and described herein) if the SSE is learning and retaining the knowledge being shared.
- Observe the SSE perform a task and assess the SSE ability to perform the task following Lewis Environmental requirements.
- Follow Lewis Environmental policies and procedures.

SSE Responsibilities:

- Willing to watch and listen to the SSE Trainer
- Establish a positive safety attitude.
- Willing to gain the knowledge and skills to perform tasks in a safe and environmentally sound manner.
- STOP work and report unsafe conditions to the on-site supervisor or call into their supervisor before proceeding to work in a perceived unsafe condition.
- When asked to perform work unsupervised while still participating in the SSE program, report that request to their Supervisor, Project Manager or the Director of Health and Safety.
- Participate in safety meetings.
- Follow company policies and procedures.

Health and Safety Staff Responsibilities:

- Provide leadership and guidance for employees regarding safety and health associated with tasks.
- Provide health and safety related training to SSE associated with assigned tasks.
- Follow company policies and procedures.

PROGRAM EXECUTION

A mentoring system shall be implemented to provide guidance to Short Service Employees and assist with their development. A mentor may only be assigned to one crew that includes Short Service Employees, and he/she must remain on site with them. The following section discusses how the program will be executed.

Orientation:

This procedure will be implemented in addition to Lewis Environmental's New Employee Hire and Orientation SOP, for employees working in the field. At the time of orientation, new employees will be informed of the SSE Program by their supervisor and informed of their responsibilities for participation, and the requirement to adhere to the associated procedures outlined in this Program.

Training:

- Corporate Health and Safety policies and procedures.
- Task Specific Training.
- These activities cannot be performed unsupervised.
- SSE's are required to wear a hard hat distinguished by a reflective SSE decal. The decals placed on both sides of the SSE's hard hat. If a specific task does not require a hard hat, a different colored safety vest, or a patch on the safety vest is worn by the SSE for that task.
- Short Service Employees shall be monitored for compliance with health, safety, and environmental policies and procedures.
- At the end of the six month period the SSE's performance and is reviewed by the SSE's supervisor and the Director of Health and Safety. A closed book test consisting of 20 questions in the area of hazard recognition in the field is administered. Based upon the evaluation by the SSE Supervisor and safety representative, and the results of the written test, the SSE supervisor will advise the SSE if they have met the conditions of this procedure. If the SSE meets the qualifications, the decals can be removed. If the SSE fails to meet the requirements, they will remain in the SSE Program for continued training and retesting. In order for an employee to graduate from the SSE program the following requirements must be met:
 - Demonstrate safe work behavior.
 - Score of at least 100% on the written test.

Performance of Field Activities

Employees are not permitted to be the responsible 'on-site' Lewis Environmental oversight personnel for High Risk Activities until they have been employed with Lewis Environmental for 6 months and have graduated from the SSE program.

- High Risk Activities are defined as those activities that
- Pose a significant threat to life, health, environment or property;
- Involve significant potential for fire, explosion
- Physical hazards, such as crush, engulfment, entrapment, or amputation; and
- Chemical exposures.

SSE's are not permitted to perform or oversee Low Risk Activities unsupervised until they have worked for Lewis Environmental for at least 30 days, have demonstrated safe work behaviors and have demonstrated working knowledge of the tasks assigned to them.

TIER PROGRAM

The tier program gauges knowledge and experience of any SSE and allows the employee the ability to work outside of the normal SSE standards set forth in this policy.

Tier 1 – Entry Level

- Employee cannot work alone
- Employee must always be accompanied by a mentor
- Designated as “SSE-1”

Tier 2 – Intermediate level – has successfully completed greater than 50% of the Employee Development Log Book

- Employee cannot work alone
- Employee can work without a mentor
- Designated as “SSE-2”
- Greater than 50% of the log book completed which equals 75 sign-offs

Tier 3 – Advanced Level – has successfully completed greater than 75% of the Employee Development Log Book

- Employee can work alone
- Employee can work without a mentor
- Employee can fill a lead role on a crew
- Designated as “SSE-3”
- Greater than 75% of the log book completed which equals 115 sign-offs

SSE On the Job Training (OJT)

In addition to the SSE program, an employee can be mentored and observe on a site known as OJT.

Definition:

On-the-job training (OTJ) is a form of training taking place in a normal working situation. On-the-job training, sometimes called direct instruction. It is a one-on-one training located at the job site, where someone who knows how to do a task shows another how to perform it.

OJT Roles and Responsibilities:

An SSE- OJT employee can be placed on a job site in addition to the crew and SSE ratio under the following guidelines:

- The existing crew satisfies the SSE to Non-SSE 1:1 ratio.
- The crew is led by a Foreman and/or Supervisor (No Spill Team Leaders)
- The SSE-OJT has to be mentored and/or assigned directly to the Supervisor or Foreman of the project.
- The SSE-OJT can only participate in low risk activities including but not limited to the following:
 - Participate and Conduct a thorough JSA review.
 - Assist with paperwork.
 - Conduct fire watch.

- Run for Errands/supplies.
- Assist with spotting and traffic support on the job site only.
- Load and unload supplies and equipment.

The overall responsibility of the SSE-OJT is to observe, learn, listen, and ask questions while working with other employees on an active work site. The OJT direct line of supervision is through the foreman and or supervisor in order to answer questions and guide the SSE-OJT throughout the process.

SUBCONTRACTORS

Subcontractors must adhere to the Lewis Environmental SSE procedure.

Subcontractors are obligated to notify the Lewis Environmental if any of their employees meet the title of a SSE.

This policy is meant to supplement, not replace, existing Environmental, Health, and Safety policies of the company. The minimal requirements for training and qualifications set by OSHA, or any other applicable Federal, State or local regulations will be met.

ADVANCED PROGRAM COMPLETION

Previous Lewis Employment

Employees whom worked for Lewis Environmental, Inc. in the past may be eligible for an accelerated graduation. It is at the discretion of the administrator of the program on the length of time needed to complete the program. The decision will be based on experience and the time with Lewis Environmental, Inc.

Relevant Industry Experience

Those who already have worked in the industry and can show competence with our Behavior Based Safety Program, may be eligible for an accelerated graduation. It is at the discretion of the administrator of the program on the length of time needed to complete the program.

Development History	Name	Date
Writer	Stephen Pelná, Dir. of H&S	4/10/13
Reviewer	Jim Gould, Dir. of Ops	7/17/14
Approved by	Stephen Pelná, Dir. of H&S	8/14/14
Revisions	Stephen Pelná, Dir. of H&S *redefined max SSE's allowed on a crew and	7/17/13

	decals	
	Stephen Perna, Dir. of H&S *addition of Advance Program Completion	4/16/14
	Keith Green, H&S Specialist *Addition of Tier Program	8/14/14
	Stephen Perna, Dir. of H&S *further defining amount of sign-offs needed in the Tier Program	8/25/14
	Brandon Smith, NEDOM; Gene Reider, Ops Mgr Royersford *OJT section	8/26/14
Reviewer	Dave Thompson, Mgr. of H&S	7/26/16
Reviewer	Doug Everlof, Dir. Of H&S No additions or corrections made.	8-13-19
Reviewer	Francisco Gallardo, H&S Senior Manager Annual Review without changes	1-30-23



Company Policy Number: HS-001

Policy Name: Incident or Near Miss Reporting and Investigation

Most Recent Update: October 24, 2024

Department: Health & Safety

Scope:

The below procedures should be consistently followed to ensure proper documentation of incidents and near misses so that the Company can work to correct root causes and thus reduce the likelihood of future incidents. Proper Reporting and Investigation have a direct impact on Risk Management, Legal Affairs, Health and Safety, Operations, and Human Resources.

Definitions:

Near Miss – This is an unplanned event that did not result in injury, illness, or damage to property but had the potential to do so. A break in the chain of events prevented an injury, fatality, or property damage.

Incident – Is an event or series of events that did cause an unexpected injury, illness, or property damage.

Hazard – Is a situation that poses a level of threat to life, health, property or the environment. Most hazards are dormant or potential, with only a theoretical risk of harm. A Lewis Hazard Recognition, or LHR is a situation, or task specific danger, whether static or dynamic, that is observed before it develops into a Near Miss, or an Incident.

Investigation – A detailed inquiry to determine a root cause(s) of the near miss or incident.

Procedure:

1. When an event occurs, take the necessary immediate actions to control the situation, based on the nature and severity of the event. Individual responsibilities concerning incident reporting and investigation must be pre-determined and assigned prior to incidents. Individuals must be trained in their roles and responsibilities for incident response and investigation techniques. The training should identify and include the following topics which

are relative to incident investigation and reporting: awareness, first responder, investigation, and training frequency.

2. Upon responding to the event and placing the situation under control, the event should be reported immediately to appropriate management representatives.

- a. Notification must be made to the immediate supervisor.
- b. The immediate supervisor or the affected employee must notify the Health & Safety Department.
- c. If an employee is injured, the Health & Safety Department will notify Senior Management.
- d. The Health and Safety Department will report incidents as required by OSHA regulations, and other regulatory agencies, and within the time frame specified.

Work related injuries or illnesses that result in hospitalizations, amputations, or loss of an eye must be reported to OSHA within twenty-four hours of the incident. For incidents that result in a fatality, the notification must be within eight hours.

In addition, incidents involving company employees to be Owner client (host facility) must be notified as soon as possible but no later than twenty-four hours.

- e. The proper equipment will be available for incident investigation and reporting, such as pens/paper, measuring devices (tape measures and rulers), cameras, small tools, an audio recorder, necessary PPE, equipment manuals, marking devices such as flags, etc.
 - f. Initial identification of evidence immediately following the incident should be documented. This might include a listing of people, equipment, and materials involved and a recording of environmental factors such as weather, illumination, temperature, noise, ventilation, and physical factors such as fatigue, age, and medical conditions.
 - g. Evidence such as people, positions of equipment, parts, and papers must be preserved, secured, and collected through notes, photographs, witness statements, flagging, and impoundment of documents and equipment.
3. If post-accident analysis (Drug and Alcohol testing) is required, per DOT Post-Accident Testing (Sec. 382.303) the immediate supervisor will escort the individual to the nearest testing site. Per the Department of Transportation and Federal Motor Carrier Safety Administration (FMCSA) testing is REQUIRED if: The accident involves a fatality, bodily injury requiring immediate medical attention away from the scene or disabling damage to a vehicle. Additionally, in all other accidents, the employee must be tested if the employee's performance contributed to the accident. When testing is not clearly required by the DOT or when employee performance error as a potential cause is unclear, the immediate supervisor will discuss the incident with the Health and Safety Department to determine if and when

testing is required. The incident and rationale leading to the decision to test or not test will be documented. Follow these guidelines if the driver DOES RECEIVE a citation: If the driver receives the citation within 8-hours, perform DOT Drug & Alcohol Test. If the driver receives the citation after 8-hours but with 32-hours, perform DOT Drug Test ONLY. If the driver receives the citation after 32-hours, no DOT Test will be performed.

4. Drug and Alcohol Testing Process

- a. If during normal business hours, testing can be performed at the following:
 - i. PL – Careplex in Pottstown, PA
 - ii. DE – Pivot, Newark, DE
 - iii. NT – Workplace Health in Shamokin, PA
 - iv. CP- Concentra, Mechanicsburg, PA
 - v. LA – Concentra, Bartow, FL
- b. If after hours, call Medtox at 800-832-3244 to locate the closest collection site.

5. An "Incident Report," "Near Miss Report," "LHR Report," and/or the "Accident Report" must be completed electronically by the end of the shift by all of those involved. Witness reports will also need to be completed by the end of the shift. Locating witnesses, ensuring unbiased testimony, obtaining appropriate interview locations, and use of trained interviewers should be detailed. If follow-up interviews are necessary, this should also be addressed.

- a. Reports will be filed electronically and should include as much detail as possible when describing the event.
 - b. Reports should be prepared electronically via the "Go Canvas App". If the electronic version is not available, the employee will complete a written report prepared on the company form. The report may include an introduction, methodology, summary of the incident, investigation team member name(s), narrative of the event, findings and recommendations. Any photographs, witness statements, drawings, etc. should be included attached electronically as well.
 - c. All reports must be submitted to the Health & Safety Department via the "Go Canvas Application.
 - d. The written investigation report will include immediate corrective actions to be take as well as long term actions that are required to prevent the recurrence of the incident.
 - e. A minimum of 24 LHR/NM per year (2 LHR/NM minimum per calendar month) must be submitted per employee as stated in policy HS-054 Safety Performance Incentive Plan.
- #### 6. Enforcement: Failure to follow proper reporting procedures will result in disciplinary action up to and possibly including termination of employment. Prompt reporting of incidents is critical

to the success of the Lewis Health and Safety Program. Lessons learned from incidents should be reviewed and communicated to Lewis employees. Changes of process must be put in place in order to prevent similar incidents from recurring.

7. All forms will be completed electronically via the "Go Canvas App". If an employee is unable to complete the form electronically, paper Copies of the reports can be found on the network drive under the folder "Health & Safety" then "Forms." Report titles are "Accident Report," "Incident Report," "Near Miss Report," and "LHR Report".
8. Lewis Environmental Health and Safety Department, requires that all incidents are investigated.
 - a) A designated qualified personnel must conduct investigations of incidents once the company is notified of the event.
 - b) The incident investigation shall take place as soon as is practicable after the incident occurs.
 - c) While all incidents must be investigated, the extent of the investigation should reflect the seriousness of the incident.
 - d) All investigations must be presented to the Health and Safety Department for evaluation.

Contact information:

Director of Health & Safety

Doug Everlof
484-955-0132
peverlof@discoverlewis.com

Health & Safety Manager

Francisco Gallardo
484-587-9788
fgallardo@discoverlewis.com

Development History	Name	Date
Writer	Stephen Pelná, Dir. of H&S	10/25/2011
Reviewer	Stephen Pelná, Dir. of H&S	10/25/2011
Approved by	Stephen Pelná, Dir. of H&S	10/25/2011
Reviewer	Stephen Pelná, Dir. of H&S -clinic updates -investigation updates	8/8/2013
Reviewer	Stephen Pelná, Dir. Of H&S Additions/Corrections	12/26/2013
Reviewer	Dave Thompson, Mgr. of H&S	10/4/2016

	Additions/Corrections -contact information	
Reviewer	Dave Thompson, Mgr. of H&S Addition -added LHR -clinic updates	1/31/2017
Reviewer	Dave Thompson, Mgr. of H&S -changed "Director" to "Department."	6/26/2018
Reviewer	Doug Everlof, Dir. Health & Safety Additions/corrections -removed Dave Thompson and added Doug Everlof, Director of Health & Safety, Removed Safety Dept.-S. Perna.	12-5-2018
Reviewer	P. Doug Everlof, Dir. of H&S Additions/Corrections -added electronic forms via Go Canvas App to several sections of the policy.	1-8-2020
Reviewer	P. Doug Everlof, H&S Director. Additions/Corrections -updated Section 4.a- drug testing locations	3-2-2022
Reviewer	F. Gallardo H&S Manager Addition to Contact Information – H&S Manager	8-2-2022
Reviewer	Francisco Gallardo, Senior H&S Manager. Reviewed without changes.	4/19/2023
Reviewer	Francisco Gallardo, Senior H&S Manager. Addition to section 5 (subpart d. LHR/NM minimum requirement as a reference to HS-054 policy)	11/27/2023
Reviewer	Francisco Gallardo, Senior H&S Manager. <ul style="list-style-type: none"> - Addition of Procedure – Section 8 – Requirement of Incident Investigation. - Rewrite of Procedure – Section 2 – Sub d. – Incident notifications to OSHA and host facility time frame. - LHR/NM minimum requirement – moved to subpart e. - Addition of section 5 subpart d. incident investigation including corrective actions. 	10/24/2024



Company Policy Number: HS-004

Policy Name: Safe Driving Operations

Most Recent Update: October 23, 2024

Department: Health & Safety

Safe Driving Operations

Purpose:

The purpose of this procedure is to ensure the safe operation of vehicles. Drivers are responsible for the safe and legal operation of company, personal, client and sub-contractor vehicles. Drivers are expected to drive defensively under all conditions to ensure the protection of themselves, their passengers, and the general public.

General Requirements:

Only authorized Lewis employees will be permitted to operating Lewis owned vehicles. Employees must consent to an initial MVR as well as the required annual MVR. Employees must complete the "Driver Training Certificate" package with a qualified driver before being able to drive a company vehicle. All Drivers will receive Smith Driver Training as part of their on-boarding process.

Any individual operating a Lewis Environmental owned vehicle, contracted vehicles and POV **must** possess a valid State drivers' license from their state of residence. Drivers must abide by state laws governing driving.

They must maintain a clean driving record during their employment and report any violations to H & S immediately after the violation.

Job classifications may require individuals to possess a valid State Commercial Drivers' License (CDL). CDL drivers must consent to an initial PSP report as well as an annual PSP to ensure that all DOT road stops are accurately reported. Special endorsements are required to operate/haul hazardous waste (H- Hazmat, N-Tanker Vehicle).

Drivers must be "fit-for-duty." Employees are not permitted to operate company vehicles while under the influence of alcohol, illegal drugs or certain medications. (See Lewis Drug and Alcohol Policy)

All drivers are encouraged to utilize defensive driving techniques. Lewis Environmental trains their drivers using the Smith 5-Key System of: 1.) Aim High in Steering, 2.) Get the Big Picture, 3.) Keep your eyes moving, 4.) Leave yourself an Out, and 5.) Ensure they see you principals. Drivers shall not drive distracted by such things as cell phones, radios, food or other equipment that may cause a distraction.

Smoking and "Vaping" in company vehicles is prohibited.

No vehicle shall be left unattended while being fueled.

Lewis's vehicles are equipped with a GPS/Dual Facing Camera system. At no time will any employee manipulate the camera system to cover lenses or obstruct the view of the camera without consent from the H&S Dept. No employee shall disconnect the GPS/camera system for any reason. The GPS/Camera system monitors for speed, harsh events, distracted driving, seat belts, etc. All drivers maintain a safety driving score in the GPS/camera system. Drivers will receive coaching when low safety driving scores, "harsh events" and/or policy violations are captured on the system. Driver coaching's shall be documented in Paylocity and Samsara.

Heavy Equipment:

Equipment is to be operated only by trained, qualified personnel. For these specialized vehicles, specific training for the vehicle being operated will be provided and is required. Unauthorized operation or movement of these vehicles is prohibited.

DOT:

All U.S. Department of Transportation Federal Motor Carrier Safety Administration Regulations must be followed at all times. All employees shall be issued a "Green Book." (FMC Safety Regulations Pocketbook) The Company's Fleet Manager is available to answer any questions or concerns about DOT Regulations.

The condition of the vehicle shall be evaluated at all times including pre and post trip inspections. Any items in need of repair must be put onto a DVIR (Daily Vehicle Inspection Report) and reported to the fleet manager via email at: Fleet@discoverlewis.com

Drivers/operators must ensure the correct vehicle is used for its intended use. It is also the responsibility of the drivers/operators to ensure loads are secured within both legal and manufacturer's limits.

It is the responsibility of the driver to make sure all logbooks are current, and they are within their allotted hours of service. Further it is their responsibility to carry the proper documents including but not limited to DOT medical card, driver's license, manifests, bill of lading.

General Policy:

The driver must conduct a 360-degree evaluation prior to moving a vehicle. 360 rearview mirror tags must be displayed in vehicles when they are parked. The 360 tags are to be removed after the visual inspection is complete and prior to operating vehicle. The older magnet style 360 door device is also acceptable for use on the vehicle door.



Spotters are required whenever a vehicle is moved in a reverse. In the absence of a spotter, the driver must conduct a 360-degree evaluation of hazards around the vehicle.

A Pre-Departure Check must be properly completed in the Gocanvas app, every day and/or night, and when the vehicle is going to be moved. The Pre-Departure must be completed by the driver only if a passenger is not available. During the Pre-Departure, verification of fire extinguisher(s), first aid kit, saline solutions (x2), integrity of the vehicle, including and to not be limited to vehicle lighting (turn signals, brake lights, head lights, marker lights, hazard lights, windshield wipers, tires, proper trailer hitch and chain connection, vehicle fluid verification, driver DOT card & driver license, must be inspected among any other item stipulated in the Pre-Departure form on Go Canvas, and any other aspects required by the Health and Safety department. All vehicle deficiencies/needed repairs will be reported to the Fleet Dept via Fleet@discoverlewis.com

Speed Limits must be observed while maintaining a safe distance between vehicles.

The driver and all passengers must wear seat belts.

Whenever a company vehicle is parked, it should be parked in a manner that upon re-starting the vehicle, "Drive" is the first gear used, not "Reverse". (First move forward) In the event backing is unavoidable, employees are required to use a spotter while backing, especially when towing a trailer.

Driving under the influence of alcohol or illegal drugs is strictly prohibited and will result in immediate suspension or termination (See Drug and Alcohol Policy)

The transportation of alcohol, illegal drugs, or firearms is strictly prohibited in company vehicles.

Drivers are prohibited from using cell phones or other electronic devices while operating a company vehicle. These other devices include, but are not limited to mobile telephones, tablets, laptops, iPads, iPods, MP3 players, cameras or any other item that may distract the driver. The only exception to the use of mobile telephones is if the device can be operated in a "Bluetooth", or completely hands-free manner.

Drivers are prohibited from picking up or transporting unauthorized persons in company vehicles.

Passengers are prohibited from riding in the bed of pickup trucks.

No vehicle shall be left unattended while being fueled.

All cargo must be secured for transportation at all times no exceptions. All straps must be inspected and discarded/replaced when the integrity has been compromised.

Accidents:

All vehicular accidents and/or traffic violations **must** be reported immediately to the local police department via 9-1-1 and to the Health and Safety Department.

If involved in an accident, the driver must fill out an accident / incident report describing the nature of the accident and contain the information of the persons involved. Photos should be taken of the accident scene and vehicles involved in the accident.

Employees who receive any type of moving violation while operating a company vehicle must report the issuance of the violation to his/her supervisor by the end of the shift.

If an employee receives more than 6 moving violation points when off duty over the course of a year while driving a personal vehicle, the supervisor and Health and Safety Department must be informed. This information will be used to determine the continued ability to drive company vehicles. Additional training and or suspension from driving duties may result so that we can ensure the public's safety at all times.

Any loss of driving privileges or license suspension **MUST** be reported immediately to a supervisor and also the Health and Safety Department.

A police report must be obtained prior to leaving the accident scene.

Enforcement:

The H&S Department will request an annual MVR on all employees who drive company vehicles and a PSP report will be requested for all CDL drivers. All drivers must consent to these report requests. Failure to consent to these requests will result in suspension, pending termination of employment.

The Human Resource department will compile an annual report to include all moving violations for the prior year for all drivers and DOT stops for CDL drivers. Any employees who do not inform their supervisor and the Health and Safety Department of a suspension or accumulation of > 6 points in the prior year will receive progressive discipline, up to and possibly including termination of employment.

Failure to comply with any part of this policy could result in disciplinary action up to and possibly including termination of employment.

Housekeeping

OSHA may consider any motor vehicle as a work environment when a worker uses the vehicle for work-related activities, including driving between work locations, transporting materials, running errands, visiting clients, and making deliveries.

Keeping your vehicle clean, organized, and maintained is beneficial and

- Keeps the driver and passengers safe.
- Saves time when items are easily found.

- Makes it easy when space is already available for passengers, materials, tools, and equipment.
- Projects a positive image for the employee and the company.

Follow all housekeeping requirements in the Health and Safety Policy HS016

Development History	Name	Date
Writer	Stephen Pelná, Dir. of H&S	4/9/12
Reviewer	Stephen Pelná, Dir. of H&S -360 magnet	4/6/15
Reviewer	Dave Thompson, Mgr. of H&S	7/1/16
Updated	Dave Thompson, Mgr. of H&S General Policy, Added 360 tags	11/2/16
Updated	Dave Thompson, Mgr. of H&S Added First move forward	4/4/18
Updated	Doug Everlof, Director, H&S -Smoking & vaping in vehicles prohibited -Passengers riding in the back of pickup trucks prohibited. -Notification to local police on all motor vehicle accidents	12/28/18
Updated	Doug Everlof, Director, H&S -No vehicle shall be left unattended while being fueled.	4/8/19
Reviewed:	P. Doug Everlof, Director, H&S -No updates required	10/11/21
Updated	Francisco Gallardo, H&S Manager. 360 pictures updated, addition of pre-operational inspection Gocanvas.	8/5/2022
Reviewer	Francisco Gallardo, Senior H&S Manager Annual review without changes.	5/10/2023
Reviewer	Francisco Gallardo, Senior H&S Manager Addition of Housekeeping	12/1/2023
Updated	P. Doug Everlof, Director, H&S General Requirements: -All drivers will receive Smith Driver Training as part of the on-boarding process.	5/1/2024
Updated	P. Doug Everlof, Director, H&S General Requirements: Added verbiage on GPS/Camera system, Smith 5-Keys. DOT: Added notification to Fleet@discoverlewis.com for DVIR reports	7/11/2024
Updated	Francisco Gallardo, Senior H&S Manager Addition of all Cargo must be secured, and straps must be inspected.	10/23/2024
Approved by		



Company Policy Number: HS-005

Policy Name: Fatigue Management

Most Recent Update: July 19, 2023

Department: Health & Safety

Fatigue Management

The management of fatigue is an integral part of our organization's "Fit for Duty" Policy and is a shared responsibility between Lewis Environmental and its personnel. Lewis Environmental is responsible for providing safe systems of work and all personnel share in the responsibility to minimize and manage the adverse effects of work-related fatigue. The purpose of this policy is to manage employee work hours to minimize the potential for injury through work fatigue, consistent with our aim of achieving a zero-safety incident rate.

This policy does not specifically address FMCSA and CDL Driver Hours requirements. Federal Regulation will need to be adhered to.

It is recognized that where an employee works long hours, they may be subjected to excessive physical demands liable to increase the risk of errors and most importantly, injury. Performance may be impaired by fatigue, reducing efficiency and safety awareness. The provision of a safe workplace and safe system of work are obligations upon the company, both legal and moral. It is also the obligation of the employee to work responsibly, including taking positive steps to avoid dangerous situations from developing that could lead to accidents.

Normal Hours of Work

The normal hours of work will be up to 12 hours per day with a maximum of 14 hours allowed. When planned work, or an emergency incident may require personnel to work greater than 14 hours, a representative from the Safety Department should be contacted to provide a specific policy exception.

Extended Hours of Work

In emergency situations, an employee may be required to work an extended period of time beyond a 14-hour shift. In these situations, a representative from the Safety Department will be contacted to issue a policy exception. When extended hours are worked, Supervision must be in contact with onsite personnel to determine if relief drivers need to be utilized. Hotels may also be an option as a place for a work crew to reset.

Medications/Medical Conditions

Employees must inform the physician completing their annual physical of any changes in their medical history and/or changes with any prescription medications. If the employee has any changes between the time of their annual physical, they must inform the company's physician, or a representative from the Safety Department for direction.

Employees must not chronically use over-the-counter, prescription drugs, and any other product which may affect an employee's ability to perform their work safely, unless approved by a Physician.

Rest Periods

Employees working on a roster should make every attempt to have a minimum of 10 hours rest between shifts so that 8 hours of sleep can be attained. If an employee has less than an 8-hour rest between shifts, the employee must notify their Supervisor & Health & Safety if they are not fit for duty.

Consecutive Workdays

The maximum number of hours worked in any 7-day period should not exceed 92 hours. Further to this, the number of hours worked in any consecutive 14-day period should not exceed 182 hours.

Work Planning

Supervisors and employee should be aware that fatigue could lead to unsafe working conditions. However, fatigue can occur not only as a result of long working hours but occurs during the normal work cycle. For example, people accustomed to working day shift, when temporarily transferred to nightshifts, will experience symptoms of tiredness between the hours of 2.00 and 6.00 a.m. It is also common for people to feel sleepy between 2.00 and 4.00 p. after taking a midday meal. Employees and supervisors are encouraged to be aware of this risk, look for signs of fatigue and allow for a brief break when needed to renew the employee's energy level.

Breaks

Regular rest breaks should be taken throughout the shift, especially during hot and cold weather periods.

Training

Employees will be instructed on the definition of fatigue and how to control it. This will be conducted during their employment orientation. Annual refreshers will be given during the HAZWOPER 8-hour refresher each year. Any changes made to the policy will be communicated throughout the organization at the time of the change or correction.

Equipment

The employer will provide the proper equipment that will prevent fatigue through proper ergonomics. It is the employee's duty to properly use the ergonomic friendly equipment that is provided to them. Supervisors will document any concerns regarding weather-related or work/task-related fatigue on the Company's JSA. Utilization of hand tools or power tools for an extended period of time may result in muscle fatigue. Supervisors should schedule regular breaks for those staff using hand and power tools so that their muscles may rest at regular intervals.

Research

The Safety Department will analyze the tasks being conducted throughout the company. The analysis will look specifically at the possible causes of worker fatigue. All possible engineering controls will be put into place to decrease or eliminate possible fatigue. The Safety Department will regularly benchmark standard fatigue management policies with those being practiced in the construction industry. Through research and benchmarking, the Company will ensure an industry-leading fatigue management program is in place at all times.

Reporting

It is the duty of the employee to report any tiredness or fatigue to their supervision. Supervision will then take appropriate action to assist the employee. The supervisor must provide a solution to ensure the safety of the employee. In addition, Supervisors should identify symptoms of fatigue and take the proper corrective actions. Once corrective actions are taken, the Safety Department should be informed of the incident and actions taken in the form of an LHR/Near Miss/Incident report. These instances will be tracked to identify common causes and risks so that this policy may be updated in the future. During the Job Safety Analysis (JSA) discussion at the beginning of each job, each employee shall answer the question on the JSA concerning whether or not the employee is "fit for duty". If the employee indicates they are not "fit for duty", the employee will not be permitted to work.

Policy Statement

This policy complies with RP 755 "Fatigue risk management systems for personnel in the refining and petrochemical industries. As well as, those covered by the OSHA Process Safety Management Standard, 29 CFR 1910.119.

In compliance with RP755 Normal Operations Hours of Service Limits, "For straight day assignments, the work-set limits may be extended from 92 hours stipulated in the Normal Hours of Work, for straight day assignments, the work-set limits may be extended up to 105 hours.

Development History	Name	Date
Writer	Stephen Pelná, Dir. of H&S	2/1/12
Reviewer	Stephen Pelná, Dir. of H&S Reviewed without changes	4/9/14
Reviewer	Stephen Pelná, Dir. Of H&S -added clarification on supervisory role -added medication section	4/22/15
Reviewer	Dave Thompson, Mgr. of H&S	1/31/17
Reviewer	Dave Thompson, Mgr. of H&S Corrected hours and format.	9/26/17
Reviewer	Doug Everlof, Director H&S	11/12/19
Reviewer	P. Doug Everlof, Director, H&S Updated: JSA "fit for duty" question under Reporting. Also added a clause regarding increased rest during hot/cold weather periods.	10/11/21
Reviewer	Francisco Gallardo, H&S Manager Reviewed without changes	8/2/2022
Reviewer	Francisco Gallardo, Senior H&S Manger Revision of Normal hours of work from 16 to 14 Revision of Extended hours of work from 16 to 14 Revision of Consecutive workdays not to exceed 98 hours to 92 hours. Revision of consecutive workdays in any consecutive 14 days period should not exceed (from 196 to 182 hours) Addition of Policy Statement in compliance with RP 755	7/19/2023
Approved by		



Company Policy Number: HS-010

Policy Name: Drug and Alcohol Policy

Most Recent Update: May 6, 2023

Department: Health & Safety

Drug and Alcohol Policy

Lewis Environmental, Inc. ("Lewis") is dedicated to the health and safety of our employees. Drug and/or alcohol use may pose a serious threat to employee health and safety. Therefore, it is the policy of Lewis to prevent the use of drugs and abuse of alcohol from having an adverse effect on our employees. Employee means any person who is employed by Lewis. This includes, but is not limited to full time, regularly employed employees; casual, intermittent, or occasional employees; leased employees and independent, owner-operator contractors who are either directly employed by or under lease to an employer or who operates a commercial motor vehicle at the direction of or with the consent of an employer.

Employees will fall into a safety-sensitive function or non-safety sensitive function. Those in a safety sensitive function will fall into either the Federal Motor Carrier Safety Administration ("FMCSA") or the Pipeline and Hazardous Materials Safety Administration ("PHMSA") testing pools. Employees not in safety-sensitive functions will be tested in a non-DOT parameter that will be a 10-panel test.

Rapid drug screens may be utilized if a quick pass or fail drug test is needed until lab results can be obtained for employees working in a non-safety sensitive function.

The serious impact of drug use and alcohol abuse has been recognized by the federal government. The Federal Motor Carrier Safety Administration ("FMCSA") has issued regulations which require the company to implement an alcohol and controlled substances testing program.

The purpose of the FMCSA issued regulations is to establish programs designed to help prevent accidents and injuries resulting from the misuse of alcohol or use of controlled substances by employees of commercial motor vehicles.

The company will comply with these regulations and is committed to maintaining a drug-free workplace. It is the policy of Lewis that the use, sale, purchase, transfer, possession, or presence in one's system of any controlled substance (except medically prescribed drugs) by any employee while on the company premises, engaged in company business, operating company equipment, or while under the authority of Lewis is strictly prohibited. Disciplinary action will be taken as necessary.

Neither this policy nor any of its terms are intended to create a contract of employment or contain the terms of any contract of employment. The company retains the sole right to change, amend, or modify any term or provision of this policy without notice. This policy is effective June 1, 2007 and will supersede all prior policies and statements relating to alcohol or drugs.

Drugs and Alcohol Procedures

Regulatory Requirements

All employees who operate commercial motor vehicles that require a commercial driver's license under 49 CFR Part 383 are subject to the FMCSA's drug and alcohol regulations, 49 CFR Part 382.

Non-Regulatory Requirements

The Federal Motor Carrier Safety Administration ("FMCSA") set the minimum requirements for testing. Lewis' policy in certain instances may be more stringent. This Drug and Alcohol Policy will clearly define what is mandated by the FMCSA and what is Lewis's procedure. *Reference to a Lewis procedure will be in italicized print.*

Who is Responsible?

It is Lewis' responsibility to provide testing for the employee that is in compliance with all federal and state laws and regulations, and within the provisions of this policy. The company will retain all records related to testing and the testing process in a secure and confidential matter.

The Designated Employer Representative ("DER") for Lewis' alcohol and drug program who is designated to monitor, facilitate, and answer questions pertaining to these procedures is:

P. Doug Everlof
Director of Health & Safety
155 Railroad Plaza
Royersford, PA 19468
610-495-6695

The employee is responsible for complying with the requirements set forth in this policy. The employee will not use, have possession of, abuse, or have the presence of alcohol or any controlled substance more than regulation-established threshold levels while on duty. The employee will not use alcohol within four (4) hours of performing a "safety-sensitive" function, while performing a "safety-sensitive" function, or immediately after performing a "safety-sensitive" function. The employee must submit to alcohol and controlled substances tests administered under Part 382.

All supervisors must make every effort to be always aware of an employee's condition the employee is in service of the company. The supervisor must be able to make reasonable suspicion observations to determine if the employee is impaired in some way and be prepared to implement the requirements of this policy if necessary.

Definitions

When implementing and interpreting the drug and alcohol policies and procedures required by the FMCSA as well as the policies and procedures required by Lewis, the following definitions apply:

- Actual knowledge means actual knowledge by an employer that an employee has used alcohol or controlled substances based on the employer's direct observation of the employee, information provided by the employee's previous employer(s), a traffic citation for driving while under the influence of alcohol or a controlled substance, or an employee's admission of alcohol or controlled substance use under the provisions of Sec. 382.121. Direct observation as used in this definition means observation of alcohol or controlled substance use and does not include observation of employee behavior or physical characteristics sufficient to warrant reasonable suspicion testing under Sec. 382.307,
- Alcohol means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol,
- Alcohol concentration (or content) means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test,
- Alcohol Screening Device ("ASD"). A breath or saliva device, other than an Evidential Breath Testing device ("EBT"), which is approved by the National Highway Traffic Safety Administration ("NHTSA") and placed on a Conforming Products List ("CPL") for such devices,
- Alcohol use means the consumption of any beverage, liquid mixture, or preparation, including any medication, containing alcohol,
- Breath Alcohol Technician ("BAT"). An individual who instructs and assists individuals in the alcohol testing process, and operates an EBT,
- Collection site. A place designated by the company, where individuals present themselves for the purpose of providing a urine specimen for a drug test,
- **Commercial motor vehicle** means any self-propelled or towed motor vehicle used on a highway in interstate commerce to transport passengers or property when the vehicle—
 - (1) Has a gross vehicle weight rating or gross combination weight rating, or gross vehicle weight or gross combination weight, of 4,536 kg (10,001 pounds) or more, whichever is greater; or
 - (2) Is designed or used to transport more than 8 passengers (including the driver) for compensation; or
 - (3) Is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation; or
 - (4) Is used in transporting material found by the Secretary of Transportation to be hazardous under 49 U.S.C. 5103 and transported in a quantity requiring placarding under regulations prescribed by the Secretary under 49 CFR, subtitle B, chapter I, subchapter C.
- Confirmation (or confirmatory) drug test means a second analytical procedure performed on a urine specimen to identify and quantify the presence of a specific drug or drug metabolite,
- Confirmation (or confirmatory) validity test means a second test performed on a urine specimen to further support a validity test result,
- Confirmed drug test means a confirmation test result received by a Medical Review Officer ("MRO") from a laboratory,
- Consortium/Third-Party Administrator ("C/TPA") is a service agent that provides or coordinates the provision of a variety of drug and alcohol testing services for the company. C/TPAs typically perform administrative tasks concerning the operation of the company's drug and alcohol testing programs. This term includes, but is not limited to, groups of employers who join to administer, as a single entity, the DOT drug and alcohol testing programs of its members. C/TPAs are not "employers,"
- Controlled substances mean those substances identified in 49 CFR, Section 40.85.

In accordance with FMCSA rules, urinalyses will be conducted to detect the presence of the following substances:

- Marijuana,
- Cocaine,
- Opioids,

- Amphetamines,
- Phencyclidine (PCP).

Detection levels requiring a determination of a positive result shall be in accordance with the guidelines adopted by the FMCSA in accordance with the requirements established in 49 CFR, Section 40.87.

Final Rule effective October 1, 2010:

- 1) The Department is required by the Omnibus Transportation Employees Testing Act (Omnibus Act) to follow the HHS requirements for the testing procedures/protocols and drugs for which we test.
- 2) Primary laboratory requirements in this final rule include:
 - Testing for MDMA (aka. Ecstasy).
 - Lowering cutoff levels for cocaine and amphetamines.
 - Conducting mandatory initial testing for heroin.
- 3) The Department brought several testing definitions in-line with those of HHS.
- 4) Each Medical Review Officer (MRO) will need to be re-qualified – including passing an examination given by an MRO training organization - every five years. The Final Rule eliminated the requirement for each MRO to take 12 hours of continuing education every three years.
- 5) An MRO will not need to be trained by an HHS-approved MRO training organization if the MRO meets DOT's qualification and requalification training requirements.
- 6) MRO recordkeeping requirements did not change from the five years for non-negatives and one year for negatives.
- 7) The Final Rule does **not** allow the use of HHS-Certified Instrumented Initial Testing Facilities (IITFs) to conduct initial drug testing because the Omnibus Act requires laboratories to be able to perform both initial and confirmation testing but IITFs cannot conduct confirmation testing.
- 8) The Final Rule is effective October 1, 2010.
 - The DER is an individual identified by Lewis as able to receive communications and test results from service agents and who is authorized to take immediate actions to remove employees from safety-sensitive duties and to make required decisions in the testing and evaluation processes. The individual must be an employee of Lewis. A service agent cannot serve as a DER,
 - Disabling damage means damage that precludes departure of a motor vehicle from the scene of the accident in its usual manner in daylight after simple repairs,
 - Inclusions. Damage to motor vehicles that could have been driven, but would have been further damaged if so driven,
 - Exclusions,
 - Damage which can be remedied temporarily at the scene of the accident without special tools or parts,
 - Tire disablement without other damage even if no spare tire is available,
 - Headlight or taillight damage,
 - Damage to turn signals, horn, or windshield wipers which make them inoperative.
 - Employee means any person who is employed by Lewis. This includes, but is not limited to full time, regularly employed employees; casual, intermittent or occasional employees; leased employees and independent, owner-operator contractors who are either directly employed by or under lease to an employer or who operates a commercial motor vehicle at the direction of or with the consent of an employer,
 - Drug means any substance (other than alcohol) that is a controlled substance as defined in this policy and 49 CFR Part 40,
 - The EBT is a device approved by the NHTSA for the evidential testing of breath at the 0.02 and 0.04 alcohol concentrations, placed on NHTSA's CPL for "Evidential Breath Measurement Devices" and identified on the CPL as conforming with the model specifications available from NHTSA's Traffic Safety Program,
 - FMCSA means Federal Motor Carrier Safety Administration, U.S. Department of Transportation,
 - Licensed medical practitioner means a person who is licensed, certified, and/or registered, in accordance

- with applicable federal, state, local, or foreign laws and regulations, to prescribe controlled substances and other drugs,
- An MRO is a person who is a licensed physician (Doctor of Medicine or Osteopathy) and who is responsible for receiving and reviewing laboratory results generated by Lewis' drug testing program and evaluating medical explanations for certain drug test results,
 - Performing (a safety-sensitive function) means an employee is performing a safety-sensitive function during any period in which he or she is performing, ready to perform, or immediately available to perform any safety-sensitive functions,
 - Prescription medications means the use (by an employee) of legally prescribed medications issued by a licensed health care professional familiar with the employee's work-related responsibilities,
 - Refuse to submit (to an alcohol or controlled substances test) means that an employee:
 - Fails to appear for any test (except pre-employment) within a reasonable time, as determined by the company, consistent with applicable DOT regulations, after being directed to do so by Lewis. This includes the failure of an employee (including an owner-operator) to appear for a test when called by a C/TPA,
 - Fails to remain at the testing site until the testing is complete (except pre-employment if the employee leaves before the testing process begins),
 - Fails to provide a urine specimen for any DOT required drug test (except pre-employment if the employee leaves before the testing process begins),
 - In the case of a directly observed or monitored collection in a drug test, fails to permit the observation or monitoring of the employee's provision of the specimen,
 - Fails to provide enough urine when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure,
 - Fails or declines to take a second test the employer or collector has directed the employee to take,
 - Fails to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the DER (in the case of a pre-employment drug test, the employee is deemed to have refused to test on this basis only if the pre-employment test is conducted following a contingent offer of employment),
 - Fails to cooperate with any part of the testing process, or
 - Is reported by the MRO as having a verified adulterated or substituted test result.
 - Safety-sensitive function means all time from the time an employee begins to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work.
 - Safety-sensitive functions include:
 - All time at an employer or shipper plant, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the employee has been relieved from duty by Lewis,
 - All time inspecting equipment as required by Secs. 392.7 and 392.8 or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time,
 - All time spent at the driving controls of a commercial motor vehicle in operation,
 - All time, other than driving time, in or upon any commercial motor vehicle, except time spent resting in a sleeper berth (a berth conforming to the requirements of Sec. 393.76),
 - all time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded, and
 - All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.
 - Screening test technician ("STT"). A person who instructs and assists employees in the alcohol testing process and operates an ASD,
 - Stand-down means the practice of temporarily removing an employee from the performance of safety-sensitive functions based only on a report from a laboratory to the MRO of a confirmed positive drug test for a drug or drug metabolite, an adulterated test, or a substituted test, before the MRO has completed verification of the test results,
 - Substance abusers professional ("SAP"). A person who evaluates employees who have violated a DOT drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing, and aftercare. An SAP must be:
 - A licensed physician (Doctor of Medicine or Osteopathy),
 - A licensed or certified social worker,
 - A licensed or certified psychologist,

- A licensed or certified employee assistance professional, or
- A drug and alcohol counselor certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission ("NAADAC") or by the International Certification Reciprocity Consortium/Alcohol and Other Drug Abuse ("ICRC"), or by the National Board for Certified Counselors, Inc. and Affiliates/Master Addictions Counselor ("NBCC").

See Appendix A

Alcohol Prohibitions

Part 382, Subpart B, prohibits any alcohol misuse that could affect performance of safety-sensitive functions. This alcohol prohibition includes:

- Use while performing safety-sensitive functions,
- Use during the four (4) hours before performing safety-sensitive functions,
- Reporting for duty or remaining on duty to perform safety-sensitive functions with an alcohol concentration of 0.04 or greater,
- Use of alcohol for up to eight (8) hours following an accident or until the employee undergoes a post-accident test, or
- Refusal to take a required test.

NOTE: Per FMCSA regulation (Sec. 382.505), an employee found to have an alcohol concentration of 0.02 or greater but less than 0.04 shall not perform, nor be permitted to perform, safety-sensitive functions until the start of the employee's next regularly scheduled duty period, but not less than 24 hours following administration of the test.

02 – 0.039 Consequences

- When the results of an alcohol (screen/confirmation) test indicate an alcohol concentration of 0.02 or greater, but less than 0.04 the employee will be removed immediately from performing safety-sensitive functions for the remainder of his/her shift and may be subject to loss of pay for that period of time,
- When an employee has an alcohol (screen/confirmation) test conducted and the alcohol concentration is 0.02 or greater, but less than 0.04, on a second test, the employee will be removed immediately from performing safety-sensitive functions and shall be suspended. The employee shall be referred to a substance abuse professional and must follow all the recommendations following completion of the assessment. Any subsequent test at 0.02 or greater will result in disciplinary action up to and including termination from Lewis,
- When the results of another alcohol (screen/confirmation) test indicate alcohol concentration 0.02 or greater, but less than 0.04 after an alcohol test which had produced an alcohol concentration of 0.04 or greater, then that employee will be removed immediately from performing safety-sensitive functions. The employee shall be suspended and referred to the SAP and must follow all the recommendations following completion of the assessment. Any subsequent alcohol concentration 0.02 or greater will result in disciplinary action up to and including termination from Lewis.

0.04 or Greater Consequences

- When an employee has tested for alcohol in a concentration of 0.04 or greater, the employee will be removed from performing safety-sensitive functions and shall be suspended. The employee shall be referred to an SAP that shall determine what assistance, if any, the employee needs in resolving problems associated with alcohol misuse,
- In all cases when an employee tests at an alcohol concentration of 0.04 or greater after an alcohol test which had on a previous occasion produced an alcohol concentration of 0.04 or greater, then the employee shall be removed immediately from performing safety-sensitive functions. The employee shall be subject to disciplinary action up to and including immediate termination.

The above consequences are minimum requirements as determined by the DOT Compliance with the above

does not guarantee an employee will be returned to work following a violation of this policy. Employees will be subject to disciplinary action up to and including termination for violation of this policy, regardless of eligibility to return to work under the DOT regulations.

Other Alcohol Consequences

- *When an employee refuses to report for assessment, evaluation, and/or referral for treatment with an SAP, he/she will be removed immediately from performing safety-sensitive functions and will be subject to disciplinary action up to and including termination.*
- *When an employee, after assessment, is referred for rehabilitation and/or treatment and the employee refuses to enter or successfully complete such a rehabilitation and/or treatment assessment program, he/she will be removed from performing safety-sensitive functions and subject to disciplinary action up to and including termination.*
- *An employee who refuses to provide an adequate breath for alcohol testing without a valid medical explanation after he/she has received notice of the requirement to be tested in accordance with the requirements of this policy, or who engages in conduct that clearly obstructs the testing procedure will be removed immediately from performing safety-sensitive functions. The employee will be subject to disciplinary action up to and including termination from Lewis.*
- *On duty use or possession of alcohol on company time, on company premises, or in company vehicles will result in immediate removal from performing safety-sensitive functions. The employee will be subject to disciplinary action up to and including termination from Lewis.*
- *Lewis may impose additional disciplinary actions, as they deem appropriate. This may include removal from performing safety-sensitive functions, suspension (with or without pay), and even termination.*

Drug Prohibitions

Part 382, Subpart B, prohibits any drug use that could affect the performance of safety-sensitive functions. This drug prohibition includes:

- Use of any drug, except when administered to an employee by, or under the instructions of, a licensed medical practitioner, who has advised the employee that the substance will not affect the employee's ability to safely operate a commercial motor vehicle. (The use of marijuana under California Proposition 215 or the use of any Schedule I drug under Arizona Proposition 200 is not a legitimate medical explanation. Under federal law, the use of marijuana or any Schedule I drug does not have a legitimate medical use in the United States.),
 - Testing positive for drugs, or
 - Refusing to take a required test.

Lewis' policy forbids the use of any controlled substance on company grounds or in Lewis's vehicles. This also includes client premises.

All employees will inform Peter Everlof of any therapeutic drug use prior to performing a safety-sensitive function. He/she may be required to present written evidence from a health care professional which describes the effects such medications may have on an employee's ability to perform his/her tasks.

Additional Prohibitions

Unless specifically authorized in writing by the company and its customers,
Environmental, Inc. policy shall prohibit company personnel from the following:

Lewis

- a) Using, possessing, selling, manufacturing, distributing, concealing or transporting on company or customer property any of the following items:
 - i) Any prohibited substance.
 - ii) Contraband, including firearms, ammunition, explosives, and weapons (except where in violation of state law).
 - iii) Illicit drug equipment or paraphernalia.

- b) Possessing or using prescription drugs or over-the-counter medication that may cause impairment, except when all the following conditions have been met, while on company property (unless otherwise provided for under the Americans with Disabilities Act):
 - i) Prescription drugs have been prescribed by a licensed physician for the person in possession of the drugs, and.
 - ii) The prescription is not expired and was filled by a licensed pharmacist for the person possessing the drugs, and.
 - iii) The individual notifies their supervisor that they will be in possession of, or using, impairment-causing prescription drugs or over-the-counter medication and appropriate steps are taken to accommodate the possibility of impairment, including but not limited to, removal from work for the period of possible impairment.
Note: Discussions between the individual and their supervisor must be limited to the individual's ability to perform essential job functions.
- c) Being under the influence of prohibited substances while performing any work for the company or their customers.
- d) Switching, diluting or adulterating any urine, blood or other sample used for testing.
- e) Performing work for the company or their customers when an individual has tested positive or refused testing in any employment-related test.

Condition for Employment – Refusal

All employment offers are on the contingency of follow-up reports and physical.

An applicant, who has refused a drug or alcohol test, failed a random, reasonable suspicion, post-accident, return to duty, follow up alcohol test, or tested positive for controlled substances will not be considered for employment.

Condition for Employment - Positive Test

An applicant who has tested positive for drugs during a pre-employment test will not be considered for employment.

Any employee who receives an unacceptable drug and/or alcohol test, will not be permitted to work on a client's premises.

Circumstances for Testing

Pre-Employment Testing (Sec. 382.301): All applicants will be required to submit to and pass a urine drug test as a condition of employment.

Each applicant will be asked whether he/she has tested positive, or refused to test, on any pre-employment drug test administered by an employer to which the employee applicant applied for, but did not obtain, safety-sensitive transportation work during the past two (2) years.

If the employee applicant admits that he/she has tested positive, or refused to test, on any pre-employment drug test the employee applicant may not perform any safety-sensitive functions for the company until and unless the employee applicant documents successful completion of the return-to-duty process.

Employee applicant drug testing shall follow the collection, chain-of-custody, and reporting procedures set forth in 49 CFR Part 40.

An employee of Lewis transferring to a driving position is also subject to and must pass a urine drug test as a condition of the transfer.

An employee who tests positive for a controlled substance will be removed immediately from performing safety-sensitive duties. He/she must meet with the DER to determine the next action that will be taken up to and

including termination.

No applicant will be considered for employment with a pre-employment positive test.

Reasonable Suspicion Testing (Sec. 382.307): If the employee's supervisor or another company official designated to supervise employees believes an employee is under the influence of alcohol or drugs, the employee will be required to undergo a drug and/or alcohol test.

The basis for this decision will be specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, body odors, or work performance of the employee.

The employee's supervisor or another company official will immediately remove the employee from all safety-sensitive functions and take the employee or make arrangements for the employee to be taken to a testing facility.

The person who makes the determination that reasonable suspicion exists to conduct an alcohol test may not administer the alcohol test.

Per FMCSA regulation, reasonable suspicion alcohol testing is only authorized if the observations are made during, just preceding, or after the employee is performing a safety sensitive function.

All supervisors see Appendix B for procedures.

Post-Accident Testing (Sec. 382.303): Employees are to notify the DER as soon as possible if they are involved in an accident.

According to FMCSA regulations (Sec. 382.303), if the accident involved:

- A fatality,
- Bodily injury with immediate medical treatment away from the scene and the employee received a citation, or
- Disabling damage to any motor vehicle requiring tow away and the employee received a citation.

For all accidents involving the above causes:

- The driver will be tested for drugs and alcohol as soon as possible.

For all other accidents:

- *The company shall promptly determine and test each surviving covered employee for alcohol and controlled substance if that employee's performance contributed to the "accident" or cannot be completely discounted as a contributing factor to the accident. The decision not to administer an alcohol and controlled substance test under this section shall be based on Lewis' determination, using the best available information at the time of the determination that the employee's performance could not have contributed to the accident,*
- The employee will be tested for drugs and alcohol as soon as possible following the accident. The employee must remain readily available for testing. If the employee is not readily available for alcohol and drug testing, he/she may be deemed as refusing to submit to testing. An employee involved in an accident may not consume alcohol for eight (8) hours or until testing is completed,
- If the alcohol test is not administered within two (2) hours following the accident the company will prepare and maintain a report and record of why the test was not administered,
- If the alcohol test is not administered within eight (8) hours following the accident, all attempts to administer the test will cease. A report and record of why the test was not administered will be prepared and maintained,
- The drug test must be administered within 32 hours of the accident. If the test could not be administered within 32 hours, all attempts to test the employee will cease,

- Lewis will prepare and maintain a record stating the reasons why the test was not administered within the allotted time frame.

The Lewis DER can authorize a post-accident test after any type of accident. This may be due to a client policy or to confirm that the employee was fit for duty.

Random Testing (Sec. 382.305): Lewis will conduct random testing for all employees as follows:

- *Lewis will use a company wide selection process based on a scientifically valid method, prescribed by FMCSA regulations,*
- *Random Testing Locations. A medtox lab may be used if employees are out of town traveling when pulled from the random pool for a test.*

Royersford, PA Employees	New Castle, DE Employees	Bloomsburg, PA Employees	New Cumberland Employees	Lakeland, FL Employees
Occupational Health	Concentra – Newark, DE	WorkPlace Health	Concentra - Mechanicsburg	Concentra - Bartow
CarePlex Building	410 Stanton Ogletown, Rd	521 N. Franklin Street	4910 Ritter Road	1750 N. Broadway
81 Robinson Street	Newark, DE 19713	Shamokin, PA 17872	Mechanicsburg, PA 17872	Bartow, FL 33830
Pottstown, PA 19465				

For CDL Drivers: At least 10 percent of the company's average number of employee positions will be tested for alcohol each year. At least 25 percent of the company's average number of employee positions will be tested for drugs each year.

For non-CDL Drivers: The random testing will be spread throughout the calendar year. All random alcohol and drug tests will be unannounced, with each employee having an equal chance of being tested each time selections are made. At least 50% of the Field Staff Employee population will be tested per the Pipeline Administration's standards of compliance.

An employee may only be tested for alcohol while he/she is performing a safety-sensitive function, just before performing a safety-sensitive function, or just after completing a safety-sensitive function. Once notified that he/she has been randomly selected for testing, the employee must proceed immediately to the assigned collection site:

Royersford, PA Employees	New Castle, DE Employees	Bloomsburg, PA Employees	New Cumberland Employees	Lakeland, FL Employees
Occupational Health	Concentra – Newark, DE	WorkPlace Health	Concentra - Mechanicsburg	Concentra - Bartow
CarePlex Building	410 Stanton Ogletown, Rd	521 N. Franklin Street	4910 Ritter Road	1750 N. Broadway
81 Robinson Street	Newark, DE 19713	Shamokin, PA 17872	Mechanicsburg, PA 17872	Bartow, FL 33830
Pottstown, PA 19465				

Return to Duty Testing (Sec. 382.309): Lewis shall ensure that before an employee may return to duty to perform safety-sensitive functions after engaging in prohibited conduct, an employee must undergo a return to duty test prior to performing a safety-sensitive function. After testing positive for alcohol, the test result must indicate a breath alcohol concentration of less than 0.02.

After testing positive for a controlled substance, an employee must undergo a return to duty test prior to performing a safety-sensitive function. The test must indicate a verified negative result for drug use.

Follow-Up Testing (Sec. 382.311): Following the employee's violation of Part 382, Subpart B, the employee will be subject to follow-up testing. Follow-up testing will be unannounced. The number and frequency of such follow-up testing will be directed by the SAP and consist of at least six (6) tests in the first 12 months. Follow-up testing may be done for up to 60 months.

Annual Testing: All employees working in a safety-sensitive function will be subject to annual drug and alcohol testing to fulfill client requirements. This will encompass a 10-panel drug screen.

Mandatory Direct Observation for DOT Return-to-Duty and Follow-Up Testing

Effective August 31, 2009, Direct Observation collections are mandatory for all DOT Return-to-Duty and Follow-Up drug testing.

On May 15, 2009, the United States Court of Appeals for the District of Columbia Circuit unanimously upheld DOT's direct observation drug testing rules applicable to return-to-duty, safety-sensitive transportation industry employees who have already failed or refused to take a prior drug test. The court found that the rules were not arbitrary or capricious and did not violate the Fourth Amendment constitutional prohibition on unreasonable searches and seizures.

Because there was an opportunity for the parties to seek rehearing of the Court's ruling, the Court's stay of the direct observation rule continued in effect. The Court issued a Mandate on July 1, 2009, which finalized the decision, thereby lifting the stay on Direct Observation for return-to-duty testing. We published an amendment to Part 40.67(b) on July 30, 2009, reinstating the Direct Observation requirement, effective August 31, 2009. As with other DOT Direct Observation collections conducted since August 25, 1998, DOT Return-to-Duty and Follow-up drug testing will now require that a same gender observer check for prosthetic and other devices that could be used to cheat a drug test. This is in addition to the observer's subsequently watching the employee urinate into the collection container.

DOT's 49 CFR Part 40 directly observed collections are authorized and required only when:

- The employee attempts to tamper with his or her specimen at the collection site.
- The specimen temperature is outside the acceptable range.
- The specimen shows signs of tampering ~ unusual color / odor / characteristic; or
- The collector finds an item in the employee's pockets or wallet which is brought into the site to contaminate a specimen; or the collector notes conduct suggesting tampering.
- The Medical Review Officer (MRO) orders the direct observation because:
- The employee has no legitimate medical reason for certain atypical laboratory results; or
- The employee's positive or refusal [adulterated / substituted] test result had to be cancelled because the split specimen test could not be performed (for example, the split was not collected).
- The test is a Follow-Up test or a Return-to-Duty test.

Refusal to Submit

Refusal to submit to testing is a violation of this policy. Any employee refusing to submit to testing will be referred to Brandon Smith and will face appropriate disciplinary action up to and including termination. The following behaviors constitute a refusal:

- Refusal to appear for testing,
- Failure to remain at the testing site until the testing process is complete,
- Failure to provide a urine specimen,
- In instances of observed or monitored collection failure to allow observation or monitoring,
- Refusal to sign the testing form,
- Failure to provide adequate breath,
- Failure to take a second test as directed,
- Otherwise fail to cooperate in the testing process,
- Perform any action which prevent the completion of the test,
- A test result reported by the MRO as a verified adulterated or substituted test,
- Inability to provide sufficient quantities of breath or urine to be tested without a valid medical explanation,
- Failure to undergo a medical examination or evaluation when directed,
- Tampering with, attempting to adulterate, adulteration or substitution of the specimen, or interference with the collection procedure,
- Not reporting to the collection site in the time allotted,
- Leaving the scene of an accident without a valid reason before the tests have been conducted.

Dilute Specimens

If the MRO informs the company that a positive drug test was dilute, Lewis will simply treat the test as a verified positive test. Lewis will not direct the employee to take another test based on the fact that the specimen was dilute. This is in accordance with §40.197.

If the MRO directs the company to conduct a recollection under direct observation (i.e., because the creatinine concentration of the specimen was equal to or greater than 2mg/dL, but less than or equal to 5 mg/dL (see §40.155(c)), Lewis will do so *immediately*.

- The employee is given the minimum possible advance notice that he/she must go to the collection site,
- The result of the retest taken under §40.197(b), and not a prior test, is accepted as the test result of record,
- If the result of the retest taken under §40.197(b) is also negative and dilute, Lewis will make the employee take an additional test because the result was dilute. Provided, however, that if the MRO directs Lewis to conduct a recollection under direct observation under §40.197(b)(1), the company must immediately do so,
- If the employee declines to take a test as directed in accordance with §40.197(b), the employee has refused the test for purposes of this part and DOT agency regulations.
- If the creatinine concentration of the dilute specimen is greater than 5 mg/dL, Lewis will direct the employee to take another test immediately under company policy in accordance with §40.197.

The following provisions apply to all retests that Lewis sends the employee for under company policy:

- Such recollections will not be collected under direct observation, unless there is another basis for use of direct observation (see § 40.67 (b) and (c)),
- The employee is given the minimum possible advance notice that he or she must go to the collection site,
- The result of the retest taken under §40.197(b), and not a prior test, is accepted as the test result of record,
- If the result of the retest taken under §40.197(b) is also negative and dilute, Lewis will not make the employee take an additional test because the result was dilute. Provided, however, that if the MRO directs Lewis to conduct a recollection under direct observation under §40.197(b)(1), the company must immediately do so,
- If the employee declines to take a test as directed in accordance with §40.197(b), the employee has refused the test for purposes of this part and DOT agency regulations.

Lewis will conduct retests for the following DOT-required tests:

- *Post-Accident,*
- *Pre-Employment,*
- *Random Testing,*
- *Reasonable Suspicion.*

Alcohol Testing Procedures

Alcohol testing will be conducted at one of the following locations by a qualified BAT or STT, according to 49 CFR Part 40 procedures. Only products on the conforming products list (approved by the NHTSA) and Part 40 requirements will be utilized for testing under this policy.

Royersford, PA Employees	New Castle, DE Employees	Bloomsburg, PA Employees	New Cumberland Employees	Lakeland, FL Employees
Occupational Health	Concentra – Newark, DE	WorkPlace Health	Concentra - Mechanicsburg	Concentra - Bartow
CarePlex Building	410 Stanton Ogletown Rd	521 N. Franklin Street	4910 Ritter Road	1750 N. Broadway
81 Robinson Street	Newark, DE 19713	Shamokin, PA 17872	Mechanicsburg, PA 17872	Bartow, FL 33830
Pottstown, PA 19465				

The testing will be performed in a private setting. Only authorized personnel will have access and are the only

individuals who can see or hear the test results.

When the employee arrives at the testing site, the BAT or STT will ask for identification. The employee may ask the BAT or STT for identification.

The BAT or STT will then explain the testing procedure to the employee. The BAT or STT may only supervise one test at a time and may not leave the testing site while the test is in progress.

A screening test is performed first. When a breath testing device is used, the mouthpiece of the breath testing device must be sealed before use and opened in the employee's presence. Then the mouthpiece is inserted into the breath testing device.

The employee must blow forcefully into the mouthpiece of the testing device for at least six (6) seconds or until an adequate amount of breath has been obtained.

Once the test is completed, the BAT must show the employee the results. The results may be printed on a form generated by the breath testing device or may be displayed on the breath testing device. If the breath testing device does not print results and test information, the BAT is to record the displayed result, test number, testing device, serial number of the testing device, and time on the alcohol testing form. If the breath testing device prints results, but not directly onto the form, the BAT must affix the printout to the alcohol testing form in the designated space.

When an ASD is used, the STT must check the device's expiration date and show it to the employee. A device may not be used after its expiration date.

The STT will open an individually wrapped or sealed package containing the device in front of the employee and he/she will be asked to place the device in his/her mouth and use it in the manner described by the device's manufacturer.

If the employee declines to use the device, or in a case where the device doesn't activate, the STT must insert the device in the employee's mouth and use it in the manner described by the device's manufacturer. The STT must wear single-use examination gloves and must change the gloves following each test.

When the device is removed from the employee's mouth, the STT must follow the manufacturer's instructions to ensure the device is activated.

If the procedures listed above can't be successfully completed, the device must be discarded, and new test must be conducted using a new device. Again, the employee will be offered the choice of using the new device or having the STT use the device for the test.

If the new test cannot be successfully completed, the employee will be directed to immediately take a screening test using an EBT.

The result displayed on the device must be read within 15 minutes of the test. The STT must show the employee the device and its reading and enter the result on the ATF.

If the reading on the EBT or ASD is less than 0.02, both the employee and the BAT or STT must sign and date the result form. The form will then be confidentially forwarded to Lewis' DER.

If the reading on the EBT or ASD is 0.02 or more, a confirmation test must be performed. An EBT must be used for all confirmation tests.

The test must be performed after 15 minutes have elapsed, but within 30 minutes of the first test. The BAT will ask the employee not to eat, drink, belch, or put anything into his/her mouth. These steps are intended to prevent the buildup of mouth alcohol, which could lead to an artificially high result.

A new, sealed mouthpiece must be used for the new test. The calibration of the EBT must be checked. All of this must be done in the employee's presence.

If the results of the confirmation test and screening test are not the same the confirmation test will be used.

Refusal to complete and sign the alcohol testing form or refusal to provide breath or saliva will be considered a failed test, and the employee will be removed from all safety-sensitive functions until the matter is resolved.

The employee will be subject to disciplinary action up to and including termination.

Positive Non-DOT Drug & Alcohol Test Results

Lewis employees are subject to drug and alcohol testing that is not regulated by the Department of Transportation. This includes, but is not limited to, customer specific testing, annual testing, post-accident testing, and return to duty testing. Employees whose results are found to be positive, the Lewis Disciplinary Matrix will be utilized to determine disciplinary action. Positive tests will result in disciplinary action up to and including termination from Lewis.

Drug Testing Procedures

Drug testing will be conducted at:

Royersford, PA Employees	New Castle, DE Employees	Bloomsburg, PA Employees	New Cumberland Employees	Lakeland, FL Employees
Occupational Health	Concentra – Newark, DE	WorkPlace Health	Concentra - Mechanicsburg	Concentra - Bartow
CarePlex Building	410 Stanton Ogletown, Rd	521 N. Franklin Street	4910 Ritter Road	1750 N. Broadway
81 Robinson Street	Newark, DE 19713	Shamokin, PA 17872	Mechanicsburg, PA 17872	Bartow, FL 33830
Pottstown, PA 19465				

Specimen collection will be conducted in accordance with 49 CFR Part 40 and any applicable state law. The collection procedures have been designed to ensure the security and integrity of the specimen provided by each employee. The procedures will strictly follow federal chain of custody guidelines.

A drug testing custody and control form (CCF) will be used to document the chain of custody from the time the specimen is collected at the testing facility until it is tested at the laboratory.

A collection kit meeting the requirements of Part 40, Appendix A must be used for the drug test.

The collection of specimens must be conducted in a suitable location and must contain all necessary personnel, materials, equipment, facilities, and supervision to provide for collection, security, and temporary storage and transportation of the specimen to a certified laboratory.

When the employee arrives at the collection site, the collection site employee will ask for identification. The employee may ask the collection site person for identification.

The employee will be asked to remove all unnecessary outer garments (coat, jacket) and secure all personal belongings. The employee may keep his/her wallet.

The employee will then wash and dry his/her hands. After washing hands, the employee must remain in the presence of the collection site person and may not have access to fountains, faucets, soap dispensers, or other materials that could adulterate the specimen.

The collection site person will select, or allow the employee to select, an individually wrapped or sealed container from the collection kit materials. Either the collection site person or the employee, with both individuals present, must unwrap or break the seal of the collection container. The seal on the specimen bottle may not be broken at this time. Only the collection container may be taken into the room used for urination.

The employee is then instructed to provide his/her specimen in a room that allows for privacy.

The specimen must consist of at least 45 ml of urine. Within four (4) minutes after obtaining the specimen, the collection site person will measure its temperature. The acceptable temperature range is 90 to 100 degrees Fahrenheit. If the specimen temperature is outside the acceptable range, the collector must note this on the CCF

and must immediately conduct a new collection using direct observation procedures outlined in Sec. 40.67. Both specimens must be sent to the lab for testing. The collector must notify both the DER and collection site supervisor that the collection took place under direct observation and the reason for doing so.

The collection site person will also inspect the specimen for color and look for signs of contamination or tampering. If there are signs of contamination or tampering, the collector must immediately conduct a new collection using direct observation procedures outlined in Sec. 40.67. Both specimens must be sent to the lab for testing. The collector must notify both the DER and collection site supervisor that the collection took place under direct observation and the reason for doing so.

The 45 ml sample provided must be split into a primary specimen of 30 ml and a second specimen (used as the split) of 15 ml. The collection site person must place and secure the lids on the bottles, place tamper-evident bottle seals over the lids and down the sides of the bottles and write the date on the tamper-evident seals. The employee then initials the tamper-evident bottle seals to certify that the bottles contain specimens he/she provided. All of this must be done in front of the employee.

All identifying information must be entered on the CCF by the collection site person.

The CCF must be signed by the collection site person, certifying collection was accomplished in accordance with the instructions provided. The employee must also sign this form indicating the specimen was his/hers.

The collector is responsible for placing and securing the specimen bottles and a copy of the CCF into an appropriate pouch or plastic bag.

At this point, the employee may leave the collection site.

The collection site must forward the specimens to the lab as quickly as possible, within 24 hours or during the next business day.

Laboratory analysis: As required by FMCSA regulations, only a laboratory certified by the Department of Health and Human Services (DHSS) to perform urinalysis for the presence of controlled substances will be retained by Lewis. The laboratory will be required to maintain strict compliance with federally approved chain-of-custody procedures, quality control, maintenance, and scientific analytical methodologies.

All specimens are required to undergo an initial screen followed by confirmation of all positive screen results.

Results: According to FMCSA regulation, the laboratory must report all test results directly to Lewis' MRO. All test results must be transmitted to the MRO in a timely manner, preferably the same day that the review by the certifying scientist is completed. All results must be reported.

The MRO is responsible for reviewing and interpreting all confirmed positive, adulterated, substituted, or invalid drug test results. The MRO must determine whether alternate medical explanations could account for the test results. The MRO must also give the employee who has a positive, adulterated, substituted, or invalid drug test an opportunity to discuss the results prior to making a final determination. After the decision is made, the MRO must notify the DER.

If the MRO, after making and documenting all reasonable efforts, is unable to contact a tested employee, the MRO shall contact the DER instructing him to contact the employee. The DER will arrange for the employee to contact the MRO before going on duty.

The MRO may verify a positive, adulterated, substituted, or invalid drug test without having communicated with the employee about the test results if:

- The employee expressly declines the opportunity to discuss the results of the test.
- Neither the MRO or DER has been able to make contact with the employee for 10 days: or
- Within 72 hours after a documented contact by the DER instructing the employee to contact the MRO, the employee has not done so.

Split Sample: As required by FMCSA regulations, the MRO must notify each employee who has a positive,

adulterated, or substituted, drug test result that he/she has 72 hours to request the test of the split specimen. If the employee requests the testing of the split, the MRO must direct (in writing) the lab to provide the split specimen to another certified laboratory for analysis.

The employee will be suspended, with or without pay, until the test results confirmed or deny the original test. The employee will be held responsible for all cost related to the split specimen testing.

If the analysis of the split specimen fails to reconfirm the results of the primary specimen, or if the split specimen is unavailable, inadequate for testing, or unstable, the MRO must cancel the test and report the cancellation and the reasons for it to the DER and the employee.

The employee could be subject to disciplinary actions up to and including termination based on the results from the first testing.

Specimen Retention: Long-term frozen storage will ensure that positive urine specimens will be available for any necessary retest. Lewis' designated drug testing laboratory will retain all confirmed positive specimens for at least one (1) year in the original labeled specimen bottle.

Confidentiality/Recordkeeping

All employee alcohol and controlled substance test records are considered confidential (Sec. 382.401). For the purpose of this policy/procedure, confidential recordkeeping is defined as records maintained in a secure manner, under lock and key, accessible only to the Human Resources and Health & Safety Directors.

Employee alcohol and controlled substance test records will only be released in the following situations:

- To the employee, upon his/her written request,
- Upon request of a DOT agency with regulatory authority over Lewis,
- Upon request of state or local officials with regulatory authority over Lewis,
- Upon request by the United States Secretary of Transportation,
- Upon request by the National Transportation Safety Board (NTSB) as part of an accident investigation,
- Upon request by subsequent employers upon receipt of a written request by a covered employee,
- In a lawsuit, grievance, or other proceeding if it was initiated by or on behalf of the complainant and arising from results of the tests, or
- Upon written consent by the employee authorizing the release to a specified individual.

All records will be retained for the time period required in Sec. 382.401.

Lewis will retain all records for five (5) years.

Employee Assistance

Employee Education and Training (Sec. 382.601): All employees will be given information regarding the requirements of Part 382 and this policy by their supervisor. All employees will be given a video to review.

Supervisor Training: According to FMCSA regulation, all employees of Lewis designated to supervise employees will receive training on this program. The training will include at least 60 minutes on alcohol misuse and 60 minutes on drug use. The training content will include the physical, behavioral, speech, and performance indicators of probable alcohol misuse and drug use. The training allows supervisors to determine reasonable suspicion that an employee is under the influence of alcohol or drugs.

Referral, Evaluation, and Treatment (Sec. 382.605): According to FMCSA regulation, a list of substance abuse professionals will be provided to all employees who fail an alcohol test or test positive for drugs.

Following is a list of SAPs and counseling and treatment programs: *See Appendix A*

The alcohol and drug program administrator will be responsible for designating the appropriate SAP who, in conjunction with the employee's physician, will diagnose the problem and recommend treatment.

The employee will pay for the evaluation by the SAP and any treatment required.

According to FMCSA regulations, prior to returning to duty for Lewis, an employee must be evaluated by an SAP and must complete the treatment recommended by the SAP. Successful completion of a return to duty test and all follow-up tests is mandatory.

An employee who fails to complete an evaluation by the SAP, treatment recommended by the SAP, a return to duty test, or a follow-up test will be subject to disciplinary action up and including termination.

Voluntary Employee Self-Identification Program

*Lewis supports sound treatment efforts. Whenever practical, Lewis will assist employees in overcoming drug, alcohol, and other problems which may affect employee job performance as long as this policy has not already been violated. An employee may not self-identify to avoid required testing. The following is required to participate in this voluntary program: the employee makes the admission of alcohol misuse or controlled substances use **prior** to reporting to duty to perform a safety-sensitive function and the employee does not perform a safety-sensitive function. The employee must make a full disclosure of misuse. The employee may not return to work until Lewis is satisfied that the employee has been evaluated and has successfully completed education or treatment requirements.*

Employees who seek voluntary treatment prior to a violation of the policy will not be disciplined for making a voluntary admission of alcohol misuse or controlled substances use within the parameters of the program. The employee will be allowed a sufficient opportunity to seek evaluation, education or treatment to establish control over the employee's drug or alcohol problem. Employees who seek voluntary assistance will be allowed to return to safety-sensitive duties only upon successful completion of an educational or treatment program as determined by a drug and alcohol abuse evaluation expert. Prior to the employee participating in a safety-sensitive function, the employee shall undergo a return-to-duty test with a result indicating an alcohol concentration of less than 0.02 and/or controlled substance test with a verified negative test. In addition, Lewis may monitor any employee who voluntarily reports under this provision by conducting unannounced follow-up testing not to exceed 60 months following the employee's return to work.

If the employee elects to enter an appropriate treatment program, the employee may be placed on unpaid status but will be required to use any accrued vacation time and sick leave while participating in the evaluation and treatment program so long as the employee is complying with the conditions of treatment. Lewis will have the right to require verification from the health care provider for a release to work and/or verification of treatment as covered in Lewis' medical leave policies. More information regarding availability of treatment resources and insurance coverage for treatment services is available from the DER.

Discipline

The company may not stand-down an employee before the MRO has completed his/her verification process unless the company has applied for and has received an FMCSA issued waiver.

According to FMCSA regulation, no person who has failed an alcohol or drug test, or refused to test, will be allowed to perform safety-sensitive functions until the referral, evaluation, and treatment requirements have been complied with. The following company disciplinary measures apply to all reasonable suspicion, post-accident, and random tests.

Controlled Substance Positive Test Result: Upon notification that an employee has a drug test result of positive, adulterated, or substituted, the employee will be given the option of requesting a test of the split sample within 72 hours. If the employee has requested a test of the split sample, the employee will be suspended, with or without pay, until the results of a split sample test are obtained.

If the employee doesn't request a split sample test or the split sample test confirms the initial positive, adulterated,

or substituted, drug test result, the employee will be subject to disciplinary action up to and including termination.

If the split sample testing disputed the initial test results or if the initial test results are designated invalid, the employee will be reinstated.

Refusal to Test: An employee's refusal to test for alcohol or controlled substances will be considered a positive test result. Adulteration or tampering with a urine or breath sample is considered conduct that obstructs the testing process and is considered a refusal to test. An employee whose conduct is considered a refusal to test will be subject to disciplinary action up to and including termination.

Failed Alcohol Test Result: Upon notification that an employee has failed an alcohol test (0.04% BAC or greater), the employee will be suspended *and subject to disciplinary action up to and including termination*. Upon notification that an employee tested 0.02% BAC or greater, but less than 0.04% BAC in initial and confirmatory tests for alcohol, the employee will be removed from safety-sensitive functions *and be subject to disciplinary action up to including termination*.

Searches and Inspection

Searches and inspections may be:

- a) Conducted on company or customer property, at any time, by company or customer supervisors or authorized search and inspection specialists including scent trained animals.
- b) Unannounced searches or inspections of company or customer personnel and their property, which may include, but is not limited to wallets, purses, lockers, baggage, offices, desks, toolboxes, clothing and vehicles.
- c) Employees have the right to refuse being searched or having their personal effects searched or to cooperate in the requested tests; however, refusal to allow such searches or to cooperate in such lawfully permitted searches by any employee will be cause for disciplinary action, up to and including immediate termination.

Non-Compliance

Company personnel will be found to be in non-compliance if they:

- Violate any portion of this policy or the customer's policy, or
- Refuse to cooperate with the searches and tests included in this policy or the customer's policy

If found to be in non-compliance:

- The company personnel found to be in non-compliance shall be **permanently** removed by the company from customer property and from performing work for the customer.
- Company must immediately notify customers that the individual has become disqualified from performing work for them.
- Company will immediately review with customers the nature of the work previously performed by the individual.
- At customer's request, company shall, at its sole cost and risk, inspect all work in which the individual may have participated and submit a written report to the customer that documents the inspection and any findings, and the actions taken to assure all deficiencies have been corrected.

Additional Procedures

Employees who are convicted of any criminal drug or alcohol violation occurring in the workplace or company vehicles must report the conviction to the alcohol and drug program administrator within five days, and the administrator will take appropriate action as required by Lewis's policy.

Employees, their possessions, and Lewis-issued equipment and containers under their control are always subject to search and surveillance while on Lewis premises or work sites or while conducting Lewis's business. Lewis may conduct unannounced inspections or searches for violations of this policy in the workplace, worksite,

or company premises. Employees are expected to cooperate in any inspection or search; failure to do so will result in disciplinary action up to and including termination.

Nothing in this policy is to be construed to prohibit Lewis from maintaining a safe work environment or imposing disciplinary action as it deems appropriate for reasons of misconduct or poor performance, regardless of whether the misconduct or poor performance arises from drug or alcohol use. Such disciplinary actions may include termination of employment. Employment is at-will and subject to termination by Lewis or the employee at any time, with or without notice and with or without cause.

Copies of the following forms are attached at the end of this policy.

Appendix A

Appendix B

WHATEVER LIFE THROWS AT YOU - THROW IT OUR WAY.

Life Assistance ProgramSM

Life. Just when you think you've got it figured out, along comes a challenge. Whether your needs are big or small, your Life Assistance & Work/Life Support Program is there for you. It can help you and your family find solutions and restore your peace of mind.

Call us anytime, any day.

We're just a phone call away whenever you need us. At no extra cost to you. An advocate can help you assess your needs and develop a solution. He or she can also direct you to community resources and online tools.

Visit a specialist.

You have three face-to-face sessions with a behavioral counselor available to you - and your household members. Call us to request a referral.

Monthly Webinars

Educational seminars on a variety of relevant topics such as managing your life, work, money and health, are available in a quarterly calendar of monthly webcasts distributed to your employer.

Achieve work/life balance.

For help handling life's challenges go on line for articles and resources including on family, care giving, pet care, aging, grief, balancing, working smarter, and more.



Legal consultation and referrals*

Receive a free 30-minute consultation with a network attorney. And up to a 25% discount on select fees.



Financial consultations.

Receive a free 30-minute consultation and 25% discount on tax planning and preparation.



Life Assistance Program - 24/7 support

Phone: 800.538.3543
website: www.cignalap.com

Together, all the way.*



Offered by: Life Insurance Company of North America or Connecticut General Life Insurance Company.

*Legal consultations and discounts are excluded for employment-related issues.

These programs are NOT insurance and do not provide reimbursement for financial losses. Some restrictions may apply. Customers are required to pay the entire discounted charge for any discounted products or services available through these programs. Programs are provided through third party vendors who are solely responsible for their products and services. Full terms, conditions and exclusions are contained in the applicable client program description, and are subject to change. Program availability may vary by plan type and location, and are not available where prohibited by law. These programs are not available under policies insured by Cigna Life Insurance Company of New York (New York, NY).

All Cigna products and services are provided exclusively by or through operating subsidiaries of Cigna Corporation, Life Insurance Company of North America, Connecticut General Life Insurance Company and Cigna Behavioral Health, Inc. The Cigna name, logo, and other Cigna marks are owned by Cigna Intellectual Property, Inc.

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Appendix B – Procedure

- Isolate and inform the employee. Remove the employee from the work location. Explain that there is reasonable suspicion to believe the employee's performance is being affected by drugs or alcohol. Ask the employee to explain the suspected behavior and to describe the events that took place from his/her perspective. Ask if there is any medication or physical condition that would explain the behavior. A persuasive explanation may or may not deter you from asking for the employee to submit to a drug or alcohol test. If there is still a reasonable belief that drugs or alcohol is a factor in the situation/incident, a request for testing should be made; if no reasonable belief is determined then no request for testing should be made. If the decision to test is made, inform the employee that they are being requested to accompany the appropriate company official or representative to the specimen collection site to conduct a drug and alcohol test. Inform the employee of the consequences of refusal to submit to a drug and alcohol test,
- Review your findings. During the conversation, observe physical and mental symptoms. Be sure to document any characteristics that either support or contradict initial information. In all cases, a reasonable suspicion decision to test must be made by a supervisor who has received the required supervisor training. This creates greater objectivity, provides additional observation, and generally strengthens the defensibility of the reasonable cause determination,
- Transport the employee. The potentially affected employee should not be allowed to proceed alone to or from the collection site. In addition to the safety concerns for the employee, accompanying the employee also assures that there is no opportunity in route to the collection site for the employee to ingest anything that could affect the drug and alcohol test results,
- Document the events. Record the behavioral signs and symptoms that support the determination to conduct a reasonable suspicion drug and/or alcohol test. This documentation of the employee's conduct should be prepared and maintained on file to document the request for reasonable suspicion alcohol testing,
- Denial should be an expected reaction. If a person knows he/she will test positive, he/she may give many explanations and protestations, wanting to avoid drug and/or alcohol testing. If he/she is not under the influence or affected by drugs or alcohol, vehement denial also would be expected. Listen to the employee and carefully evaluate the employee's explanation. Remember, a request to submit to a drug and alcohol test is not an accusation; it is merely a request for additional objective data. To the employee it may feel like an accusation; so, it is important to stress that this is merely a request for additional data,
- Following administration of drug and alcohol test. After returning from the collection site, the employee should not be allowed to return to performing any safety-sensitive function pending the results of the drug and alcohol test and any discussion of disciplinary action that may occur. The employee should make arrangements to be transported home. The employee should be instructed not to drive any motor vehicle due to the reasonable suspicion that he/she may be under the influence of drugs or alcohol. If the employee insists on driving, the proper local enforcement authority may be notified that an employee who the company believes may be under the influence of drugs or alcohol is leaving the company premises driving a motor vehicle,
- The company shall conduct a drug and/or alcohol test within two (2) hours of a determination to test under reasonable suspicion. If a reasonable suspicion test is not administered within two (2) hours following the determination, the company shall prepare and maintain on file a record stating the reasons why the test was not promptly administered. If the required test is not administered within eight (8) hours of the determination; the company shall cease all attempts to administer a drug and/or alcohol test and shall state in the record the reasons for not administering the test. Upon request such records shall be made available to the agency administrator or any person who has been delegated authority in the matter concerned,
- A written record of the observations leading to a drug and/or alcohol reasonable suspicion test, signed by the supervisor or a company official who made the observation, will be completed within 24 hours of the observed behavior or before the results of the drug and/or alcohol test are released, whichever is first.

Lewis shall not permit a covered employee to report for duty or remain on duty requiring the performance of safety-sensitive function while the employee is under the influence of or impaired by drugs or alcohol, as shown by behavioral, speech, or performance indicators of drug or alcohol misuse, nor shall the employee be permitted to perform or continue to perform safety-sensitive functions until:

- A drug and alcohol test are administered and the employee's alcohol concentration measures less than 0.02 and no drugs are evident, or

- The start of the employee's next regularly scheduled duty period, but not less than eight (8) hours following the determination that there is reasonable suspicion to believe that the employee has violated the prohibitions as contained in this policy.

Except as provided above, Lewis shall not take any action under 49 CFR Part 199 against an employee based solely on the employee's behavior and appearance in the absence of a drug and alcohol test. However, this does not prohibit Lewis from taking any disciplinary action otherwise consistent with local and/or state laws.

An employee awaiting the results of a reasonable suspicion drug test will be relieved of all safety-sensitive duties until test results are released.

Alcohol & Drug Policy Review Receipt

This is to certify that I have been provided educational materials required by Section 382.601 and Lewis Environmental's policies and procedures with respect to meeting the Part 382 requirements. These requirements are established by the Federal Department of Transportation and the Federal Motor Carrier Safety Administration. Part 382 is the regulation which governs Alcohol and Drug policies for transportation companies. I have received a copy of the Lewis Drug and Alcohol policy and we have reviewed the following during the employee orientation:

- _____ 1. The designated person to answer questions about the materials is: _____
- _____ 2. Any driver with Lewis Environmental is subject to part 382.
- _____ 3. Any job at Lewis Environmental is a safety-sensitive job.
- _____ 4. We have a ZERO tolerance for Drug and Alcohol violations. This includes "on-call" hours.
- _____ 5. DOT regulations will be used as a guideline for disciplinary actions towards non-DOT Drug & Alcohol violations. This will be used at the discretion of the company representatives.
- _____ 6. Drivers will be tested under the following circumstances: pre-employment, post-accident, reasonable suspicion, randomly from the random drug pool, return to duty from any Leave of Absence.
- _____ 7. The testing procedures are the same as with pre-employment. Any issues with testing could result in requiring direct observation for the sample collections.
- _____ 8. All tests are administered in accordance with Part 382.
- _____ 9. Any refusal to test is always considered a positive test. If refusing to sign paperwork, authorizing to test, this is the same as a refusal to test. A positive test will be dealt with in accordance with the Lewis Drug & Alcohol plan and would likely result in immediate termination of employment.
- _____ 10. Any Part 382 Subpart B violations (testing positive) result in immediate consequences, including removal from safety-sensitive functions and Part 40, Subpart O procedures.
- _____ 11. A negative dilute result will require the employee to be retested. As second negative dilute result will be accepted as a negative test.
- _____ 12. If a driver is found to have alcohol concentration of 0.02 or greater but less than 0.04, Lewis Environmental will follow the Federal Motor Carrier Safety Administration Regulations to deal with coaching and counseling. FMCSA regs could result in disciplinary action up to and possibly including termination of employment.
- _____ 13. Employees should inform Peter Everlof, Health & Safety Director if ever taking prescription medicines which could interfere with the operations of safety sensitive equipment.
- _____ 14. You will watch a video following this initial orientation which will summarize the following effects of alcohol and controlled substances use on:
 - a. An individual's health
 - b. Work
 - c. Personal Life
 - d. Signs & Symptoms of a problem
 - e. Available methods of intervening when a problem is suspected

Employee's Printed Name

Employee Signature

Date

Company Representative Signature

Date

Medical Testing Release Form

Date: _____

Employee Name: (print) _____

I consent the release of exposure, drug and alcohol test results to Lewis Environmental Inc. as it relates to client requests:

Employee Signature

Date

Original Lewis Environmental Inc. file
Copy to employee

Development History	Name	Date
Writer	Stephen Perna, Dir. of H&S	4/16/12
Reviewer	Melissa Brenner	12/28/15
Approved by	Stephen Perna, Dir. of H&S -added non-DOT sections	2/6/15
	Stephen Perna, Dir. of H&S -added section on contraband, prescription drugs and customer site related violations -added the medical testing release form	8/4/15
	Mara Tammaro, Executive Administrator & Stephen Perna, Dir. of H&S -Updated/Added testing locations, Updated Commercial Motor Vehicles Definition, Added Positive Non-DOT Drug & Alcohol Test Results and added a statement to the review receipt of non-DOT positive tests.	12/28/15
	Mara Tammaro, Executive Administrator & Stephen Perna, Dir. of H&S -Change from 50 percent to 25 percent of the FMCSA average number of employee positions will be tested	1/8/16
Reviewer	Dave Thompson, Mgr. of H&S	11/7/16
	Mara Tammaro, Executive Administrator & Stephen Perna, Vice President -Change from 25 percent to 50 percent of the PHMSA average number of employee positions will be tested	1/12/18
	Mara Tammaro, Executive Administrator & Stephen Perna, Vice President -Change Opiates to Opioids	3/6/18
Reviewer	P. Doug Everlof, Dir. H&S	11/12/19
	Mara Tammaro, Executive Assistant & P. Doug Everlof, Dir of H&S -Updated Designated Employer Representative ("DER") to P. Doug Everlof, Director of H&S -Updated/added testing locations -Removed Addiction Counseling Services from Appendix A & Added EAP Information	3/18/2022
Reviewer	Francisco Gallardo, H&S Manager. Updated Concentra Medical Center for Delaware office.	8/3/2022
Reviewer	Francisco Gallardo, Senior H&S Manager Replace Steve Perna for Peter Everlof (Pg7 & Pg24) Addition of page numbers.	5/6/2023



Company Policy Number: HS-032

Policy Name: Mobile Equipment Policy

Department: Health & Safety

Date Last Modified: October 12, 2023

Mobile Equipment (Heavy Equipment) Policy:

1.0 Definitions

Heavy Equipment - All rubber-tired, self-propelled scrapers, rubber-tired front-end loaders, rubber-tired dozers, wheel-type agricultural and industrial tractors, crawler tractors, crawler-type loaders, and motor graders, with or without attachments, that are used in construction work.

Qualified Operator - an experienced craftsperson who has received training and demonstrated competency to operate a specific piece of equipment.

Site Manager - The associate responsible for work conducted on the site.

2.0 Policy

- A. Any person who operates mobile equipment must be a qualified operator, trained, certified, and authorized by their Site manager to operate the particular piece of equipment in use, and be capable of offering proof by means of license, certification or authorization. Health and Safety will maintain employee training records.
- B. Any person who operates or performs maintenance or service on mobile equipment must know, understand, and follow the manufacturer's specifications, recommendations and instructions.
- C. It is required that all records relating to maintenance or repairs on equipment owned and operated by Lewis Environmental Group, are maintained.
- D. Everyone who operates or maintains mobile equipment must understand and follow manufacturer specifications, recommendations and instructions.
- E. At the beginning of each shift, the operator should inspect and check the assigned equipment, report immediately to his or her supervisor if there are any

malfunctions of the clutch or the braking system, steering, lighting, or control system and locking/tagging out the equipment if necessary.

- F. Unauthorized personnel should not be permitted to ride on equipment unless it is equipped to accommodate passengers safely.
- G. The operator should make sure the warning signal is operating when the equipment is backing up.
- H. No operator should operate mobile equipment without the protection of an enclosed cab or approved eye protection.
- I. When available a driver will wear a seat belt and before starting the equipment adjust it to fit.
- J. The operator will not use or attempt to use any vehicle in any manner or for any purpose other than for which it is designated.
- K. The operator should not load any vehicle/equipment beyond its established load limit and shall not move loads, which because of the length, width, or height that have not been centered and secured for safe transportation.
- L. Hydraulic lines must be maintained to prevent leakage. If catastrophic failure of a hydraulic system occurs, the spill must be cleaned up according to site, local, state and governmental regulations.
- M. The operator of a gasoline or diesel vehicle should shut off the engine before filling the fuel tank and should ensure that the nozzle of the filling hose makes contact with the filling neck of the tank. No one should be on the vehicle during fueling operations except as specifically required by design. There should be no smoking or open flames in the immediate area during fueling operation.
- N. Any equipment should not be loaded beyond its established load limit and should not move loads which because of the length, width, or height cannot be centered and secured for safe transportation.
- O. All earth-moving equipment except for dump trucks and hydraulic excavators are required to have a rollover protection system.
- P. For security purposes all equipment keys must be removed from equipment and stored in a secured central location when not being used and equipment may not leave a site without the approval of the project manager.

Lewis Environmental - Department of Health & Safety

Company Owned or Leased Heavy Equipment Daily Inspection Log

Project Name & #:	Project Location:	Date:
Year, Make, Model:	Assigned Operator:	
Mileage/Hours:	Field Project Manager:	
Status: Owned or Leased?	Rental Co., Location, #:	

Enter in each section below either "OK", "Bad", or "N/A", and also if there are any needed repairs or maintenance.

Tracks, tires, wheels		
Fluids		
Brakes		
Horn		
Lights		
Clutch		
Windshield Wiper		
Glass		
Rear View Mirror		
Body		
Cover		
Frame		
Dump Mechanism		
Steering		
Warning Lights		
Motor (wiring)		
Radiator		
Belts		
Hoses		
Fire Extinguisher		
Signal System		
Fuel & Gas Lines		
Fuel Tank		
Exhaust System		
Boom		
Boom Hoist		
Hooks		
Grab Bars, Steps		

Inspected by:	
Day & Date inspected:	
Notes:	

Development History	Name	Date
Writer	Evan Painter, Env. Health Intern	7/22/13
Reviewer	Stephen Perna, Dir. of H&S	7/22/13
Reviewer	Dave Thompson, Mgr. of H&S	2/1/17
Reviewer	P Doug Everlof, Dir of H&S	12/13/19
Reviewer	Francisco Gallardo, Senior H&S Manager. Review without changes	10/12/2023
Approved by		



Company Procedure Number: HS 057

Procedure Name: Vacuum Trucks

Most Recent Update: January 20, 2023

Department: Health & Safety

1 General

1.1 SCOPE

The use of vacuum/pressure trucks, skids, portable tanks and trailers (herein referred to as vacuum trucks) to remove flammable and combustible liquids from tanks and equipment and to clean up liquid hydrocarbon spills has led to the development of the general safety guidelines in this publication. These guidelines are recommended as safe practices for those in the petroleum industry who use vacuum trucks. These safe practices also apply to the operation of portable vacuum tanks, skids and trailers typically used in emergency flammable and combustible liquid spill cleanup activities. Note: Guidelines for pneumatic (air moving) trucks and hoppers, typically used in the petroleum industry for removal of noncombustible dry materials such as catalysts, dusts, powders, residue, etc., are addressed in Appendix E.

1.2 BASIC VACUUM OPERATIONS

There are two basic types of vacuum truck operations, as follows:

- a. Vacuum loading and off-loading operations that eliminate or minimize the introduction of air into the system by:
 1. Completely submerging the suction nozzle into the liquid during the transfer process.
 2. Directly connecting the hose to the source or receiving tank, vessel or container below the surface level of the liquid contained therein.
- b. Vacuum truck operations that introduce air into the system during the transfer process, including:
 1. Air-conveying operations involving the removal of solid materials when the suction hose is either partially submerged or not submerged (or if submerged, when air is entrained or entrapped in the material).
 2. Liquid-transfer operations where the end of the hose is not directly connected to the source or receiving tank, container, or vessel or the nozzle is not submerged into the liquid within the tank, container, or vessel.
 3. Vacuum truck operations involving spill cleanup of liquids where air is skimmed off of the surface (water or land) together with the liquids.

3 Definitions

The following definitions are applicable to this publication:

3.1 Bonding: Connecting two or more conductive objects to equalize their electrical potential.

3.2 Cyclone Separators: Devices that separate oil and water, or solid materials from air, by cyclone action.

3.3 Exposure Limit: The maximum airborne concentration limits for toxic substances to which workers may be safely exposed for a prescribed time without protection (i.e., respiratory protection). Exposure limits are usually expressed in parts per million (ppm) or mg/m³, averaged for a pre-scribed time, e.g., 15 minutes, and 8 hours. They may also be expressed as ceiling limits, which should not be exceeded. Material Safety Data Sheets (MSDSs) available from employers, manufacturers or suppliers of the material should identify recommended exposure limits. Permissible Exposure Limits (PELs) and Short-Term Exposure Limits (STELs) are exposure limits established in the U.S. Department of Labor OSHA regulations and are those found in the most current editions of OSHA 29 *CFR* 1910.1000 and chemical-specific standards.

3.4 Grounding: Providing a means for electrical currents to dissipate to earth.

3.5 Liquid: Any material that has fluidity greater than that of 300-penetration asphalt when tested in accordance with ASTM D5 (NFPA 30).

Combustible liquid is any liquid with a closed cup flash point at or above 100°F. Combustible liquids at temperatures at or above their flash points are considered to be flammable.

Note: Combustible liquids that are handled, used, or stored at temperatures above their flash points are considered flammable and must be treated with special precautions per NFPA 30).

Flammable liquid is any liquid that has a closed-cup flash point below 100°F (see NFPA 30; 1–7).

3.6 Pressure Relief (safety) Valve: Device that limits pressure to a preset level by exhausting surplus air volume, thereby assuring that the permissible operating pressure is not exceeded.

3.7 Vacuum Cargo Tank: An enclosed space (tank) mounted on a vacuum truck (trailer or skid) from which most of the air (or gas) has been removed by a vacuum pump and where the remaining air (or gas) is maintained at a pressure below atmospheric.

3.8 Vacuum Inches Hg: A measurement of the suction produced in a vacuum system relative to ambient atmospheric pressure. An inch of mercury ("Hg) is a measure of vacuum that equals a solid column of water being lifted 13.6 in.

3.9 Vacuum Intake (suction air) Filters: Filters mounted on the suction flange to protect vacuum pumps from airborne solid materials, but not from liquids.

3.10 Vacuum Pump: A pump that is designed to remove air (or gas) to create a vacuum (or partial vacuum) within a vacuum cargo tank. Vacuum pumps are also capable of producing pressure within a vacuum cargo tank when operated in the pressure (reverse) mode.

3.11 Vacuum Pump Exhaust Muffler (silencer): A device that reduces vacuum pump exhaust noise during suction and pressure operations.

3.12 Vacuum Pump Oil Separator: A small vessel that captures exhausted oil when the pump is operated under the vacuum mode. When the pump operates under the pressure mode, the oil separator acts as an oil bath filter to prevent air borne material from entering the vacuum pump.

3.13 Vacuum Pump Relief Valve: Reduces the potential for damage to the pump from overheating during long duration solid column loading or when there is insufficient cooling air or liquid. Vacuum relief valves must be closed during pressure off-loading.

3.14 Vacuum Pump Scrubbers (secondary shut-offs or moisture traps): Inlet devices that reduce vacuum pump damage and wear by trapping materials which may escape the vacuum pump's primary shutoff trap during loading.

3.15 Vacuum Truck: A transportable vacuum system consisting of vacuum pump, vacuum cargo tank and associated appurtenances and accessory equipment mounted on a motor vehicle.

3.16 Ventilation Valve: Ensures that the required (or permissible) vacuum level in the vacuum cargo tank (or suction line) is not exceeded, by allowing air to enter during suction operations.

4 Safe Handling of Hazardous Materials

4.1 HAZARDOUS MATERIALS AWARENESS

It is the responsibility of vacuum truck owners to train vacuum truck operators in the proper transfer, handling, and transportation of flammable and combustible liquids and hazardous materials.

4.1.1 Vacuum truck owners shall assure that vacuum truck operators are aware of the physical and chemical characteristics of flammable, combustible, toxic and corrosive materials in accordance with applicable regulations. These regulations include, but are not limited to, OSHA 29 *CFR* 1910.120 "Hazardous Waste and Emergency Response"; 1910.1200 "Hazard Communication"; and DOT 49 *CFR* Parts 106–7, 171–180, and 397, "Hazardous Materials Regulations."

4.1.2 Vacuum truck operators shall be aware that combustible liquids transferred at or above their flash point temperatures must be handled as if they were flammable liquids.

4.1.3 Vacuum truck operators shall be aware that trace amounts of flammable and combustible liquids and gases, hydrogen sulfide gas, acids, caustics, spent caustics, spent acids, sour water and other liquids, materials and gases present in the petroleum industry may cause serious injury, illness or death, if not properly handled. In addition, vacuum truck operators shall be aware that when under vacuum, even trace amounts of hydrocarbons and hydrogen sulfide gas may be easily separated and create flammable and or toxic atmospheres.

4.3 PERSONAL PROTECTIVE EQUIPMENT

When necessary, appropriate respiratory protection, hearing protection, chemical protective equipment, goggles, gloves, boots and other required personal protective equipment shall be provided by vacuum truck owners and used by vacuum truck operators for protection from exposure to the product. It is the responsibility of vacuum truck owners to assure that vacuum truck operators are trained and qualified as follows:

4.3.1 Vacuum truck operators shall know which type of personal protective equipment to use under various conditions of exposure and potential exposure. Personal protective equipment is required to provide body, eye, hearing and respiratory system protection.

4.3.1.1 Vacuum truck operators shall be aware of applicable regulations including, but not limited to, 29 *CFR* 1200; 29 *CFR* 1910.120; 40 *CFR* 311.1 and the facility's industrial hygiene and safety requirements.

4.4 HAZARDOUS MATERIALS REGULATIONS

Vacuum truck owners shall assure that vacuum truck operators are trained, knowledgeable of and comply with applicable federal, state and local regulations including, but not limited to, the following:

- a. 29 *CFR* 1910.1000, "Air Contaminants."
- b. 29 *CFR* 1910.1028, "Benzene."
- c. 29 *CFR* 1910.120, "Hazardous Waste Operations and Emergency Response."
- d. 29 *CFR* 1910. 1200, "Hazard Communications."

- e. 40 *CFR* 263, "Protection of Environment."
- f. 40 *CFR* 311.1, "Worker Protection Standards for Hazardous Waste Operations."
- g. 49 *CFR*, Parts 172, 173, 178–179, 382, 383 and 390–397, "Motor Carrier Safety."

4.6 OTHER REQUIREMENTS

Care must be taken to assure that the materials being loaded are compatible with materials previously loaded and that the mixing of these materials will not create hazards such as fire, explosion, heat, toxic gases or vapors. Unless the vacuum truck has been thoroughly cleaned and inspected, it should not be used to load materials which are not compatible with those previously handled. The same principles apply when materials are unloaded. Care must be taken to assure that the materials being unloaded are compatible with the materials presently or previously contained in the receiving container.

5 Safe Vacuum Truck Operations

5.1 GENERAL

Vacuum truck owners are responsible to comply with federal, state and local regulations regarding the construction, maintenance and operation of vacuum trucks and to assure that operators and other assigned personnel are trained and qualified for their assigned work.

5.1.1 Hazards of Vacuum Truck Operations

Although using vacuum trucks provides a fast, safe and efficient method of cleaning up spills and removing liquids, tank bottoms, solid materials and waste from tanks and vessels in petroleum facilities, incidents have occurred during vacuum truck operations

Note: See Appendix C for specific examples.

Vacuum truck owners and operators, as well as facility personnel, should be aware of the numerous potential hazards associated with vacuum truck operations in petroleum facilities, including, but not limited, to the following:

- a. Sources of ignition, including vacuum truck engine and exhaust heat; pump overheating; faulty or improper electrical devices; static electricity discharges; and outside ignition sources such as smoking, motor vehicles, stationary engines, etc.
- b. Potential hazards including spills; flammable atmosphere within and around the vacuum truck, cargo tank, or source container; hose failures; and discharges of flammable vapors to the atmosphere from the vacuum truck, or the source, or the receiving container; and worker exposures to toxic vapors, liquids, or solids.
- c. Potential hazards associated with the surrounding area and atmospheric conditions during the vacuum truck operations. There is a potential for discharged vapors to exceed PELs for exposed workers and/or to collect in low spots, particularly during atmospheric inversions and especially with high humidity when no wind is present. In addition, vapors should not be discharged onto roadways or other areas where sources of ignition may inadvertently occur.
- d. Toxic vapors that are not hazardous prior to handling but may become concentrated, and thereby hazardous, at or near the discharge port of the vacuum pump.
- e. Additional hazards include those typical to tank truck operations such as slips and falls; spills and releases; fires and explosions; and accidents within the facility or on the highway.

5.1.2 Inspection Requirements

Before beginning operations, vacuum truck operators shall obtain any required permits and inspect vacuum trucks, equipment and loading/off-loading sites to assure safe operations.

Note: See Appendix C for inspection, maintenance and operating requirements).

5.3 CONDUCTIVE AND NONCONDUCTIVE HOSE

Vacuum truck operators may use either conductive or non-conductive hose. (It is sometimes difficult to distinguish between the two.) Petroleum industry experience indicates that electrostatic ignitions can present a significant hazard when using nonconductive transfer hose. Any isolated conductive object may accumulate a charge and provide a spark gap.

Note: Vacuum trucks should be grounded when possible (see 5.4).

5.3.1 Conductive Hose

Vacuum hoses constructed of conductive material or thick-walled hoses with imbedded conductive wiring shall be used when transferring flammable and combustible liquids when the potential for a flammable atmosphere exists in the area of operations. Conductive hose shall provide suitable electrical conductance less than or equal to 1 megaohm per 100 feet (as determined by the hose manufacturer).

Note: Thin-walled, metallic spiral-wound conductive hoses should not be used because of the potential for electrical discharge through the thin plastic that covers the metal spiral.

5.3.2 Nonconductive Hose

Nonconductive hose is not recommended for use in transferring either flammable or combustible liquids. Nonconductive hose can accumulate static electricity and act as an ignition source by discharging a static spark if a conductor touches or comes close to a grounded object. Nonconductive hose should not be used to discharge flammable liquids into open areas, such as pits or open tanks, or where any source of flammable vapors may be present near the open end of the hose.

Note: Although not recommended, the facility may permit the use of nonconductive hose to transfer combustible liquids where there is no potential for a flammable atmosphere in the area.

If nonconductive hose is permitted to be used, all exposed connectors, such as tubes, metal hose flanges, couplings, fit-tings, and suction nozzles shall be constructed of conductive materials, and each one shall be individually bonded and grounded to the vacuum truck and the source or receiving vessel.

5.4 BONDING AND GROUNDING

The complete vacuum transfer system needs to be bonded so that there is a continuous conductive path from the vacuum truck through the hose and nozzle to the tank or source container and grounded to dissipate stray currents to earth.

- a. Unbonded conductive objects, such as nozzles and strong-backs, can accumulate high electrostatic charges during transfer operations.
- b. Bonds and grounds should not be disconnected until all transfer operations have ceased and the suction nozzle, hose, or tube is withdrawn from the source or the receiving tank or container.
- c. The vacuum truck owner shall establish a schedule for inspecting and testing the electrical continuity of grounding and bonding cables provided with the vacuum truck (depending on the use and condition of the cables).

5.4.1 Bonding

Bonding prevents the formation of different electrostatic potentials between vacuum trucks and pumps and the source or receiving tank, container or vessel by bringing all parts of the connected system to an equivalent electrical potential. This reduces the likelihood of a spark being created in the vicinity of flammable vapors when the suction nozzle or discharge hose is removed from the source or discharge container and/or disconnected from the vacuum trucks, or when any conductive connectors are disconnected.

Note: See API RP 2003 for additional information on static electricity.

5.4.1.1 Whenever liquids or materials are transferred into or from a tank, vessel, or container (other than a surface spill), a bonding cable shall be connected from the vacuum truck to the source or receiving container. To assure proper bonding, the continuity should be verified with an ohmmeter following connection and prior to the start of operations.

Note: Exception—If both the vacuum truck and the source or receiving container are suitably grounded, and if the transfer is through tight, metal-to-metal connections using conductive hose, fittings, tubes and suction nozzles, without the use of nonconductive gaskets, etc., it may not be necessary to use bonding cables. Bonding should be verified using an ohmmeter.

5.4.1.2 When liquid is transferred to or from a nonconductive or lined container (that is not suitably grounded), bonding may be achieved by inserting an uncoated, corrosion-free metallic rod (or similar approved conductor) to the bottom of the fluid in the container. The rod is connected to the vacuum truck with a proper bonding cable and the bonding is verified using an ohmmeter.

5.4.2 Grounding

Prior to starting transfer operations, vacuum trucks need to be grounded directly to the earth or bonded to another object that is inherently grounded (due to proper contact with the earth), such as a large storage tank or underground piping. Grounding minimizes the electrical potential differences between objects and the earth to prevent a static charge. Grounding brings all parts of any system to zero electrical potential by allowing electrical currents to dissipate to earth (ground).

Retractable reels used for vacuum truck grounding cables shall be designed to provide electrical continuity between the grounding clamp or clip at the end of the cable and the vacuum truck, regardless of the amount of cable extended. A safe and proper ground to earth may be achieved by connecting to any properly grounded object including, but not limited to, any one or more of the following examples:

- a. The metal frame of a building, tank, or equipment that is grounded.
- b. An existing facility grounding system, such as that installed at a loading rack.
- c. Fire hydrants, metal light posts, or underground metal piping with at least 10 ft of contact with the earth.

Note: Fence posts, etc. may not provide adequate grounding.

- d. A corrosion-free metal ground rod of suitable length and diameter (approximately 9-ft long and 5/8-in. diameter), driven 8 ft into the earth (or to the water table, if less).

Note: Resistance of the ground will vary depending on both the type of soil and the amount of moisture present in the soil.

- e. A metal plate of suitable size and thickness (approximately 2 ft 2 in area and 1/4-in. thick, if steel; or 5/8-in. thick, if copper) buried in the ground to a depth of at least 2 1/2 ft.

5.5 VACUUM PUMPS AND BLOWERS

Under normal conditions, the absence of oxygen minimizes the risk of ignition in a vacuum tank. However, operating rotary lobe blowers and vacuum pumps at high speeds creates high air movement and high vacuum levels, resulting in high discharge air temperatures and high discharge vapor concentrations that can present potentially ignitable conditions.

5.6 VACUUM EXHAUST VENTING AND VAPOR RECOVERY

When flammable, combustible, or toxic liquids are transferred by vacuum pumps, product vapors may be discharged into the atmosphere in full concentration through unrestricted exhausts or in lesser concentrations if filtered or separated prior to exhaust. The potential exists for these discharged vapors to form flammable mixtures with air and come into contact with the vacuum truck's engine, hot exhaust pipe, or outside sources of ignition. Also, hydrocarbon vapors may be aspirated by the vacuum truck's diesel engine, causing dieseling (a condition where the engine continues to run after being turned off).

In addition, toxic vapors at less than flammable concentrations may still expose the vacuum truck operator and others to levels above PELs or STELs. If this occurs, vacuum pump exhausts should be vented to an area free of personnel and isolated by barricades, or appropriate respirators should be worn unless atmospheric testing for toxic vapors confirms respirators are not required.

The following are some exhaust issues unique to the type of vacuum pump used:

- a. When liquid ring vacuum pumps are used, flammable vapors may accumulate on top of the discharge separator. The vapors discharged by liquid ring pumps may also be saturated with water (or other service liquid). In addition, if the temperature of the service liquid is higher than the temperature of the incoming vapor, evaporation will occur at the suction port.
- b. The air discharged from rotary vane pumps may be saturated with lubricating oil or vapors.
- c. Rotary lobe blowers operating at high airflow rates and vacuums may atomize liquid hydrocarbons that are subsequently discharged through the exhaust.

Vacuum pump vapors can be controlled through safe vapor recovery and safe venting methods. In areas where vapor recovery is mandated or desired, exhausted vapors should be directed to a vapor recovery unit. If vapors are vented to atmosphere during loading and off-loading, the travel direction, atmospheric and wind conditions, topography, and all potential sources of ignition must be considered and appropriate protective measures put into place prior to starting operations. Because vacuum truck engines (and auxiliary engines) are ignition sources, vacuum trucks should be operated upwind of any transfer point and outside the path of potential vapor travel.

5.6.1 Venting

A number of methods can be used by vacuum truck operators to safely vent vacuum pump exhaust vapors, including—but not limited to—the following:

- a. Operators can prevent dieseling by locating the vacuum truck upwind of vapor sources and by extending the vacuum pump discharge away from the diesel engine air intake.
- b. Vapors may be returned to the source container using conductive hose and closed connections.
- c. Vapors may be vented into the atmosphere to a safe location using a safety venturi, mixing vapors with air, so the vapors are discharged at a diluted rate during most of the transfer operation. Caution is required because vapors may reach the flammable range during low flow periods (such as the final few minutes of loading) or under other conditions.
- d. Vacuum truck operators may provide vertical exhaust stacks, extending approximately 12 ft above the vacuum truck (or higher if necessary), to dissipate the vapors before they reach ignition sources or other potential hazards, and personnel.
- e. Vacuum truck operators may attach a length of exhaust hose to the vacuum exhaust that is long enough to reach an area that is free from potential hazards, sources of ignition, and personnel. The hose should be preferably extended 50 ft downwind of the truck and away from the source of the liquids.

5.6.2 Vapor Recovery

To prevent ignition from occurring, prior to each specific use of a vapor recovery system an analysis should be conducted to determine the potential hazards and appropriate safety measures required, including—but not limited—to the following:

- a. Some vapor recovery units and vapor control systems develop high operating temperatures and may therefore become ignition sources. An appropriate in-line flame arrestor, placed in the vapor recovery line between the vacuum discharge exhaust and close to the vapor recovery unit, will mitigate or prevent flashback into the vacuum truck.
- b. Vacuum exhaust vapors shall be vented to vapor recovery units using conductive hose with closed connections and appropriate bonding and grounding.

- c. Carbon absorption canisters connected to the vacuum discharge exhaust may become saturated by lubricating oil or contaminated by vacuum exhaust vapors, resulting in neous combustion. An appropriate flame arrestor shall be placed in the vapor recovery line between the vacuum discharge exhaust and close to the canister, to prevent flashback into the vacuum truck cargo tank.
- d. Vacuum truck operators shall ensure that carbon absorption canisters are properly bonded to the vacuum units to prevent buildup of static charges that may create sources of ignition.
- e. Vacuum truck operators shall ensure that vapor recovery units, control systems, vapor lines and canisters are properly rated to handle the amount of flow developed by the vacuum pump so as to minimize back pressure.

5.7 TRANSFER OPERATIONS

Vacuum truck operators shall be aware of the hazards involved in petroleum product and associated materials transfer operations. They shall be trained in safe product transfer practices and follow company and facility safety procedures when loading and off-loading vacuum trucks.

5.7.1 Loading

The size and length of the hose and the vacuum level in the truck govern the loading rate. Once an appropriately high vacuum level is reached in the cargo tank and the hose is connected to the source container or submerged into the product, the hydrocarbon liquid is loaded as a solid column with very little air introduced in the system. The volume of air exhausted from the vacuum pump following this procedure is usually very small, especially at high vacuum levels, thereby reducing the potential for a vapor-air mixture in the flammable range.

Note: See Appendix C for loading procedures.

5.7.2 Air Entrainment

During loading, if the hose or suction nozzle is not completely submerged in the liquid, or not directly connected to the source container below the liquid level, air is introduced into the product stream. Depending on the flow rate and the hose diameter, the product may atomize—becoming suspended in the airflow—and not be deposited in the vacuum tank. When this occurs, the vacuum level inside the truck decreases and large amounts of vapor and air are exhausted into the atmosphere.

5.7.2.1 Vacuum truck operators shall follow safe operating procedures to prevent or minimize the amount of air introduced into the vacuum truck cargo tank during transfer from source containers. This is particularly important during the end of product transfer operations when the suction nozzle or the end of the hose may not be completely submerged in the liquid.

5.7.2.2 Vacuum truck operators shall take care to minimize air intake when skimming product (e.g., off of the water surface or from spills on land) and when the suction nozzle or the end of the hose may not be completely submerged.

5.7.3 Off-Loading

5.7.3.1 The three methods of off-loading vacuum trucks are gravity, pump-off, and pressure. Flammable liquids and other hazardous materials should be off-loaded by gravity or inert gas (typically nitrogen) pressure blanket, to minimize the amount of air that mixes with the flammable vapors and to prevent the formation of a pressurized flammable vapor-air mixture inside the vacuum cargo tank. Pressure off-loading with an inert gas pressure blanket may also be used for off-loading products that react with air or moisture.

Note: See Appendix C for off-loading procedures.

5.7.3.1.1 Gravity Method. Gravity off-loading is safer, easier, and less expensive and is therefore used more frequently than pump-off or pressure off-loading. The gravity method is preferred for off-loading flammable liquids and hazardous materials, as well as for nonflammable and combustible materials.

5.7.3.1.2 Pressure Method. When pressure off-loading with air or inert gas blanket, the pressure must not be allowed to exceed the pressure relief valve setting, or if this setting is unknown, the maximum allowable working pressure as indicated by the vacuum cargo tank data plate. Outside sources of compressed air, such as an air compressor or air tanks, should not be used to pressurize vacuum truck cargo tanks for off-loading. Pressure off-loading with air is accomplished by reversing the vacuum pump on the truck. Pressure off-loading with air is typically used only when products are not considered to be flammable, hazardous, or toxic.

Note: When vacuum pumps are reversed to off-load combustible products, this reverse action may heat combustible liquid hydrocarbons to temperatures above their flash points and they must then be treated as flammable liquids.

5.7.3.1.3 Pump-off Method. Auxiliary (external) gear or rotary transfer pumps may be used to off-load heavy, viscous products, which are difficult to remove by pressure or gravity.

5.7.3.2 Prior to off-loading, vacuum truck operators shall determine or verify that the receiving container has sufficient available capacity to contain the amount of product being transferred.

5.7.3.3 During vacuum cargo tank off-loading, vacuum truck operators shall minimize the amount of air introduced into the receiving container by directly connecting the hose to the receiving container or submerging the end of the transfer hose into the product. This will prevent free-fall of liquids and avoid or minimize splash off-loading to prevent static buildup and excessive vapors. If the hose is connected directly to the receiving container, vacuum truck operators shall maintain low flow until the intake is completely sub-merged.

5.7.4 Nonconductive Equipment

Vacuum truck operators shall be aware of the following precautions regarding the use of nonconductive equipment. These precautions are necessary to reduce the potential for ignition during vacuum truck operations because static charges can accumulate on these containers and create a source of ignition.

5.7.4.1 The use of nonconductive transfer items, such as plastic funnels, strainers, etc., shall be prohibited. All equipment used in the transfer shall be made of conductive materials and be properly bonded.

5.7.4.2 The use of nonconductive containers, such as plastic pails, as intermediate collection vessels during vacuum truck operations shall be prohibited. Only conductive containers shall be used and vacuum truck operators shall assure that these are bonded to the transfer hoses, connectors, nozzles, and the source or receiving tank, vessel, or container.

5.8 OVER-PRESSURE AND UNDER-PRESSURE

Care must be taken during vacuum truck operations not to over-pressure or under-pressure the vacuum cargo tank, source container or receiving container.

5.8.1 Vacuum truck operators shall stay within the operational limits of the equipment as established by the equipment manufacturers to prevent over-pressurizing vacuum cargo tanks.

5.8.2 Vacuum truck operators shall ensure that whenever a vacuum cargo tank is switched from vacuum to pressure, or when switching to vacuum after pressurization, the cargo tank is allowed to return to ambient (atmospheric) pressure.

5.8.3 Vacuum truck operators shall ensure that when pressure off-loading the vacuum truck cargo tank, the unloading rate is decreased near the end of the off-loading to avoid over-pressuring the receiving tank

or vessel. Following the completion of pressure off-loading, any internal built-up pressure within the vacuum truck cargo tank shall be relieved by safe venting to the atmosphere, receiving tank, or vapor recovery unit.

5.9 GAUGING AND SAMPLING

Vacuum truck owners shall train vacuum truck operators in safe procedures for gauging and sampling flammable and combustible liquids and toxic materials in and around vacuum truck cargo tanks, source containers, and receipt containers.

5.9.1 This training shall include preventing overfills, worker exposures above PELs or STELs, and static discharges during sampling and gauging operations.

5.9.2 To minimize the potential of vapor inhalation and personal exposures above PELs or STELs, all gauging should be done from upwind positions. Appropriate respirators must be worn, if needed.

5.9.3 After filling vacuum truck cargo tanks or receiving containers, vacuum truck operators shall allow at least one minute of relaxation time for static buildup to dissipate before inserting any conductive device for sampling or gauging the contents.

5.9.4 Conductive sampling and gauging equipment shall be bonded to the source or receiving containers prior to insertion therein. Conductive sampling and gauging devices shall also be bonded to (or held firmly in contact with) the vacuum truck during insertion into the cargo tank.

5.10 NON-PETROLEUM PRODUCTS

Vacuum truck operators shall be aware that hazardous and toxic vapors, mists, or solid materials may be released to the atmosphere during transfer of non-petroleum products.

5.10.1 Vacuum truck operators shall be trained to follow safe operating practices and use appropriate personnel protective equipment when loading and off-loading non-petroleum products such as sour water, produced water, spent acids, spent catalyst, and other materials which may contain trace amounts of flammable liquids, hydrogen sulfide, or other toxic substances.

5.10.2 Vacuum truck operators shall be aware that when-ever materials (such as produced water or spent acid) that have the potential to contain trace amounts of hydrocarbon condensates or hydrogen sulfide are placed under a vacuum, flammable vapors and toxic gases are freely released, creating potential ignition and exposure hazards.

5.11 OPERATION OF VEHICLES

Vacuum truck operators shall be trained and properly licensed in accordance with applicable regulations, to drive and operate their vehicles within petroleum facilities and on public highways.

5.11.1 Vacuum trucks shall not enter into tank dike areas until such areas have been checked and, if required, tested for hydrocarbon vapors and determined to be safe. Permits shall be obtained prior to entering tank dike and other designated or restricted areas, if required by the facility.

5.11.2 Vacuum truck cargo tanks shall be depressurized and vapors vented to a safe area away from personnel and sources of ignition (or to an approved vapor recovery system), before vacuum trucks are driven onto public highways.

5.11.3 Vacuum trucks have stability problems similar to other tank trucks. Vacuum truck operators must be aware of the effect of speeds, turns, and changing centers of gravity due to the shifting of the liquid load, as these changes can result in instability and rollovers, even at low speeds.

5.11.4 Vacuum truck operators shall maintain proper distances when operating vacuum trucks inside facilities with restricted clearances. Vacuum truck operators must be aware of the overall height, width, and approximate weight (empty and loaded) of their vehicles and operate them safely around stationary equipment, overhead piping, and other hazards. Vacuum truck owners should post the vehicle specifications (weight, height, size, etc.) inside the vacuum truck cab.

5.12 PERSONNEL SAFETY

Vacuum truck personnel working in petroleum facilities shall be:

- a. Trained in the safe operation of the vacuum equipment.
- b. Familiar with the hazards of the petroleum products, by-products, wastes and materials being transferred.
- c. Aware of relevant government and facility safety procedures and emergency response requirements.

5.12.1 MSDSs for the products being transferred shall be available to vacuum truck operators. Safe air contaminant levels (PELs and STELs) shall be identified, and a qualified person shall assess the exposure potentials.

5.12.2 Appropriate personal protective equipment, including respirators, shall be worn whenever exposures to toxic materials or air contaminant levels at or above PELs or STELs, can be reasonably expected to occur.

5.12.3 All personnel shall leave the vacuum truck cab during loading and off-loading operations.

5.12.4 When transferring flammable liquids or hazardous materials, vacuum truck operators shall remain positioned between the vacuum truck and the source or receiving tank, vessel, or container and within 25 ft of the vacuum truck throughout the operation. Vacuum truck operators shall monitor the transfer operation and be ready to quickly close the product valve and stop the pump in the event of a blocked line or release of material through a broken hose or connection.

Note: See *CFR* 49, Part 177, Subpart B, for attendance requirements.

5.12.5 Smoking, or any other sources of ignition, shall not be permitted within at least 100 ft (depending on local procedures and atmospheric conditions) of the truck, the discharge of the vacuum pump, or any other vapor source.

Note: Facility smoking and hot work policies should be followed if they are more restrictive.

6 VACUUM TRUCK DESIGN AND EQUIPMENT

6.1 Vacuum Pumps and Blowers

Vacuum trucks used in liquid hydrocarbon service are typically equipped with one of three major types of vacuum pumps (sliding vane, liquid ring, or rotary lobe), which are designed for specific applications, operating pressures, and vacuums. These pumps are usually powered from the vehicle engine through an auxiliary drive and universal shaft by belts, hydraulic drives, or flexible couplings. Regardless of design, the maximum vacuum attainable for any given pump is dependent on barometric pressure and altitude above sea level.

6.2 Vacuum Truck Ignition Control

Diesel-powered vacuum truck engines and auxiliary diesel-powered vacuum units are preferred for use in flammable and combustible liquid service. This is because the limited electrical systems of diesel engines provide for reduced ignition and fire hazards as compared with those of gasoline engines. Diesel engines, however, are not totally free from ignition sources. Electrical devices and external wiring, especially on the truck chassis near the vacuum cargo tank, must be maintained in good condition to prevent breaks which may cause electrical arcing.

6.2.1 Dieseling or “running away” will occur if high concentrations of flammable vapors enter the diesel engine air intake. Several companies manufacture manual or automatic emergency shutdown devices that close the air intake to protect engines from dieseling. Their effectiveness is only as good as the initial design, installation, and maintenance. Dieseling can be best avoided by locating the vehicle upwind of vapor sources and by extending the vacuum pump discharge away from the engine air intake.

Note: Shutdown devices are required in some work areas per 30 *CFR* Parts 250.80 and 250.100.

6.2.2 When installed, spark-arresting exhaust systems (see USDA Forest Service’s *Spark Arrestor Guide*, Volume 1, April, 1988), should be inspected frequently to ensure proper operation. Shielded ignition systems, flame arrestors, and spark-arresting exhaust systems are not foolproof and should not be considered as substitutes for maintaining vapor-free work areas.

6.3 Vacuum Transfer Hoses, Tubes, Suction Nozzles and Connectors

Vacuum transfer hoses, tubes, and suction nozzles are designed to transfer specific liquids and dry materials. Some are designed to transfer only solid materials such as gravel, sand, and powders; while others are designed for septic and sewerage operations. When transferring flammable and combustible liquids or other hazardous products, especially when there is potential for a flammable atmosphere in the area, it is important to select appropriate hoses, tubes, suction nozzles, and connectors. Although vacuum transfer hoses and suction tubes are available in diameters that range from 2 to 8 in., 3-in. and 4-in.-diameter hoses are most commonly used in petroleum facilities.

6.3.1 Vacuum truck operators use either conductive or nonconductive hose (note that it is sometimes difficult to distinguish between the two). Conductive hoses are constructed of conductive material or have thick walls with imbedded conductive wiring. Conductive hoses should provide a suitable electrical conductance less than or equal to 1 megaohm per 100 feet (determined by the hose manufacturer). Thin-walled, metallic-spiral wound, conductive hoses are also available; however, these may be ineffective as they may discharge static electricity through the thin plastic covering the metal spiral.

6.3.2 When using conductive hose, assure that suction nozzles, tubes, metal hose flanges, couplings, fittings, and nozzles are constructed of conductive materials and are securely connected so as to provide a continuous bond through the system from the vacuum truck to the source or receiving container. Use of nonconductive hose to handle flammable and combustible materials should generally not be allowed because of potentials for accumulation and discharges of static electricity that can act as sources of ignition. Even where there appears to be minimal potential for the creation of a flammable atmosphere, all exposed connectors, such as suction nozzles, tubes, metal hose flanges, couplings and fittings, should be constructed of conductive materials. Each connector should be individually bonded and grounded to the vacuum truck and the source or receiving container.

7 VACUUM TRUCK PREVENTIVE MAINTENANCE

7.1 General

As with any equipment used in critical service, vacuum truck tractors, engines, electrical systems, vacuum pumps, cargo tanks, valves, filters, separators, auxiliary pumps, hoses, nozzles, connectors, bonding and grounding cables and other appurtenances must receive appropriate preventive maintenance. Vacuum trucks should be inspected, tested and maintained by vacuum truck owners in accordance with applicable regulations such as federal and state DOT, local government, etc. (whichever are more restrictive). Typical preventive maintenance items for vacuum trucks include, but are not limited to, the following:

7.2 Air Tanks

Vacuum truck air tanks shall be checked regularly, depending on service and atmospheric conditions, for accumulated water or liquid. Air tanks may require daily draining of water during cold weather, especially if an air dryer is not installed or is not working properly.

7.3 Lights and Electrical

Proper lighting is necessary, not only for driving after dark or under other low-visibility conditions but also for safe loading and off-loading. Lights and reflectors shall be kept clean and inoperative lighting replaced as soon as possible. The condition of the electrical system should be inspected regularly to prevent ignition sources. Inoperative or defective wiring shall be repaired or replaced prior to conducting transfer operations.

7.4 Vacuum Pumps and Appurtenances

The manufacturers' recommendations for installation, operation, pressure limitations, testing and maintenance of vacuum pumps should be followed. Correct lubrication of the pump, bearings, and associated equipment is very important. The three major causes of vacuum pump failure are a) lack of or improper lubrication, b) overheating, and c) foreign materials contaminating the pump.

Pumps should be checked for leaks, proper valve seating, housing cylinder wear and vane, lobe impeller or rotor wear, and repairs or replacements made, if required. If pumps are belt-driven, all belts should be inspected regularly for wear and replaced depending on their condition, use and service. Belts should be adjusted for proper tension to reduce friction and heat buildup as a result of slippage. Cast iron rings in liquid-ring pumps used for transferring hydrocarbon liquids, spent acids, etc. should be checked for corrosion. Traps, scrubbers, mufflers, filters and separators should be regularly inspected and maintained to assure proper operation and pre-vent contamination of the pump. Hoses should be inspected for cracks, leaks, and worn casings and tested for conductivity. Nozzles, fittings, and connections should be checked to assure that there is no blockage and that they will allow tight, conductive connections.

7.5 Vacuum Truck Cargo-Tank

Vacuum truck cargo tanks, gages, pressure and vacuum relief valves, and appurtenances shall be regularly inspected, tested and maintained by vacuum truck owners depending on their condition and service and in accordance with appropriate regulations, such as DOT HM 183.

Note: Regulations such as DOT HM 183 establish many different testing, inspection and maintenance requirements for tank trucks, including vacuum trucks and vacuum cargo tanks, which are too numerous to be covered in this document. Additional information is also provided by the *Cargo Tank Maintenance Manual*, which is available from the National Tank Truck Carriers Inc.

Proper maintenance of door gaskets, float shutoffs, and level indicators is important.

8 —VACUUM TRUCK OPERATING EXPERIENCE AND INCIDENTS

8.1 General

Fires and explosions have occurred during vacuum truck operations. In numerous instances, vacuum truck engines and related equipment were the ignition sources, and flammable vapors from the cargo were the fuel sources. Many of these fires were caused either by operating the vacuum truck too close to the spill, pickup, or discharge point; or by failing to vent the vacuum pump discharge to a hazard-free area. In addition, it is not always recognized that even trace amounts of hydrocarbon condensate, when placed under vacuum, can produce flammable vapor in air mixtures; and that appropriate precautions are required.

The following are examples of incidents that have occurred during vacuum truck operations:

8.2 Spills

8.2.1 A vacuum truck with pressure on its cargo tank was hooked up to a full storage tank. When the inlet valve was opened, the cargo tank (pressurized) vented into the storage tank, and product was released through the tank vent. Vapors from the spill were then ignited.

8.2.2 Defective float valves on both inside and outside vacuum cargo tank scrubbers prevented the vacuum from being shut-off to the cargo tank when it was filled. As a result, product was released onto the ground under the truck by the vacuum pump discharge.

8.2.3 A vacuum truck was connected to a slop tank manifold to off-load. Because of a high liquid level in the slop tank, the product gravitated into the vacuum truck when the slop tank and vacuum truck discharge valves were opened. The vacuum truck overfilled and product was released under the truck from an open bleeder line.

8.3 Vapor Ignitions

8.3.1 During transfer operations, a vacuum truck operator entered the vacuum truck cab and lit a cigarette resulting in a flash fire.

8.3.2 A vacuum truck entered a dike area within a tank block during a tank cleaning operation. While vacuuming flammable liquids from the tank sump, a fire started that destroyed the vacuum truck. The ignition source was the vacuum truck engine and the fuel was vapor from the truck's vacuum exhaust vent.

8.3.3 A small fire occurred at the outlet of the vent scrubber used to reduce emissions from the vent pipe of a vacuum truck. An activated charcoal canister was installed on the vent line to remove vapors. The canister had previously been used for two other jobs; and the fire occurred before it could be taken out of service and replaced.

8.3.4 Either an impact spark or a static spark caused an off-loading fire from a coupling that disconnected when an off-loading hose was dropped into a storage tank. Another cause of a fire were sparks created by the whipping action of the discharge hose during off-loading.

8.3.5 Reports of internal explosions or fires within vacuum truck cargo tanks are very rare; however, incidents that have been reported point out the need for exercising great care in the mixing of incompatible materials, and the vacuum-removal of dusts. Static ignition has occurred while dry, powdered sulfur was being suctioned from a pit—resulting in an explosion within the vacuum truck. Other internal ignitions have occurred from pick-up of flint-type rocks and other sparking objects.

8.3.6 A fire occurred when a nonconductive hose was used to vacuum product from a small container. Apparently, sparks created a source of ignition at the point where the hose and the edge of the container came into contact.

8.4 Hose Failures

8.4.1 A vacuum truck operator suffered a broken leg from a whipping discharge hose when the hose coupling failed at the pump-off manifold.

8.4.2 A vacuum truck operator received serious leg burns when a cam-lock coupling failed.

8.4.3 A vacuum pump, driven by a hydraulic pump, was mounted on a truck's transmission power takeoff. The hydraulic hose to the vacuum pump failed and sprayed hydraulic fluid on the truck exhaust system. The fluid ignited and the fire destroyed the vacuum truck.

8.5 Miscellaneous Incidents

8.5.1 Light ends, including hydrogen sulfide gas, were released when a vacuum truck was loading spent caustic. The problem was corrected by pumping the product into a truck instead of loading under a vacuum.

8.5.2 A vacuum truck operator's sleeve caught on the vacuum pump as the operator attempted to tighten the pump packing—resulting in injuries to the operator.

8.5.3 A vacuum truck was being used to remove product from a pipeline when the line was activated and over-pressured the vacuum tank.

Development History	Name	Date
Writer	Stephen Pelná, Dir. of H&S	8/7/2013
Reviewer	Dave Thompson, Mgr. of H&S	9/13/16
Approved by		
Reviewer -Grammar & punctuation updates	Doug Everlof, Dir. H&S	11-4-19
Reviewer Annual Review without changes	Francisco Gallardo, H&S Manager	1-20-23
Approved by		



Company Policy Number: HS-080

Policy Name: Disciplinary Policy

Most Recent Update: January 30, 2023

Department: Health & Safety

1.0 Purpose

One of the best preventive measures to use to lower your accident rate is to keep safety in the mind of the employee at all times. It's not enough to tell your employees one time regarding a safety measure, rather an ongoing campaign of education and enforcement should exist as a natural part of your daily business- as natural as cleaning and maintaining equipment. Physical inspections of work areas are performed by company officials on a routine basis as an integral part of this program.

2.0 Disciplinary Program

The Health & Safety Department is responsible for enforcement of disciplinary program. [1] Some examples of safety infractions are: not following verbal or written safety procedures or guidelines, workplace rules, horse play, failure to wear selected PPE, abuse of selected PPE, etc. [2]

3.0 Safety Infractions

All the safety training in the world will not get through to some workers. Others may require more training or reminding as usual. As a result, safety infractions will occur from time to time. In addition, management's commitment or lack thereof shall not be overlooked by the Health & Safety Department. Physical inspections by company officials that indicate violations showing overall lack of commitment to company safety goals shall be under the same level of disciplinary actions. [4] Supervisors who show overall lack of commitment to company safety goals shall be under the same level of disciplinary actions.

The important thing to note is that no matter how slight (within reason) all safety infractions should be communicated to the employee. The Health & Safety Department will meet with the employee to discuss the infraction & inform the individual(s) of the rule or procedure that was violated and the corrective action to be taken (see checklist). [3] Typically, this will be in writing. This action by management accomplishes several things at once.

- You are establishing the fact that you are serious as a company regarding safety. A company's lack of safety concern is a primary force in OSHA issuing citations for safety violations. A substantial amount of OSHA fines is a result of employees stating the company had little or no regard for safety. A record of safety infractions demonstrate to OSHA your commitment to safety.

- You immediately prompt a concern from the employee to realize he/ or she has to “get on board” with your company’s safety policies. This should push your employee to seek out and read your safety procedures, attend safety talks, and perhaps have a better, safer attitude in the field.
- The employee who doesn’t react positively to a safety infraction, but continues to act unsafely will in the end be a victim of his/ her own actions. Establishing a paperwork trail will allow you to terminate the unsafe person, while keeping the safe worker- without possible repercussions of discrimination, etc.
- Finally, safer attitudes among some employees will be catching. Soon all workers will want to act safely as a team. Even if the inevitable accident does occur, the workers, management, OSHA, your insurance carrier, and others will all know and understand that your safety policies were in place and used.

4.0 Employees Suggestions

Perhaps to balance the scales in the employees’ minds against the safety infraction notices is the tried-and-true Employee’s Suggestion Box. Every employee needs to know that as a part of your company’s overall safety program, a policy of listening to your employees’ safety suggestions is important to you. An anonymous atmosphere brought about by using a suggestion box may convince some employees to participate- where notoriety and perhaps a small reward may prompt others to submit their suggestions with their name. Either way, you and your workers benefit from this policy since management cannot always know exactly what goes on at each jobsite, and frequently employee suggestions are well-thought out, and applicable to your overall policy.

This management-employee working relationship is one of the points OSHA looks at when determining your company’s safety program’s efficacy.

Development History	Name	Date
Writer	Stephen Peln, V.P.	11-6-19
Reviewer	P. Doug Everlof, Dir. H&S	11-6-19
Reviewer	Francisco Gallardo, H&S Senior Manager Annual Review – Grammar correction	1-30-23
Approved by		

ATTACHMENT 7

Vehicle Listing

Lewis Environmental Inc.												
Vehicle List					Updated: March 4, 2024							
#	Unit #	Year	Make	Model	Type	Vin	License Tag#	State Registration	Manufacturer's Gross Vehicle Weight	Leased	Permits	Location
1	29	2015	Ford	F350	Pickup (liftgate)	1FT8W3B61FEA88928	ZGG-5319	PA	10,800	No		MH
2	33	2018	Ford	F250	Pickup (liftgate)	1FT7W2B66JEB33635	ZLR-7630	PA	10,000	No		NT
3	34	2018	Ford	F250	Pickup (liftgate)	1FT7W2B6XJEB26476	ZLR-7631	PA	10,000	No		PL
4	35	2018	Ford	F250	Pickup (liftgate)	1FT7W2B65JEB05437	ZLR-7610	PA	10,000	No		DE
5	37	2019	Ford	F250	Pickup (liftgate)	1FT7W2B65KED40938	ZND-1444	PA	10,000	No		PL
6	38	2019	Ford	F250	Pickup (liftgate)	1FT7W2B67KED40939	ZND-1445	PA	10,000	No		DE
7	46	2019	Ford	F250	Pickup (liftgate)	1FT7W2B65KED40941	ZNJ - 3345	PA	10,000	No		DE
8	47	2019	Ford	F250	Pickup (liftgate)	1FT7W2B60KEF56891	ZNJ -3346	PA	10,000	No		CP
9	48	2019	Ford	F250	Pickup (liftgate)	1FT7W2B69KEF56890	ZNW-3979	PA	10,000	No		NT
10	49	2020	Ford	F250	Pickup (liftgate)	1FT7W2B67LED39971	ZRT-3421	PA	10,000	No		CP
11	65	2016	Isuzu	F160	Box Truck	JALE5J167G7902208	ZBV7733	PA	17,950	No		PL
12	69	2013	Ford	F-450	Rack Truck	1FD0W4HT7DEB05434	YSP-0816	PA	16,500	No		CP
13	71	2016	Dodge	5500	Rack Truck	3C7WRNFL9GG124078	ZGB-9491	PA	19,500	No		PL
14	72	2016	Dodge	5500	Rack truck	3C7WRNFL9GG210345	ZHX-2256	PA	19,500	No		LA
15	75	2017	Dodge	5500	Rack Truck	3C7WRNFL0HG653730	ZKA-2472	PA	19,500	No		PL
16	80	2017	Dodge	5500	Rack Truck	3C7WRNFL2HG653731	ZKA-2473	PA	19,500	No		PL
17	81	2017	Dodge	5500	Rack Truck	3C7WRNFL4HG776740	ZKM-5820	PA	19,500	No		PL
18	82	2018	Dodge	5500	Rack Truck	3C7WRNFL9JG185535	ZXT-6161	PA	19,500	No		PL
19	84	2019	Dodge	5500	Rack Truck	3C7WRNFLXJG393696	ZND-1439	PA	19,500	No		CP
20	94	2010	Peterbuilt	340	Vac Truck	2NPRLN0X7AM794744	AF83405	PA	54,600	No		DE
21	95	2011	Peterbuilt	384	Tractor	1XPVDP9X2BD128382	AF04448	PA	80,000	No		PL
22	97	2017	Peterbuilt	348	Vac Truck	2NP3LJ0XXHM388661	AG68027	FL	58,180	No		LA
23	98	2019	Peterbuilt	549	Rolloff	1NPCXPEX1KD493036	AF20736	PA	73,280	No		PL
24	99	2019	Peterbuilt	337	Vac Truck	2NP2HM7X4LM679668	AF-83404	PA	33,000	No		MH
25	101	2020	Dodge	5500	Box Truck	3C7WRNFL1LG158977	ZDD-0203	PA	19,500	No		DE
26	102	2021	Peterbuilt	348	Vac Truck	2NP3LJ0X5MM735520	AG-00350	PA	58,400	No		CP
27	103	2020	Dodge	5500	Rack Truck	3C7WRNFL3LG158978	ZSF-7404	FL	19,500	No		PL
28	104	2022	Peterbuilt	348	Vac Truck	2NP3LJ0X7NM772036	AG-00351	PA	60,000	No		PL
29	105	2022	Peterbuilt	348	Vac Truck	2NP3LJ0X8MM765675	AF35930	PA	60,000	No		DE
30	110	2020	Ford	F250	Pickup (liftgate)	1FT7W2B62EEB04784	QBAM26	FL	10,000	No		LA
31	112	2021	Dodge	2500	Pickup (liftgate)	3C6UR5HJXMG559615	ZSE6985	PA	10,000	No		CP
32	115	2021	Ford	F250	Pickup (liftgate)	1FT7W2AN5NED56232	39BKVA	FL	10,000	No		LA
33	116	2022	Dodge	2500	Pickup (liftgate)	3C6UR5HJ3NG203637	ZTX7703	PA	10,000	No		PL
34	118	2010	ACRO	0320n1265001	Vac Tanker	1A9114223B1005055	PT887B7	PA	80,000	No		PL
35	123	2022	Dodge	5500	Rack Truck	3C7WRNFLXNG238085	CL48769	DE	19,500	No		DE
36	124	2022	Dodge	5500	Rack Truck	3C7WRNFL2NG238081	ZVR2016	PA	19,500	No		NT
37	125	2022	Dodge	5500	Rack Truck	3C7WRNFL6NG238083	CL48782	DE	19,500	No		DE
38	126	2022	Dodge	5500	Rack Truck	3C7WRNFL8NG238084	ZVN4831	PA	19,500	No		PL
39	127	2022	Dodge	5500	Rack Truck	3C7WRNFL4NG238082	71DGRM	FL	19,500	No		LA
40	128	2022	DODGE	2500	Pickup (liftgate)	3C6UR5HJ1NG273265	90BFEU	FL	7,999	No		LA
41	130	2024	Peterbuilt	348	Vac Truck	2NPMHM7X1RM665079	AH47915	PA	33,000	No		PL
42	133	2023	Ford	F250	Pickup (liftgate)	1FT7W2BA9PED61996	ZXE6918	PA	10,000	No		PL
43	135	2023	International	CV515	Rack Truck	1HTKTSWK6PH571060	ZWW5537	PA	19,500	Yes		PL
44	136	2023	International	CV515	Rack Truck	1HTKTSWKXPH571059	ZXA5759	PA	19,500	Yes		PL
45	139	2024	Ford	F250	Pickup (liftgate)	1FT7W2BA7RED95406	ZXS0309	PA	10,000	No		PL

46	140	2024	Ford	F250	Pickup (liftgate)	1FT7W2BA0RED92217	ZXS0308	PA	19,500	No		PL
47	141	2024	International	CV515	Box Truck	1HTKTSWK3PH570447	ZXV9013	PA	19,500	Yes		PL
48	142	2023	International	CV515	Box Truck	1HTKTSWK6PH570443	ZXV9082	PA	19,500	Yes		PL
49	143	2024	Ford	F250	Pickup (liftgate)	1FT7W2BA4RED39908	ZXS0315	PA	10,000	No		PL
50	144	2025	Peterbuilt	549	Rolloff	1NPCXPTX1SD727663	AH63012	PA	73,280	No		CP
51	181	2015	Great Dane	Box	Box Trailer	1GRAP9626FD455438	PT150K4	PA	68,000	No		PL
52	189	2023	Pace	Box	Box Trailer (Wawa)	5JWPE1629PM033431	XPA6215	PA	7,000	No		PL
53	190	2023	Pace	Box	Box Trailer (Wawa)	5JWPE1623PM035630	XPE7547	PA	7,000	No		PL

ATTACHMENT 8

Environmental Record



101 Carroll Drive
New Castle, DE 19720

emergency: 800-258-5585
DiscoverLEWIS.com

DE-SW-0882

Attachment 11

15. Environmental Record

Date	Location of Incident	Issuing Agency	Enforcement Action	Nature of Violation	Disposition	Penalty
08-18-2020	Royersford, PA	STATE – PA DEP	NOV	The performance of tank handling activities by Lewis Environmental who did not have the appropriate DEP certifications.	Submitted explanation of Lewis's involvement with the tank. No further Action	\$0.00
04-15-2021	New York to Baltimore, MD	STATE – New York State Department of Environmental Conservation	NOV	Transported Non-Hazardous Waste to a Disposal Facility not listed on the Company's Transportation License	Corrected by adding the facility to the permit.	\$0

Davis, DaQuan (DNREC)

From: Brandon Smith <bsmith@discoverlewis.com>
Sent: Friday, January 3, 2025 4:19 PM
To: WHStranporters
Subject: RE: Incomplete DE HW Transporter Application LEWIS
Attachments: 24-25 Lewis Environmental LLC MCS90.pdf

Good afternoon,
Please see attached corrected MCS-90 for DE-HW-0483 transportation permit.

Please let me know if you need anything else.

Thank you,

Brandon

Brandon D. Smith
Senior Vice President



P.O. Box 639
[155 Railroad Plaza](#)
[Royersford, PA 19468](#)

p: (610) 495-6695 ext. 245
f: (610) 495-6697
[DiscoverLEWIS.com](#)



24 Hour Emergency Response: 800-258-5585

Confidentiality Notice: The above message and any attachments are meant for the sole use of the recipient and may contain privileged and confidential information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient of this message, please delete it immediately and notify sender of the error.

From: Davis, DaQuan (DNREC) <daquan.davis@delaware.gov> **On Behalf Of** WHStranporters
Sent: Tuesday, December 31, 2024 12:43 PM
To: Brandon Smith <bsmith@discoverlewis.com>
Subject: Incomplete DE HW Transporter Application LEWIS

You don't often get email from whstransporters@delaware.gov. [Learn why this is important](#)

Hi Mr. Smith,

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

- Section 12- The MCS-90 endorsement form policy doesn't match your automotive liability insurance on your certificate of insurance. Please provide an MCS-90 endorsement form that does, should be BAP2027471-16.

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

Thank you,



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



USDOT Number: _____ 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, Registration 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.



United States Department of Transportation
Federal Motor Carrier Safety Administration

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 Lewis Environmental LLC of Pennsylvania
(Motor Carrier name) (Motor Carrier state or province)

Dated at 12:00 noon on this 2nd day of July, 2024

Amending Policy Number: BAP2027471-16 Effective Date: 11/1/2024

Name of Insurance Company: Great Divide Insurance Company

Countersigned by: _____

(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: 215-553-7360

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 <https://portal.fmcsa.dot.gov/UrsRegistrationWizard/>.

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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

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 49 CFR 171.8 , 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 49 CFR 173.403 .	\$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 49 CFR 172.101 ; hazardous waste, hazardous materials, and hazardous substances defined in 49 CFR 171.8 and listed in 49 CFR 172.101 , 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 49 CFR 173.403 .	\$5,000,000

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