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EARTHQUAKE PREPARATION PART 2: WHAT TO DO DURING?

By John R. Hibben, ARM, Everest Loss Control Manager

Stay as safe as possible during an earthquake. Be aware that some earthquakes are actually foreshocks and a larger earthquake might occur. Go to a nearby safe place. If you are indoors, stay there until the shaking has stopped and you are sure exiting is safe. Listen and follow instructions from those charged with evacuating the premise and be sure to go to your designated meeting area and wait for further instructions.

IF INDOORS

- **DROP** to the ground; take **COVER** by getting under a sturdy table or other piece of furniture; and **HOLD ON** until the shaking stops. If there isn't a table or desk near you, cover your face and head with your arms and crouch in an inside corner of the building.
- Stay away from glass, windows, outside doors and walls, and anything that could fall, such as lighting fixtures or furniture.

(Article continued on Page 2)



NEW! OSHA DIRECTIVE: RESIDENTIAL CONSTRUCTION FALL PROTECTION — SAFETY TRUMPS FEASIBILITY

By Robert McCabe, ARM, ALCM, CPSM, Everest Loss Control Director

OSHA issued a new directive this past December requiring residential construction employers to comply with OSHA's fall protection standard 29 CFR 1926.501 (b)(13). Previously, OSHA had yielded to the objections of residential contractors including the National Association of Home Builders (NAHB) and the National Roofing Contractors Association (NRCA) and issued directive STD 03-00-001 *Interim Fall Protections Compliance Guidelines for Residential Construction* that allowed residential contractors to use alternative methods of fall protection without showing that conventional fall protection was infeasible and without developing a written fall protection plan. The new directive, STD 03-11-002, *Compliance Guidance for Residential Construction* rescinds the 1998 directive. OSHA took into account the continuing concerns of homebuilders but felt that advances in the variety and capability of commercially available fall protection equipment substantially addressed these concerns. Falls continue to be a leading cause of death and injury for residential construction workers. Dr. David Michaels, Assistant Secretary of Labor for OSHA, said recently, "We cannot tolerate workers getting killed in residential construction when effective means are readily available to prevent those deaths."

Under OSHA 1926.501 (b)(13), residential construction workers exposed to elevations of 6 ft or more must be protected by conventional

fall protection including guardrail systems, safety net systems, personal fall arrest systems or one of the other accepted systems outlined in the standard. Alternative methods may be used but the employer bears the burden of proving that conventional methods are infeasible or present a greater hazard to workers. The employer must also develop a site specific fall protection plan that meets the requirements of the standard. Alternative methods allowed include; controlled work zones, slide guards, and safety monitors. The alternative methods must also be in compliance with the standard.

Originally, the enforcement date was June 16, 2011, but OSHA recently announced a 3 month phase-in period. OSHA will still enforce the new directive but they will issue only a hazard alert letter to employers who are currently in compliance with the old directive. The employer must implement the fall protection measures outlined in the letter. If they do not, OSHA will issue a citation at a subsequent visit. Employers currently not in compliance with the old directive will be cited under the new directive. The phase-in period ends on September 15, 2011.

OSHA has issued a multitude of guidance materials for employers. These are available at [OSHA's Residential Fall Protection webpage](#).

(CONTINUED) PART 2: WHAT TO DO DURING AN EARTHQUAKE?

- Use a doorway for shelter only if it is in close proximity to you and if you know it is a strongly supported, load-bearing doorway.
- Stay inside until the shaking stops and it is safe to go outside. Research has shown that most injuries occur when people inside buildings attempt to move to a different location inside the building or try to leave.
- Be aware that the electricity may go out or the sprinkler systems or fire alarms may turn on.
- DO NOT use the elevators.

FAST FACTS ABOUT EARTHQUAKES

- Earthquakes strike suddenly, violently, and without warning at any time of the year and at any time of the day or night.
- Smaller earthquakes often follow the main shock and are called “aftershocks”.
- An earthquake is caused by the breaking and shifting of rock beneath the Earth’s surface. Ground shaking from earthquakes can collapse buildings and bridges; disrupt gas, electric, and phone service; and sometimes trigger landslides, avalanches, flash floods, fires, and huge, destructive ocean waves (tsunamis).
- Most earthquake-related injuries result from collapsing walls, flying glass, and falling objects.
- Several thousand shocks of varying sizes occur annually in the United States, and 70 to 75 damaging earthquakes occur throughout the world each year. All 50 states and all U.S. territories are vulnerable to earthquakes.
- California experiences the most frequent damaging earthquakes; however, Alaska experiences the greatest number of large earthquakes—most located in uninhabited areas.
- Earthquakes occur most frequently west of the Rocky Mountains, although historically the most violent earthquakes have occurred in the central United States.
- The largest earthquakes felt in the United States were along the New Madrid Fault in Missouri, where a 3-month-long series of quakes from 1811 to 1812 included three quakes larger than a magnitude of 8 on the Richter Scale. These earthquakes were felt over the entire eastern United States (over 2 million square miles), with Missouri, Tennessee, Kentucky, Indiana, Illinois, Ohio, Alabama, Arkansas, and Mississippi experiencing the strongest ground shaking.
- The Richter Scale, developed by Charles F. Richter in 1935, is a logarithmic measurement of the amount of energy released by an earthquake. Earthquakes with a magnitude of at least 4.5 are strong enough to be recorded by sensitive seismographs all over the world.
- It is estimated that a major earthquake in a highly populated area of the United States could cause as much as \$200 billion in losses.

IF OUTDOORS

- Stay outdoors.
- Move away from buildings, streetlights, and utility wires.
- Once in the open, stay there until the shaking stops. The greatest danger exists directly outside buildings, at exits and alongside exterior walls. Many of the 120 fatalities from the 1933 Long Beach, California, earthquake occurred when people ran outside of buildings only to be killed by falling debris from collapsing walls. Ground movement during an earthquake is seldom the direct cause of death or injury. Most earthquake-related casualties result from collapsing walls, flying glass, and falling objects.

IF IN A MOVING VEHICLE

- Stop as quickly as safety permits and stay in the vehicle. Avoid stopping near or under buildings, trees, overpasses, and utility wires.
- Check your local radio news station for general information.
- Proceed cautiously once the earthquake has stopped. Avoid roads, bridges, or ramps that might have been damaged by the earthquake.
- Contact your employer as soon as practical and “check in” so they know you are safe.
- Follow any instructions from emergency services such as Police or Fire Department.

IF TRAPPED UNDER DEBRIS

- Do not light a match.
- Do not move about or kick up dust.
- Cover your mouth with a handkerchief or clothing.
- Tap on a pipe or wall so rescuers can locate you. Use a whistle if one is available. Shout only as a last resort. Shouting can cause you to inhale dangerous amounts of dust.
- If possible, conduct a brief self assessment of your overall physical condition:
 - √ Are you cut/bleeding
 - √ Arms, hands legs condition
 - √ Upper body including ribs condition
 - √ Check your head, ears and neck for blood or signs of being struck by debris

Include the “what to do if...” instructions above in your plan and make sure to address logical scenarios based on your location. The USGS, [US Geological Survey Earthquake Hazards Program](#), offers a map of earthquake activity in the U.S. which can be used as a tool in your Earthquake Preparedness Plan.

The following key resources contributed to this article and more details are available online to assist you in preparing for an earthquake:

- ◇ [FEMA Earthquake Preparedness](#)
- ◇ [California Emergency Preparedness Office](#) - Most states have an “Office of Emergency Preparedness” that can be found with a simple on-line search.
- ◇ [American Red Cross](#)



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SPRINKLER SYSTEM PERFORMANCE SUCCESS AND FAILURE

By Richard A. Heneghan, CSP, ARM, CFPS, Everest Loss Control Director

According to a recent article in [Fire Protection Engineering-The Official Magazine of the Society of Fire Protection Engineering](#), fire suppression sprinkler systems are highly reliable and effective. These systems operated in 93% of all fires large enough to activate them and were effective in controlling 97% of the fires when they activated. This performance has effectively saved thousands of lives and billions of dollars in property damage over the years. But, sprinkler systems do fail. One long-term study by the National Fire Protection Association reported that the five top reasons sprinkler systems fail are:

- The water is shut-off (35.4%)
- Water delivered by the system is not adequate for the hazard of the occupancy (13.5%)
- Inadequate water is available in the water supply (9.9%)
- Inadequate maintenance of the system resulted in system defects (8.4%)
- Water distribution to and in the system is obstructed (8.2%).

To help ensure that your system will respond effectively in a fire, you should:

- Make sure the valves are locked in the open position and con-

nected to a central station supervisory alarm.

- Make sure that the design of the system meets the current needs of the occupancy. Often a system is designed for a "spec-construction" and is intended to only meet light hazard occupancies while the actual occupancy has greater fire protection needs.
- Make sure the system is regularly tested and inspected by an authorized service company. The inspection should include an evaluation of the water supply as development in some areas has reduced the available water supply.
- Make sure that older systems undergo testing of a representative sample of heads and piping to ensure that there are no obstructions to the internal piping and that the heads are reliable. Check with your sprinkler service contractor to assure that components of your system have not been recalled.

Regular system testing, inspection and maintenance should provide you with a reliable fire suppression system and creating a safer facility for employees and visitors alike. By collaborating with your fire protection maintenance professionals, your physical assets and business continuity will benefit from the assurances provided by a well-maintained system.

FACT OR FRAUD? In Your Face...book

By George S. Hickler, SCLA, Director-Special Investigation Unit (SIU)

If you're going to assert traumatic and debilitating mental and physical impairment that prevents all future wage earning capacity, it is best to not post photographs of your post loss trip to Disneyland on your "Facebook" social network account! Such was the lesson learned by a Kentucky woman who was recently involved in a motor vehicle accident with one of our insured's sanitation trucks. Asserting that she could not travel even short distances and was unable to contribute to even the simplest household chores, it was estimated that the cumulative litigation demand or jury award could approach \$1Million in this litigated matter. Claimant's allegation of total occupational disability contributed to a substantial portion of that amount.

Initial surveillance of the claimant produced video that she was in fact mobile and capable of shopping and performing domestic tasks in her immediate locale. However upon conducting extensive internet data-mining of the various social network sites, Everest SIU identified photo-

graphs of the claimant and her family enjoying all of the fun (joy-rides, festivities and the like) that Disneyland has to offer! SIU also identified a subsequent motor vehicle accident in which the claimant also alleged injuries and during which time there appeared to be potential concurrent medical treatments to our loss.

Once armed with this information, our defense counsel was able to adjust their defense strategy to now include application for a court order for the plaintiff to produce her full Facebook account, querying of her other travel locations and expenditures and subpoenaing of the subsequent motor vehicle accident medical file. This matter settled shortly thereafter for approximately one-tenth of the projected full claim value.

Complete internet and social network data-mining is completed on every SIU Referred case and can yield significant benefits in the mitigation, defense or potential denial of those matters.



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