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Insurance Loss Control Association

ILCA E-News

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Founded by and dedicated to the professional insurance company loss control representative

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Summary of 2010 conference

The 79th annual conference was a success! Based on the initial comments from attendees, the two field trips were the highlight of the event. One group selected the visit to a construction site, and another group went to the Ohio State University ergonomics department and their biodynamics and Center for Occupational Health and Automobile Manufacturing facilities.

We conducted a panel discussion with underwriters and loss control managers from several companies, plus the AVP of a reinsurance company. The panel discussed the working relationship required between underwriting and loss control. They focused on how we can help each other in the risk assessment process for new and renewal business, plus providing a “value added service” by scheduling follow up visits to assist the insured’s with training and education, developing programs, and providing a resource for questions about loss control or safety issues.

The following will summarize the topics presented at the conference

Jack Arcoutte - NFPA 101 Life Safety Code

Jack currently is a Risk Management Specialist for American Hardware Mutual and has been in this position nearly 3 years. Prior to that time, he was employed as a Fire Inspector for 5 years in Connecticut with certifications in HazMat, Fire, and Fire Investigation. He also became a Fire Officer II, and trained at the Fire Training Academy in Windsor Locks, CT. He has a Fire Science and Technology degree from Hartford College in 1995.

His presentation took us into the History of the NFPA including the definitions and meanings of the Code. He began with Chapter 4 describing means of egress, building jurisdiction and historic and renovation work, conditions of occupancy, and fire alarm and maintenance drills.

Chapter 6 was described thoroughly with all Occupancy classifications.

He showed a video to describe Means of Egress (Chapter 7) with 2 devastating fires in Rhode Island and Chicago.

Chapter 8 was visited with a video about Sprinkler systems showing barriers, firestops, and fire resistant construction.

He further added various building services and fire protection equipment.

Last, Chapters 30, 31, 36, 37, and 38 were presented which describe Apartments, Mercantile, and Business occupancies.

Dr. Theresa Schultz – Hearing Loss Control Management

Doctor Shultz gave a wonderful presentation on the hearing protection is an intricate part of any comprehensive hearing conservation program. She discussed such topics as Noise & Acoustics, Noise Reduction, How to Reduce Costs of Hearing Loss, and Motivating Workers to participate in the program. The various Engineering Controls, Administrative Controls and the Proper PPE were also discussed. The discussion included establishing the base line, and the strengths and weakness of each type of hearing protection and the importance of assuring that the proper protection is given to the worker. The discussion included the use of in-ear dosimetry to establish the true level of exposure of the individual. Doctor Shultz engaged the group and fielded several good questions.

Doug Bennett – Basics of Electricity

Doug is presently the Training Manager for all levels of Midwest Technical Inspections personnel. He also assists as the co-manager for the Quality Assurance personnel within the company. He has 8 years of experience here also as a field inspector and a field manager of 50 reps over 4 states. His training duties extend to any customer training for underwriters, their managers, and general insurance and wholesale field representatives.

He has a Bachelor of Arts degree as an educator, and, also was a residential remodeling carpenter to add to his on-the-job experiences. He adds to his education with on-going industry seminars from ASSE, Northern Illinois University, OSHA, NAMIC, and MLPA.

He presented a very creative presentation of The Basics of Electricity. It could have been very mundane, but his delivery and photo shots added an attentiveness that was in his audience. The PowerPoint showed the types of wiring and the circuit protection present. Noted were the pre-existing or potential electrical hazards that might be visualized. Last, examples of the types of hazards we face daily were brought up with images of the 'do it your-selfer', the most dangerous person who creates the potential for a fire.

We should pay attention to the junction box, the panel, rodent infestations, and the wiring connections.

Richard J. Bernheimer – The Safety & Liability Impacts of RF Radiation from Wireless Transmission Sites

Mr. Burnheimer, from RF Check, spoke about an emerging issue in the liability arena. There is a significant RF exposure to contractors doing work on or near roof tops of buildings where, in recent years, cellular and telecommunications companies have installed countless dishes and antennas. The effects of overexposure to RF waves are not completely understood at this time, but testing indicates that it is an emerging issue. An exposure also exists to those building owners who have this equipment installed on their buildings and then send or allow workers on their roofs. This is a largely misunderstood and unprotected area of insurance and employee safety.

- **NOTE:** Rick Burnheimer has made available a summarization of his presentation from the Conference to all ILCA members. You can request a copy of same at: administration@insurancecontrol.org. or go to our website and visit the Conference page for 2010.

In addition a direct request of the white papers can be obtained by contact to rick@rfcheck.com.

Titles for this paper are:

- AT&T Alascom v. Orchitt case
- Distinctions between Cell Phone and RF Exposure Litigation
- Limitations of Pocket Protection Monitors
- Plaintiffs Guide to Financially Impact the Insurance Industry
- Procedure & Science Establishing RF Human Exposure Limits
- Quantification of the Insurance Industry Financial Risk
- RF Signage Requirements

Rob Heising – NFPA – Inspection, Testing and Maintenance of Water Based Sprinkler Systems

Rob Heising, Fire Safety Inspector for the Ohio State fire Marshall Department spoke on the Inspection, Maintenance and Testing of water based sprinkler systems. Information covered is primarily from NFPA 25. He gave a very informative presentation on the real world use of sprinkler system including:

- Code Requirements
- How change of occupancy affects system performance
- An overview of the system operations
- Examples of common problems
- Items to look for during a survey
- Different types of water based systems were discussed, including Wet Pipe, Dry Pipe, Preaction, Deluge and Antifreeze systems

Kent L. McCampbell, CPCU, ARe – What Loss Control Means to Reinsurance

Mr. McCampbell is Assistant Secretary of EMC Insurance Companies, and is Assistant Vice President of the EMC Reinsurance Company. He has 30 years of insurance industry experience beginning as a farm and agricultural underwriter, a commercial lines underwriter, and then in the reinsurance field where he has worked with mutual, regional, and corporate insurance companies.

Mr. Campbell's presentation was a compilation of the considerations used by reinsurer's to assess the loss control contribution to the primary insurer's underwriting operations. The bottom line is the quality of the loss control operations, and reports plus the primary underwriter's utilization of that operation is critical to the company's underwriting results and the reinsure's profitability. He stressed there needs to be narrative section in every loss control report, that provides a complete portrayal of ALL of the operations and exposures presented by a risk. Underwriting and loss control need to work together to help each other and maintain open lines of communication. He addressed the importance of developing an automated link between underwriting and loss control. He also provided ideas as to ways that loss control and underwriting can work together more effectively including; "ride-alongs," and to train, train, train in an effort to stay abreast of the continual changes in the insurance industry, business world, technology, and regulations.

Peggy Ross, MS, RN, COHN/CM/SM, CSP

Safe Practices for Motor Vehicle Operations – Managing the Non Regulated Fleet Risk

Peggy Ross, is corporate manager, environmental health and safety for Baxter Healthcare Corporation. She has 22 years experience in safety and health management. Ms. Ross has made national presentations on various safety related subjects, and has been published in several professional journals. The topics have included, fleet safety, ergonomics, hearing conservation, food safety, and soon to be released article on fire prevention.

Ms Ross presentation covered the non regulated fleet exposure associated with sales fleets, local delivery fleets, etc., that do not come under DOT or CDL regulations. She reminded everyone about the ANSI/ASSE Z15.1 Standard that can be used as a baseline for any fleet operation.

The presentation provided important considerations in recognizing the risk associated with any fleet operation and the best way to manage that risk. This covered potential hazards such as mechanical, road, physical, ergonomic (how well the vehicle is selected for the driver), and behavioral on the part of the driver. She suggested ideas and provided some tools that we can share with clients. She outlines a “program” that encompasses the entire spectrum of controls for these types of fleets including; management commitment and resources, written policies, vehicle selection(maintenance and emergency equipment), and driver selection(qualifications, protocols about who may drive a company vehicle, and training).

Ronald J. Hein – Inland Marine

Ron Hein of CNA spoke about Inland Marine exposures. Property insured on an Inland Marine policy is usually one of the following:

- In transit
- Held by bailee
- At a fixed location that is an instrument of transportation
- A movable type of goods that is often at different locations
-

Many different coverage examples were discussed with an emphasis on Builders risk and contractors equipment. Common builders risk hazards include fire, Wind, Water Damage, Theft and collapse.

Ideas to control theft on construction sites include key security programs for locks/ chains, security in the form of immobilization devices, and Battery disconnects.

Identification of equipment is also very important. Files should be kept upon purchase. Include engine numbers, model numbers or serial numbers.

Many causes of loss were discussed. Dollar values related to some typical losses were presented and he outlined some loss control strategies for specific types of equipment and operations.

Jim Paprocki – Building Valuation System

Jim Paprocki of Marshall Swift discussed the functionality of the building valuation software that they offer to P & C providers. He highlighted several examples of useful tools and “hints” that system users can use to their advantage, including proper method to count floors/basements and the proper method to count building sections.

He also discussed the ability to use the valuation software for commercial contents and advertised several other new capabilities that will be made available to users. An important phone number for users to take note of is the help hotline that can be reached at 800-809-0017

Field Trip to Ohio State University, Institute for Ergonomics

Conference attendees who chose to attend the field trip to the Ohio State Ergonomics lab were treated to a tour of two research facilities where cutting edge technology is used to map and measure spinal movements, muscle tension and force on components of the body. Using patented technology developed at the University, they are able measure forces on the body of people doing work at replica work stations in the lab and in the real world settings.

They are able to identify specific job functions that expose people to the most stress. OSU has partnered with many different industries to evaluate job tasks from grocery checkers to automobile assembly plants and have developed recommendations for these job tasks. Published information from their research is available at www.biodynamics.osu.edu.

The Bicentennial Park Construction Field Trip

The construction job site field trip was to the heart of the Scioto Mile project that will eventually make a green corridor connecting Columbus with the Scioto River. Messer Construction company is building a 4.7 acre park that will feature a 15,000 sq ft water fountain, a dining café, and outdoor amphitheatre. The park is called John W Galbreath Bicentennial Park.

The tour of the park project took us inside the café, around the fountains and even down into the pump room. The water and lights will be electronically choreographed to dazzle.

During the visit, Messer was finishing the foundation for the café and water fountain. The water fountain will feature an array of fountains with LED lighting that will definitely be a unique eye catching part of the Scioto Mile. It is set to be completed in summer of 2011. More information about the Scioto Mile can be located here: <http://www.sciotomile.com/>. More information about Messer can be located here: <http://www.messer.com/>.

Bruce E. Ayrton, CSP, ARM, ALCM – Loss Control the Liability side of a Restaurant Survey

Bruce gave an outstanding presentation on Restaurant Liability and it applied to any level of loss control experience. The Restaurant section covered areas such as cooking areas and the items of concern for the professional loss control representative in today's environments. The Restaurant / Tavern section was very relevant and included informative information on anything from the small walk up facility to the large stand alone or multi story occupancy.

The General Liability and Life Safety... Bruce used an excellent balance of prepared slides and personal experiences to cover this difficult section and even the more experience among the group where reminded of the importance of this line of coverage. Products.... This unique section of the food service industry is one most overlooked by the loss control professional and Bruce did an outstanding job of reinforcing the importance of this area providing tips for completing a comprehensive survey, and the group responded with many questions. Liquor Liability included real life cases and experiences which many examples of hot issues in today's markets

Aaron Priddy – Machine Guarding

Aaron Priddy, of the Occupational Safety and Health Administration (OSHA), gave a very informative presentation on machine guarding. His focus was on different methods for machine guarding, where these methods are typically found and how useful the different methods are for different jobs. Using real world examples, he outlined where others have fallen short in their efforts and how OSHA responded.

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To the ILCA membership: At our annual ILCA conference one of our speakers was Rick Burnheimer, VP Risk and Environmental, Health & Safety with RF CHECK. After his presentation, some of our members suggested that RF CHECK should work with Accord to try to include some language on RF radiation in the general liability/umbrella application form. If any member has a relationship within the compliance/forms group with Accord, could they please contact Rick directly at 703-906-8074 or at rick@rfcheck.com.

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Call for Speakers / Presenters
Submissions Due By March 1, 2011

The Insurance Loss Control Association (ILCA) invites those interested in presenting at its 2011 Annual Conference on October 3, 4 and 5 2011 in Columbus Ohio, to submit a proposal for review by the Conference Planning Committee.

Suggestions for presentations:

- Identify key/specific issues facing Loss Control professionals*
- Will expand their knowledge or improve professional skills*
- Identify challenges in the Insurance Loss Control field*
- Will engage attendees in discourse concerning the profession (Round Table Discussions')*

The committee is particularly interested in advanced, technically oriented and practical presentations.

Initial submissions should include:

1. Presentation Title and Description: Describe your presentation and specify expected learning outcomes. Also include a brief description of the presentation for inclusion in ILCA Conference marketing materials.
2. Session level: Basic: 2 to 5 years' experience. Intermediate: 6 to 10 years' experience. Advanced: 10 plus years' experience. Executive: Executive level material.
3. Biographical Data & References: For each speaker... include name, address, education, current position, certifications, designations, qualifications and relevant speaking experience for each speaker (that address qualifications to present) and contact email address.
4. List contact information (work phone number) for three references. List noteworthy articles and publications from the last three years. (Maximum length is three pages)

Forward all submissions to: administration@insurancelosscontrol.org

Additional Information:

Length of Presentation: Conference sessions last 1 to 1 ½ hours, including 15 minutes for Q & A..

Chosen speakers must submit their full presentation for inclusion in conference attendee's materials no later the May 1, 2011.

Honoraria: Individual speakers will receive a complimentary one-day registration; all other expenses are the responsibility of the speaker.

Speakers who are chosen will be notified by March 15, 2011 via email.

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Our new sponsor and partner.



ILCA and Pictometry have signed a marketing agreement that offers ILCA members a 10% discount on the basic service, and based on the initial agreement for time purchased, they will add additional time for no charge.

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NFPA 96 – 2008 Edition (changes from 2004 edition + other key information)

Chapter 10 - Fire Extinguishing Equipment

10.2.1 Fire extinguishing equipment includes both the automatic fire extinguishing system as primary protection and portable extinguishers as a secondary backup

10.2.2 A placard identifying the use of the extinguisher as a secondary backup to the automatic system SHALL be conspicuously posted near each portable extinguisher.

10.2.2.1 The language and wording shall be approved by the authority having jurisdiction.

10.2.3 Automatic fire extinguishing systems SHALL be UL 300 compliant.

10.5 A manual activation device shall be located a minimum of 10 feet when possible and a maximum of 20 feet from the protected kitchen appliances within the path of egress.

Chapter 11 Procedures for the use and maintenance of equipment

11.1.2 - Filter equipped exhaust systems shall not be operated with the filters removed.



11.6 Cleaning of Exhaust Systems

11.6.1 *If the systems has deposits from grease laden vapors, the contaminated sections shall be cleaned by a properly trained, qualified, and certified company.*

Type of Cooking	Hood and Ductwork Cleaning Frequency
Solid fuel cooking (wood, coal, etc)	Monthly
High volume such as 24 hour cooking, charbroiling, or wok cooking	Quarterly – every 3 months
Moderate volume cooking	Semi annual – every 6 months
Low volume cooking such as church, day camp, seasonal business, senior centers	Annual

11.6.10 When an access panel is removed, a service company label or tag preprinted with the name of the company and give the date of inspection or cleaning SHALL be affixed near the affected access panels

11.6.13: *When exhaust cleaning service is used a certificate showing the name of the company, the name of the person performing the work, and the date of the inspection shall be maintained on premises.*

11.6.14 **after** the cleaning or inspection is completed, the exhaust cleaning company and the person performing the work at the location SHALL provide the owner of the system with a written report that also specifies areas that were inaccessible or not cleaned.

11.2 Inspections of fire extinguishing systems

11.2.1 *Maintenance of fire extinguishing systems shall be performed by a properly trained, qualified, and certified person at least every 6 months.*

11.2.4 *Fusible links and automatic sprinkler heads SHALL be replaced at least semi annually or more frequently if necessary*

11.2.5 *The year of manufacture and the date of installation of the fusible links SHALL be marked on the system inspection tag. The tag SHALL be signed and initialed by the installer.*

11.5 Inspection & Maintenance of Hoods with mechanical, water spray, or ultra violet devices

Listed hoods containing mechanical or fire actuated dampers, internal washing components, or other mechanically operated devices SHALL be inspected and tested by properly trained, qualified persons every 6 months or at frequencies recommended by the manufacturer

11.7 Cooking equipment maintenance

11.7.1 *Inspection and servicing of the cooking equipment SHALL be made at least annually by properly trained and qualified persons*

Chapter 14 Solid Fuel Cooking

A.3.3.23.2 Definition: Includes ovens, tandoori charcoal pots, grills, broilers, rotisseries, barbeque pits, or any other type of cooking equipment that derives all or part of its heat source from the burning of solid cooking fuel

14.3.3 Exhaust systems serving solid fuel cooking equipment, including gas or electrically operated equipment, SHALL be separate from other exhaust systems

14.7.8 All solid fuel appliances(whether or not under a hood) with fire boxes of 5 foot volume or less SHALL have at least a 2-A rated water spray fire extinguisher or a 1.6 gal wet chemical fire extinguisher listed of Class K fires

Definitions

A.3.2.2 Authority Having Jurisdiction: Organization, office, or individual responsible for enforcing the requirements of a code or standard or approving equipment, materials, and installation, or a procedure.

Authority having jurisdiction (AHJ) is used by NFPA in broad definition. Where public safety is primary, it may be federal, state, local, or other regional department or individual such as fire chief, etc.

For insurance purposes, an insurance inspection department, or rating bureau, or other insurance company representative may be the authority having jurisdiction.

3.3.9 Certified: A formally stated recognition and approval of an acceptable level of competency, acceptable to the AHJ

General Requirements

4.1.9 Cooking equipment used in fixed, mobile, or temporary concessions such as trucks, buses, trailers, pavilions, tents, or other form of roofed enclosure SHALL comply with the standard.

NOTE: A new NFPA 96 2011 has just been released and changes will be included in a later edition of the ENews

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OSHA Shifts on Noise Exposure Standards

It is reversing the enforcement policy it has used since 1983, which allows most employers to use PPE and a hearing conservation program rather than engineering and administrative controls.

Oct 19, 2010

A "proposed interpretation" document published in Tuesday's *Federal Register* may be an enforcement milestone for OSHA because it reverses the policy it has used for 27 years in general industry and construction cases involving workers' exposure to noise. Since 1983, the agency has not cited employers who used PPE and a hearing conservation program rather than engineering and administrative controls, unless the noise is so high that it borders on 100 dBA when the most effective hearing protectors are used or the controls cost less than an effective hearing conservation program would cost. In practice, controls are almost always more expensive, so citations for failure to use them are rare. But they apparently will increase soon.

Signed by OSHA Assistant Secretary Dr. David Michaels, the document explains that OSHA proposes now to interpret 29 CFR 1910.95(b)(1) and 1926.52(b) as they are written -- and in accordance with the hierarchy of controls, which begins with engineering and administrative controls to reduce or eliminate exposures.

These sections of the two noise standards are almost identical. They say, "When employees are subjected to sound exceeding those listed [in tables within the standard], feasible administrative or engineering controls shall be utilized. If such controls fail to reduce sound levels within the levels [of the tables], personal protective equipment . . . shall be provided and used to reduce sound levels within the levels of the table."

The document says OSHA proposes to interpret "feasible" in the standards as meaning the same thing as it does in section 6(b)(5) of the OSH Act: "capable of being done" or "achievable." The agency further explained that it proposes to consider administrative or engineering controls economically feasible "if they will not threaten the employer's ability to remain in business or if the threat to viability results from the employer's having failed to keep up with industry safety and health standards." The agency said it welcomes comments (www.regulations.gov, Docket No. OSHA-2010-0032) by Dec. 20 from interested parties on the proposed interpretation.

Thanks to our vendors and sponsors!

Please visit the ILCA Website. Follow the links to our Vendor Directory for info about these companies and their services:

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