

Whose Duty Is It to Warn?

By Jerry Schimmel, vice president at P3 Propane Safety

Duty to Warn is an annual risk mitigation process for propane dealers to inform customers of important propane safety information. Educating your customers about the proper use and storage of propane, as well as how to detect warning signs of a gas leak, can significantly reduce the risk of propane-related hazards—reducing your company’s risk. If you’re not sending out this annual communication, who is?

Most insurance providers endorse programs such as Duty to Warn, which reduces a company’s liability and assists marketers in fulfilling their Duty to Warn responsibility. By proactively informing customers, propane marketers who implement this industry best practice provide protection for their customers, protection for their employees, and legal protection for their company should a residential or commercial propane accident occur. Marketers need to recognize the importance of this subject, because it may not only save someone’s life; it may potentially save a significant amount of money due to costly litigation.

Now that we have a better idea of what Duty to Warn is and what it can do for propane marketers, let’s identify how it is typically completed. When questioning propane marketers on how they communicate their Duty to Warn each year, the most common responses are as follows:

1. We do it internally with staff when they have free time or on weekends.
2. We provide this information in welcome packets for new customers.
3. It’s on our safety inspection forms.
4. We include it on our bills/invoices.

5. This information is on our website.
6. We do an annual mailing with a third-party vendor that provides us with verification that it was completed.

It is beneficial from time to time to evaluate your process and ensure you’re communicating to your customers with the most thorough medium and process. Are you unsure of what your annual Duty to Warn communication should include? Industry experts recommend these materials:

PERC-Designed Scratch and Sniff Brochure

The brochure, titled “Important Propane Safety Information for You and Your Family,” provides important consumer safety information. The PERC literature includes a scratch and sniff test (mercaptan odor) designed to educate consumers so they can identify the smell of propane. This awareness is one of the most important factors in eliminating propane



accidents. If your customers can effectively recognize this odor, you can reduce the likelihood of a propane accident.

Informative Letter about Propane Safety

Branded with your company name and contact information, this introductory letter serves as an overview for customers to understand there are risks related to propane use and storage. It also announces the accompanying PERC brochure.

Jurisdictional Pipeline Color Marking Chart (Jurisdictional Accounts Only)

If your company has jurisdictional propane accounts, it is important to inform them of the national 811 service for safe digging near propane pipelines. In letter or brochure form, this information must be communicated twice per calendar year. More information is available at www.call811.com.

Third-Party Certificate of Completion

For your records and for proof of completion for your insurance provider, third-party documentation signifying your Duty to Warn has been mailed is a key part of the process.

Duty to Warn FOR PROPANE

P3 COMPLIANCE RISK MANAGEMENT SAFETY

DUTY TO WARN CERTIFICATION

PROPANE SUPPLIER:	
PERMIT HOLDER:	PERMIT HOLDER TELEPHONE #:
DATE MAILED:	POST OFFICE OF MAILING:
PERMIT NUMBER:	CATEGORY:
LIST AMOUNT:	WEIGHT SINGLE PIECE:
TOTAL PIECES MAILED:	TOTAL WEIGHT:
REJECTED ADDRESSES:	CONTAINERS:
PROCESSOR:	DATE:

Processor Signature *Consumer Focus™ Signature*

Mailing list addressee detail available upon request

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600 State Street, Suite 7 Portsmouth, NH 03801 T:(603) 427-8325 F:(603) 218-6659 E:info@propanedtw.com 02/2018

Review your current practice with your staff and insurance company. Ask your legal counsel if your program is effective or sufficient in meeting your obligation, and ask yourself these important questions.

- Does your process just meet the bare minimum requirement, or are you a propane marketer that puts safety first and requires the involvement of all employees in consumer safety?
- Do your employees know and understand the important information in the PERC brochures you are providing customers?
- Are your employees properly trained and prepared to receive a call from a customer who believes they smell propane and have a leak?
- Do your employees understand what a jurisdictional system is and its relevant regulations?
- As part of the company policy and procedures, do you require an initial Duty to Warn process be completed for all new customers?

After you have completed this Duty to Warn assessment exercise, you will have a better understanding of your current Duty to Warn program and how it may be improved.

Now that you have the information regarding best practices and what materials should be included in your annual Duty to Warn, consider sourcing this process to an outside vendor. A third-party vendor can provide propane marketers with a package that includes a branded, customized safety letter and PERC materials and can mail this package directly to your customers. These independent companies utilize the National Change of Address (NCOA) and the CASS software systems that will correct and standardize addresses, and ensure these addresses are updated, complete and deliverable. As a result, they can also provide you with a third-party verification document that will validate the receipt of those materials sent.

Be recognized as a responsible, customer service oriented propane marketer that puts customer safety first. Train your service technicians, drivers, and office personnel to use each contact with a customer as an opportunity to improve their awareness of propane safety and the necessary precautions. Your insurance company and your customers will appreciate what you do for them!

Jerry Schimmel is vice president at P3 Propane Safety, providing compliance and risk management technology for the propane industry. He can be reached at jerry_schimmel@p3propanesafety.com or 401-481-2281.

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