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PORT EVERGLADES FRANCHISE APPLICATION

An application will not be deemed complete and ready for processing until all required documents and fees are received.

A separate application must be filed for each type of franchise applied for.

FRANCHISE TYPE

CHECK ONE

☒

STEAMSHIP AGENT

☐

STEVEDORE

☐

CARGO HANDLER

☐

TUGBOAT & TOWING

☐

VESSEL BUNKERING

☐

VESSEL OILY WASTE REMOVAL

☐

VESSEL SANITARY WASTE WATER REMOVAL

☐

MARINE TERMINAL SECURITY

☐

MARINE TERMINAL SECURITY

FIREARMS CARRYING SECURITY PERSONNEL

NON-FIREARMS CARRYING SECURITY PERSONNEL

Note: Applicant is the legal entity applying for the franchise. If the Applicant is granted the franchise, it will be the named franchisee. All information contained in this application shall apply only to the Applicant, and not to any parent, affiliate, or subsidiary entities.

Applicant's

Name Sunshine Shipping, Inc

(Name as it appears on the certificate of incorporation, charter, or other legal documentation as applicable, evidencing the legal formation of the Applicant)

Applicant's Business Address 2550 Eisenhower Blvd #210, Ft Lauderdale FL33316

Number /

Street

City/State/Zip

Phone # (954) 764 8434

E-mail address

jweeks@vallsgroup.co

Fax #: (954) 763 8093

Name of the person authorized to bind the Applicant (Person's signature must appear on Page 13.)

Name Jason E Weeks

Title President

Business Address 2550 Eisenhower Blvd #210, Ft Lauderdale FL 33316

Number /

Street

City/State/Zip

Phone # (361) 813 9803

E-mail address

jweeks@vallsgro

Fax #: (361) 883 3289

Provide the Name and Contact Information of Applicant's Representative to whom questions about this application are to be directed (if different from the person authorized to bind the Applicant):

Representative's Name Jerome A Periano

Representative's Title Vice President

Representative's Business Address 2550 Eisenhower Blvd, Ft Lauderdale FL 33316

Number /

Street

City/State/Zip

Representative's Phone # (813) 758 76

Representative's E-mail address

jpeirano@vallsgroup.c

Representative's Fax # (813) 6390 409

PLEASE COMPLETE THIS APPLICATION AND LABEL ALL REQUIRED BACKUP DOCUMENTATION TO CLEARLY IDENTIFY THE SECTION OF THE APPLICATION TO WHICH THE DOCUMENTATION APPLIES (I.E., SECTION A, B, C, etc.).

Section A

1. List the name(s) of Applicant's officers, including, CEO, COO, CFO, director(s), member(s), partner(s), shareholder(s), principal(s), employee(s), agents, and local representative(s) active in the management of the Applicant.

Officers:

Title President
First Name Jason Middle Name E
Last Name Weeks
Business Street Address 2550 Einsenhower Blvd Suite 210
City, State, Zip Code Ft Lauderdale, FL 33316
Phone Number () 361 813 9803 Fax Number () 361 883 3289
Email Address jweeks@vallsgroup.com.

Title Vice President
First Name Jerome Middle Name A
Last Name Peirano
Business Street Address 2550 Einsenhower Blvd Suite 210
City, State, Zip Code Ft Lauderdale, FL 33316
Phone Number () 813 758 6706 Fax Number () 813 639 0409
Email Address jpeirano@vallsgroup.com.

Title Manager
First Name Rommel Jalique Middle Name _____
Last Name _____
Business Street Address 2550 Einsenhower Blvd Suite 210
City, State, Zip Code Ft Lauderdale, FL 33316
Phone Number () 954 764 8434 Fax Number () 954 763 8093
Email Address rjalique@vallsgroup.com.

Title Agent
First Name Erik Middle Name _____
Last Name Dimarucut
Business Street Address 2550 Einsenhower Blvd Suite 210
City, State, Zip Code Ft Lauderdale, FL 33316
Phone Number () 954 296 4708 Fax Number () 954 763 8093
Email Address edimarucut@vallsgroup.com.

Attach additional sheets if necessary.

2. RESUMES: Provide a resume for each officer, director, member, partner, shareholder, principal, employee, agent, and local representative(s) active in the management of the Applicant, as listed above.

Section B

1. Place checkmark to describe the Applicant:

☐ Sole Proprietorship ☒ Corporation ☐ Partnership ☐ Joint Venture ☐ Limited Liability Company

2. Provide copies of the documents filed at the time the Applicant was formed including Articles of Incorporation (if a corporation); Articles of Organization (if an LLC); or Certificate of Limited Partnership or Limited Liability Limited Partnership (if a partnership). If the Applicant was not formed in the State of Florida, provide a copy of the documents demonstrating that the Applicant is authorized to conduct business in the State of Florida.

Section C

1. Has there been any change in the ownership of the Applicant within the last five (5) years? (e.g., any transfer of interest to another party)

Yes ___ No ☒ If "Yes," please provide details in the space provided. Attach additional sheets if necessary.

2. Has there been any name change of the Applicant or has the Applicant operated under a different name within the last five (5) years?

Yes ___ No ☒ If "Yes," please provide details in the space provided, including: Prior name(s) and Date of name change(s) filed with the State of Florida's Division of Corporations or other applicable state agency. Attach additional sheets if necessary.

3. Has there been any change in the officers, directors, executives, partners, shareholders, or members of the Applicant within the past five (5) years?

Yes ___ No ☒ If "Yes," please provide details in the space provided, including:

Prior officers, directors, executives, partners, shareholders, members

Name(s) _____

New officers, directors, executives, partners, shareholders, members

Name(s) _____

Also supply documentation evidencing the changes including resolution or minutes appointing new officers, list of new principals with titles and contact information, and effective date of changes. Attach additional sheets if necessary.

Section D

Provide copies of all fictitious name registrations filed by the Applicant with the State of Florida's Division of Corporations or other State agencies. If none, indicate "None" None.

Section E

1. Has the Applicant acquired another business entity within the last five (5) years?
Yes___ No ☒ If "Yes," please provide the full legal name of any business entity which the Applicant acquired during the last five (5) years which engaged in a similar business activity as the business activity which is the subject of this Port Everglades Franchise Application.
If none, indicate "None" None.

2. Indicate in the space provided the date of the acquisition and whether the acquisition was by a stock purchase or asset purchase and whether the Applicant herein is relying on the background and history of the acquired firm's officers, managers, employees and/or the acquired firm's business reputation in the industry to describe the Applicant's experience or previous business history. Attach additional sheets if necessary.

3. Has the Applicant been acquired by another business entity within the last five (5) years? Yes___ No ☒ If "Yes," provide the full legal name of any business entity which acquired the Applicant during the last five (5) years which engaged in a similar business activity as the business activity which is the subject of this Port Everglades Franchise Application.
If none, indicate "None" None.

4. Indicate in the space provided the date of the acquisition and whether the acquisition was by a stock purchase or asset purchase and whether the Applicant herein is relying on the background and history of the parent firm's officers, managers, employees and/or the parent firm's business reputation in the industry to describe the Applicant's experience or previous business history. Attach additional sheets if necessary.

Section F

Provide the Applicant's previous business history, including length of time in the same or similar business activities as planned at Port Everglades.

Section G

1. Provide a list of the Applicant's current managerial employees, including supervisors, superintendents, and forepersons.

2. List the previous work history/experience of the Applicant's current managerial employees, including their active involvement in seaports and length of time in the same or similar business activities as planned at Port Everglades.

Section H

List all seaports, including Port Everglades (if application is for renewal), where the Applicant is currently performing the services/operation which is the subject of this Franchise application. **Use this form for each seaport listed. Photocopy additional pages as needed (one page for each seaport listed).**

If none, state "None" _____.

Seaport Port Everglades Number of Years Operating at this Seaport 30

List below all of the Applicant's Clients for which it provides services at the seaport listed above.

Client Name (Company)	Number of Years Applicant has Provided Services to this Client

Section I

1. Provide a description of all past (within the last five (5) years) and pending litigation and legal claims where the Applicant is a named party, whether in the State of Florida or in another jurisdiction, involving allegations that Applicant has violated or otherwise failed to comply with environmental laws, rules, or regulations or committed a public entity crime as defined by Chapter 287, Florida Statutes, or theft-related crime such as fraud, bribery, smuggling, embezzlement or misappropriation of funds or acts of moral turpitude, meaning conduct or acts that tend to degrade persons in society or ridicule public morals.

The description must include all of the following:

- a) The case title and docket number
- b) The name and location of the court before which it is pending or was heard
- c) The identification of all parties to the litigation
- d) General nature of all claims being made

If none, indicate "None" None.

2. Indicate whether in the last five (5) years the Applicant or an officer, director, executive, partner, or a shareholder, employee or agent who is or was (during the time period in which the illegal conduct or activity took place) active in the management of the Applicant was charged, indicted, found guilty or convicted of illegal conduct or activity (with or without an adjudication of guilt) as a result of a jury verdict, nonjury trial, entry of a plea of guilty or nolo contendere where the illegal conduct or activity (1) is considered to be a public entity crime as defined by Chapter 287, Florida Statutes, as amended from time to time, or (2) is customarily considered to be a white-collar crime or theft-related crime such as fraud, smuggling, bribery, embezzlement, or misappropriation of funds, etc. or (3) results in a felony conviction where the crime is directly related to the business activities for which the franchise is sought.

Yes ☐ No ☒

If you responded "Yes," please provide all of the following information for each indictment, charge, or conviction:

- a) A description of the case style and docket number
- b) The nature of the charge or indictment
- c) Date of the charge or indictment
- d) Location of the court before which the proceeding is pending or was heard
- e) The disposition (e.g., convicted, acquitted, dismissed, etc.)
- f) Any sentence imposed
- g) Any evidence which the County (in its discretion) may determine that the Applicant and/or person found guilty or convicted of illegal conduct or activity has conducted itself, himself or herself in a manner as to warrant the granting or renewal of the franchise.

Section J

The Applicant must provide a current certificate(s) of insurance. Franchise insurance requirements are determined by Broward County's Risk Management Division and are contained in the Port Everglades Tariff No. 12 as amended, revised or reissued from time to time. The Port Everglades Tariff is contained in the Broward County Administrative Code, Chapter 42, and is available for inspection on line at: <http://www.porteverglades.net/development/tariff>.

Section K

1. The Applicant must provide its most recent audited or reviewed financial statements prepared in accordance with generally accepted accounting principles, or other documents and information which demonstrate the Applicant's creditworthiness, financial responsibility, and resources, which the Port will consider in evaluating the Applicant's financial responsibility.

2. Has the Applicant or entity acquired by Applicant (discussed in Section E herein) sought relief under any provision of the Federal Bankruptcy Code or under any state insolvency law filed by or against it within the last five (5) year period?

Yes ☐ No ☒ X

If "Yes," please provide the following information for each bankruptcy or insolvency proceeding:

- a) Date petition was filed or relief sought
- b) Title of case and docket number
- c) Name and address of court or agency
- d) Nature of judgment or relief
- e) Date entered

3. Has any receiver, fiscal agent, trustee, reorganization trustee, or similar officer been appointed in the last five (5) year period by a court for the business or property of the Applicant?

Yes ☐ No ☒ X

If "Yes," please provide the following information for each appointment:

- a) Name of person appointed
- b) Date appointed
- c) Name and address of court
- d) Reason for appointment

4. Has any receiver, fiscal agent, trustee, reorganization trustee, or similar officer been appointed in the last five (5) year period by a court for any entity, business, or property acquired by the Applicant?

Yes ☐ No ☒ X

If "Yes," please provide the following information for each appointment:

- a) Name of person appointed
- b) Date appointed
- c) Name and address of court
- d) Reason for appointment

Section L

List four (4) credit references for the Applicant, one of which must be a bank. Use this format:

Name of Reference _____ Nature of Business _____

Contact Name _____ Title _____

Legal Business Street Address _____

City, State, Zip Code _____

Phone Number (____) _____

(Provide on a separate sheet.)

Section M

1. Security: Pursuant to Port Everglades Tariff 12, Item 960, all Franchisees are required to furnish an Indemnity and Payment Bond or Irrevocable Letter of Credit drawn on a U.S. bank in a format and an amount not less than \$20,000 as required by Broward County Port Everglades Department.
2. Has the Applicant been denied a bond or letter of credit within the past five (5) years?
Yes___ No___ X
If "Yes," please provide a summary explanation in the space provided of why the Applicant was denied. Use additional sheets if necessary.

Section N

1. Provide a list and description of all equipment currently owned and/or leased by the Applicant and intended to be used by the Applicant for the type of service(s) intended to be performed at Port Everglades including the age, type of equipment and model number. None
2. Identify the type of fuel used for each piece of equipment.
3. Indicate which equipment, if any, is to be domiciled at Port Everglades.
4. Will all equipment operators be employees of the Applicant, on the payroll of the Applicant, with wages, taxes, benefits, and insurance paid by the Applicant?
Yes___ No___ N/A
If "No," please explain in the space provided who will operate the equipment and pay wages, taxes, benefits, and insurance, if the franchise is granted. Use additional sheets if necessary.

Section O

Provide a copy of the Applicant's current Broward County Business Tax Receipt (formerly Occupational License).

Section P

1. Provide a copy of Applicant's safety program.
2. Provide a copy of Applicant's substance abuse policy.
3. Provide a copy of Applicant's employee job training program/policy.
4. Provide information regarding frequency of training.
5. Include equipment operator certificates, if any.

Section Q

1. Has the Applicant received within the past five (5) years or does the Applicant have pending any citations, notices of violations, warning notices, or fines from any federal, state, or local environmental regulatory agencies?
Yes ☐ No ☒
2. Has the Applicant received within the past five (5) years or does the Applicant have pending any citations, notices of violations, warning notices, or civil penalties from the U.S. Coast Guard?
Yes ☐ No ☒
3. Has the Applicant received within the past five (5) years or does the Applicant have pending any citations, notices of violations, warning notices, or fines from the Occupational Safety and Health Administration?
Yes ☐ No ☒

If you responded "Yes" to any of this section's questions 1, 2, or 3 above, please provide a detailed summary for each question containing the following information:

- a) Name and address of the agency issuing the citation or notice
- b) Date of the notice
- c) Nature of the violation
- d) Copies of the infraction notice(s) from the agency
- e) Disposition of case
- f) Amount of fines, if any
- g) Corrective action taken

Attach copies of all citations, notices of violations, warning notices, civil penalties and fines issued by local, state, and federal regulatory agencies, all related correspondence, and proof of payment of fines.

4. Provide a statement (and/or documentation) which describes the Applicant's commitment to environmental protection, environmental maintenance, and environmental enhancement in the Port.

Section R

Provide written evidence of Applicant's ability to promote and develop growth in the business activities, projects or facilities of Port Everglades through its provision of the services (i.e., stevedore, cargo handler or steamship agent) it seeks to perform at Port Everglades. For first-time applicants (stevedore, cargo handler and steamship agent), the written evidence must demonstrate Applicant's ability to attract and retain new business such that, Broward County may determine in its discretion that the franchise is in the best interests of the operation and promotion of the port and harbor facilities. The term "new business" is defined in Chapter 32, Part II of the Broward County Administrative Code as may be amended from time to time.

If you have checked an Applicant box for VESSEL BUNKERING, VESSEL OILY WASTE REMOVAL, VESSEL SANITARY WASTE WATER REMOVAL, OR MARINE TERMINAL SECURITY, the following additional information is required:

☐ **VESSEL BUNKERING**

Section T- A Letter of Adequacy from the U.S. Coast Guard and a copy of the applicant's operations manual approved by the U.S. Coast Guard.

Section V- A copy of the applicant's Oil Spill Contingency Plan for Marine Transportation Related Facilities approved by the U.S. Coast Guard.

Section W- A Terminal Facility Discharge Prevention and Response Certificate with a copy of an approved Oil Spill Contingency Plan from the Florida Dept. of Environmental Protection.

Section Z- An approved Discharge Cleanup Organization Certificate from the Florida Dept. of Environmental Protection which has been issued to the applicant or to its cleanup contractor with a copy of the cleanup contract showing the expiration date.

☐ **VESSEL OILY WASTE REMOVAL**

Section S - Certificate of Adequacy in compliance with the Directives of MARPOL 73/75 and 33 CFR 158, if applicable.

Section T- A Letter of Adequacy from the U.S. Coast Guard and a copy of the Applicant's operations manual approved by the U.S. Coast Guard.

Section U- A Waste Transporter License from the Broward County Environmental Protection Department identifying the nature of the discarded hazardous (or non-hazardous) material to be transported.

Section V- A copy of the Applicant's Oil Spill Contingency Plan for Marine Transportation Related Facilities approved by the U.S. Coast Guard.

Section W- A Terminal Facility Discharge Prevention and Response Certificate with a copy of an approved Oil Spill Contingency Plan from the Florida Dept. of Environmental Protection.

Section X- A Used Oil Collector, Transporter, and Recycler Certificate from the Florida Dept. of Environmental Protection.

Section Y- An Identification Certificate from the U.S. Environmental Protection Agency.

Section Z- An approved Discharge Cleanup Organization Certificate from the Florida Dept. of Environmental Protection which has been issued to the Applicant or to its cleanup contractor with a copy of the cleanup contract showing the expiration date.

☐ **VESSEL SANITARY WASTE WATER REMOVAL**

Section U- A Waste Transporter License from the Broward County Environmental Protection Department identifying the nature of the discarded hazardous (or non-hazardous) material to be transported.

Section Z1- A copy of the Applicant's operations manual.

Section Z2- A Septage Receiving Facility Waste Hauler Discharge Permit from the Broward County Water and Wastewater Services Operations Division.

☐ **MARINE TERMINAL SECURITY**

Section N1- A list of all metal detection devices, walk-through and hand held, as well as all luggage and carryon x-ray machines owned or leased, to be used or domiciled at Port Everglades. Listing must include brand name and model.

Section N2- A copy of all manufacturers recommended service intervals and name of company contracted to provide such services on all aforementioned equipment.

Section N3- A description of current method employed to assure all equipment is properly calibrated and functioning.

Section N4- current training requirements and training syllabus for employees operating x-ray equipment. Highlight emphasis on weapon and contraband identification. Include equipment operator certificates, if any.

Section O1- Provide copies of all local, state and federal licenses, including:

- a. A copy of the Applicant's State of Florida Business License.
- b. A copy of security agency's Manager's "M" or "MB" License and a copy of the security agency's "B" or "BB" License issued by the Florida Department of Agriculture and Consumer Services.

Section P3- SECURITY GUARDS / SUPERVISORS

- a. Provide Applicant's background requirements, education, training etc., for personnel hired as security guards. Training requirements in 33 CFR 105.210 for marine facilities.
- b. Provide historic annual turnover ratio for security guards.
- c. Provide a copy of Applicant's job training program/policy including a copy of training curriculum and copies of all manuals and take-home materials made available to security guards. Include information regarding frequency of training.
- d. Provide background requirements, experience, licensing and any and all advanced training provided to supervisory personnel.
- e. Provide present policy for individual communication devices either required of security guards or supplied by the employer.
- f. Provide procurement criteria and source as well as Applicant's certification requirements for K-9 workforce.
- g. Provide information on the number of security guards / supervisors currently employed or expected to be employed to provide security services at Port Everglades.

Supervisors _____
Class D Guards _____
Class G Guards _____
K-9 Handlers _____

Port Everglades Tariff 12

References to the Port Everglades Tariff 12 as amended or reissued: <http://www.porteverglades.net/development/tariff>

Application Fees

The following fees have been established for franchised businesses at Port Everglades. Initial processing fees are nonrefundable. A franchise is required for each category of business.

Stevedore

Initial processing fee, assignment fee, or reinstatement fee \$ 11,550.00

Annual Fee

\$ 4,200.00

Cargo Handler

Initial processing fee, assignment fee, or reinstatement fee \$ 11,550.00

Annual Fee

\$ 4,200.00

Steamship Agent

Initial processing fee, assignment fee, or reinstatement fee \$ 4,200.00

Annual Fee

\$ 2,360.00

Tugboat and Towing

Initial processing fee, assignment fee, or reinstatement fee \$ 27,300.00

Annual Fee

By Contract

Vessel Bunkering, Vessel Oily Waste Removal, Vessel Sanitary Waste Water Removal, Marine Terminal Security Service

Initial processing fee, assignment fee, or reinstatement fee \$ 4,200.00

Annual Fee

\$ 2,360.00

For first-time franchise Applicants, both the initial application fee and the annual fee must be submitted at time of application. Thereafter, annual franchise fees are due and payable each year on the franchise anniversary date, which is defined as the effective date of the franchise.

Note: Check(s) should be made payable to:

BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS and be mailed with this application to:
Port Everglades Business Development Division
1850 Eller Drive, Fort Lauderdale, FL 33316

Required Public Hearing

Staff review of this application will not commence until such time as all of the above requested information and documentation has been provided and the franchise application has been determined by staff to be complete. All of the above requested information and Sections are required to be completed prior to the scheduling of the public hearing. Staff will request that the Broward County Board of County Commissioners set a public hearing to consider the franchise application and hear comments from the public. The Applicant will be notified of the Public Hearing date and is welcome to attend the Public Hearing.

By signing and submitting this application, Applicant certifies that all information provided in this application is true and correct. Applicant understands that providing false or misleading information on this application may result in the franchise application being denied, or in instances of renewal, a franchise revoked. Applicant hereby waives any and all claims for any damages resulting to the Applicant from any disclosure or publication in any manner of any material or information acquired by Broward County during the franchise application process or during any inquiries, investigations, or public hearings.

Applicant further understands that if there are any changes to the information provided herein (subsequent to this application submission) or to its officers, directors, senior management personnel, or business operation as stated in this application, Applicant agrees to provide such updated information to the Port Everglades Department of Broward County, including the furnishing of the names, addresses (and other information as required above) with respect to persons becoming associated with Applicant after its franchise application is submitted, and any other required documentation requested by Port Everglades Department staff as relating to the changes in the business operation. This information must be submitted within ten (10) calendar days from the date of any change made by the Applicant.

Applicant certifies that all workers performing functions for Applicant who are subject to the Longshore and Harbor Workers' Act are covered by Longshore & Harbor Workers' Act, Jones Act Insurance, as required by federal law.

This application and all related records are subject to Chapter 119, F.S., the Florida Public Records Act.

By its execution of this application, Applicant acknowledges that it has read and understands the rules, regulations, terms and conditions of the franchise it is applying for as set forth in Chapter 32, Part II, of the Broward County Administrative Code as amended, and agrees, should the franchise be granted by Broward County, to be legally bound and governed by all such rules, regulations, terms and conditions of the franchise as set forth in Chapter 32, Part II, of the Broward County Administrative Code as amended.

The individual executing this application on behalf of the Applicant, personally warrants that s/he has the full legal authority to execute this application and legally bind the Applicant.

Signature of Applicant's Authorized

Representative JA Peirano Date Signed 8-12-25

Signature name and title - typed or printed Jerome A Peirano

Witness Signature (*Required*) [Signature]

Witness name-typed or printed Bonnie P Peirano

Witness Signature (*Required*) Christine Peirano

Witness name-typed or printed Christine Peirano

If a franchise is granted, all official notices/correspondence should be sent to:

Name Rommel Jalique Title Manager

Address 2550 Eisenhower Blvd Suite 210 Phone () 954 764 8434

Ft Lauderdale FL 3316

225 Ohio Avenue
Corpus Christi, TX 78404

Tel: (361) 884-9420
Email: jweeks@vallsgroup.com

Jason E. Weeks

Present

President, Valls Ship Agencies, LP
Full service vessel agency

President/Sole Director, Sunshine Shipping, Inc.
Full service vessel agency

CEO/President, Vessel Agency Operating, LLC

COO, Coastal Bend Mooring & Marine
Line handling & Barge Services

Board of Directors, Valls International, Inc.
Import Customs Brokers & International Freight Forwarders, Transport Logistics and Warehousing.

Managing Member, Cleaners Operating, LLC
Laundry and Dry Cleaning Services, Equipment Rental

Board of Directors, Port Corpus Terminal, Inc.
Stevedore Contractors, Materials Handling and Trucking Company

Board of Directors, JKM Compression, Inc.
Gas compression service and rental

December 1995– May 1997

CUDD Pressure Control, Inc., Houston, TX
Operations Manager / District Engineer – Venezuela District

May 1995– November 1995

Global Marine Drilling, Houston, TX
Superintendent

June 1992– August 1994

Valls Shipping Company, Corpus Christi, TX
Boarding Agent

October 1990– June 1992

Horizon Rental Tools, San Antonio, TX
Operations Manager

May 1990– October 1990

South Texas Transportation and Mud Services, Kingsville, TX
Dispatcher

Education

- 1992 -1995 Texas A&M University Kingsville, TX
- B.S., Mechanical Engineering.
- 1988 –1990 Texas A&M University College Station, TX
- Petroleum Engineering Studies.



JEROME A PEIRANO

SHIP AGENT



/ CONTACT DETAILS

205 S Hoover Boulevard, Suite 205, Tampa, Florida 33609

jpeirano@vallsgroup.com
www.vallsgroup.com

Office: (813) 639-4300
Cell: (813) 758-6706
FAX: (813) 639-0409

/ WORK EXPERIENCE

>> Vice President of Operations

Sunshine Shipping DBA Valls Ship Agencies, LP | 2006 to present
Full service vessel agency, serving Port Everglades
Purchased by Valls Ship Agencies in 2006

>> General Manager, Florida Operations

Valls Ship Agencies | 2004 to present
Full service vessel agency, serving Port Tampa, Port Everglades,
Port Canaveral and Port Jacksonville
Managed and facilitated the purchase of Sunshine Shipping in
2006

>> Founder and CEO

Tampa Agency | 1999 to 2004
Full service vessel agency, serving Port Tampa, Port Canaveral
and Port Jacksonville
Provided local agency representation to domestic and foreign
petroleum tankers
Sold to Valls Ship Agencies in 2004

>> Manager

Strachan Shipping Company | 1997 to 1999
Full service vessel agency, serving Port Tampa, Port Canaveral
and Port Everglades
Responsible for business growth and development

>> Boarding Agent

International Ship Services of Florida | 1994 to 1997
Full service vessel agency, serving Port Tampa
Responsible for commercial operation of vessel port calls,
including preparing estimated port expense summaries,
notifying US government officials, submitting berth reservations,
arranging vendors and preparing legal documents

/ EDUCATION

University of South Florida, Tampa, Florida

Bachelor of Science
Finance
1992

/ MEMBERSHIPS

- > Tampa Cooperative Safety and Security Initiative
- > Tampa Bay Harbor Safety and Security Committee
- > Association of Ship Brokers and Agents (USA, Inc.)
- > Agency Affairs Committee (Executive Member)
- > The Propeller Club of Tampa

ROMMEL MALLARI JALIQUE
2007 N.E. 33rd Ave. Fort Lauderdale Florida 33305

Mobile No. +1 954-297-1744
Office: +1 954-764-8434
Fax: +1 954-763-8093
Email: rmjalique@vallsgroup.com
Email: Agency.everglades@vallsgroup.com

WORK EXPERIENCE:

January 2014 - Present

Employer: Valls Ship Agencies, L.P. Port Everglades, FL
Address: 2550 Eisenhower Blvd., Suite 209/210 Fort Lauderdale, FL 33316
Position: Boarding Agent /A.S.B.A. USA Certified

Duties:

- Attending vessel as required and handle all operational matters
- Respond to all inquiries from principals and prospective principals and handle all operational matters relating to that principal. Ensure that each principal is satisfied and that we have dealt with all their inquiries in a timely and efficient manner
- Coordinate vessels arrival with all port interest including pilots, tugs, line handlers, terminal operator and governmental authorities as required
- Handle all communications while coordinating vessels activities and ensure all interested parties including principal, owner/operator/charterer and other port interests receive regular communications.
- Preparation of US Customs & Border Protection entrance/clearance forms and coordination
- Preparing port estimates and final disbursement to vessel owners/charterers.
- Arrangement of vessel husbandry services, deliveries and services
- Prepare and complete all required documents and documentation including all government required forms and company related documentation including a Statement of Facts

2007 - 2014

Employer: 8 Net, Inc.
Address: 13140 Alondra Blvd. , Cerritos , CA 90703
Position: Import Shipment Coordinator

Duties:

- Performed all Receiving duties for incoming import shipments. Monitored all shipment in transit using the Purchasing module of the OMS system. Allocated warehouse space and assigned bin numbers for all incoming containers. Prepared

excel packing list for each shipment and provided them to warehouse team for fast and efficient receiving of inventory.

- Coordinated with Intermodal Freight truckers for driver availability so that container will be pulled, delivered and returned properly to avoid demurrage or per diem charges from the terminal.
- Verified all receiving documents and receive the purchase order in the system accordingly. Any shipping discrepancies were double checked and credit memo from factory will be requested for any short shipments or damages.
- Performed inventory management related functions such as monitoring slow moving and dead stock, conducting cycle counts and yearly physical count.
- Researched possible cause of inventory discrepancies by verifying internal inventory transfers, prior inventory receipts and prior outgoing shipments. Created the inventory adjustment forms and provide to management for final approval.
- Acted as liason for the Warehouse, Operations, Sales and Accounting Department to resolve any problem or issues related to incoming shipments and inventory.

1996 - 2007

Employer: PETROMIN SHIPPING AND MARINE SERVICES, INC.

Address: Makati, Philippines

Position: Operations Supervisor/Boarding Officer

Duties:

- Attended all kinds of foreign vessel docking on Philippine shores.
- Represented vessel's owners/charterers/operator to different government agencies in complying with their entry and departure requirements.
- Coordinate to local pilots, terminal operators, tug boat companies, port Authorities, stevedores, etc., in order to ensure a smooth and safe operation during a vessel call.
- Monitoring vessel loading/discharging operations. Reporting to vessel owners, charterer, operator, consignee / consignor on vessel status.
- Preparing load port/discharge port documents.
- Experienced in preparing port estimates and final disbursement to vessel owners and charterers.
- Attending bunkering, crew change and other vessel requirements in their port of loading/discharging.
- Know ledged in processing and facilitation of clearances of all kinds of Transshipment spares.

EDUCATION:

1989 – 1993

Pasig Catholic College, Manila, Philippines
Bachelor of Science in Business Administration
Major in Marketing

Erik Dimarucut

Vessel Agent

Contact

610 SW 11th St.
Deerfield Beach, Florida, 33441
954 296 4708
edimarucut@vallsgroup.com

Education

Central Collages of the
Philippines

Key Skills

- Port/Terminal Operation
- Berthing/Sailing Scheduling
- Cargo/Logistics coordination
- Time management & Multi-tasking
- 24/7 Operational Availability

Objective

Dedicated and detailed-oriented vessel agent with a strong understanding of port operations, vessel clearance and maritime regulations. Seeking to leverage experience in coordinating ship arrivals/departures, ensuring compliance with customs and immigration requirements, and delivering efficient turnaround for vessels. Committed to providing excellent service to ship owners, charterers and port authorities to ensure smooth maritime operations.

Experience

May 2018 - Present
Vessel Agent • Valls Ships Agencies LP

2016 - 2018
Bartender • Tee Jay Thai and Sushi

Communication

- Delivered clear and timely updates to ship owners, charterers, and principals regarding vessel status, berthing schedules and operational developments.
- Resolved disputes and operational issues professionally, maintaining strong relationships with stakeholders in high-pressure, time-sensitive environments.
- Prepared and presented arrival/departure reports and port documentation with accuracy and clarity

References

Available upon Request

Section B

Exhibit 1
Page 21 of 91

FILED

1986 AUG 25 PM 3:27

SECRETARY OF STATE
TALLAHASSEE, FLORIDA

ARTICLES OF INCORPORATION
OF
SUNSHINE SHIPPING, INC.

The undersigned subscriber to these Articles of Incorporation, a natural person competent to contract, hereby forms a corporation under the laws of the State of Florida.

ARTICLE I. NAME

The name of the corporation shall be:

SUNSHINE SHIPPING, INC.

The principal place of business of this corporation shall be 722 Southwest 17th Street, Ft. Lauderdale, Florida 33315.

ARTICLE II. NATURE OF BUSINESS

This corporation may engage or transact in any or all lawful activities or business permitted under the laws of the United States, the State of Florida or any other state, country, territory or nation.

ARTICLE III. CAPITAL STOCK

The maximum number of shares of stock that this corporation is authorized to have outstanding at any one time is 60 shares of common stock having no par value per share.

ARTICLE IV. ADDRESS

The street address of the initial registered

ARTICLE X. INCORPORATOR

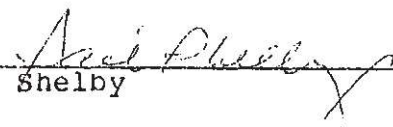
The name and street address of the incorporator to these Articles of Incorporation is:

Corporation Information Services, Inc.
502 East Park Avenue
Tallahassee, Florida 32301

IN WITNESS WHEREOF, the undersigned authorized agent of Corporation Information Services, Inc. has hereunto set her hand and seal of Corporation Information Services, Inc. on this 25th day of August, 1986.

Corporation Information Services, Inc.

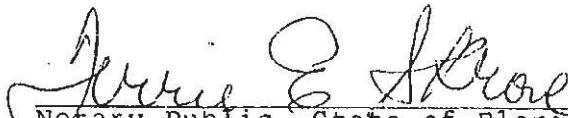
By:


Gail Shelby

STATE OF FLORIDA

COUNTY OF LEON

The foregoing instrument was acknowledged before me this 25th day of August, 1986, by Gail Shelby.


Notary Public, State of Florida at Large

NOTARY PUBLIC, STATE OF FLORIDA.
MY COMMISSION EXPIRES FEB. 26, 1990.
BONDED THRU NOTARY PUBLIC UNDERWRITERS

My Commission Expires: _____

SUNSHINE SHIPPING, INC.
WRITTEN CONSENT OF THE SOLE DIRECTOR AND SHAREHOLDERS IN LEIU OF A
SPECIAL MEETING

The undersigned, being the shareholders and sole director of Sunshine Shipping, Inc. ("Corporation"), a Florida Corporation, hereby adopt the following resolutions in lieu of a special meeting, pursuant to the applicable Florida Statutes.

RESOLVED that the Corporation has accepted the resignation of Micheline McMullen from the Corporation and her position as an employee and Vice President.

FURTHER RESOLVED that that the Sole Director of the Corporation hereby approves and elects Jerome A. Peirano to serve as Vice President, to serve at the pleasure of the Shareholders, or until his resignation or death.

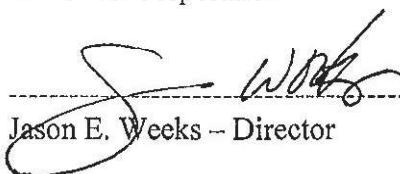
FURTHER RESOLVED that the appropriate officers of the Corporation shall file the notice of the change in officers with the State of Florida.

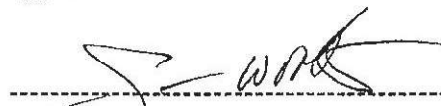
FURTHER RESOLVED that the Corporation banks will be notified of the change in Vice President and that Micheline McMullen will be removed as an authorized signatory and Jerome A. Peirano will be added as an signatory on the Corporation bank accounts.

FURTHER RESOLVED that the officers and directors of the Corporation are authorized to take those actions necessary to implement and consummate these resolutions.

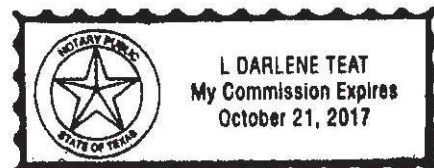
Dated on this 23rd day of November, 2013.

Sunshine Shipping, Inc.
A Florida Corporation


Jason E. Weeks -- Director


Valls Ship Agencies, LP - Shareholder
By Jason E. Weeks, President





State of Florida



Department of State

I certify that the attached is a true and correct copy of the Articles of Incorporation of SUNSHINE SHIPPING, INC., a corporation organized under the Laws of the State of Florida, filed on August 25, 1986, as shown by the records of this office.

The document number of this corporation is J30273.

Given under my hand and the
Great Seal of the State of Florida,
at Tallahassee, the Capital, this the
26th day of August, 1986.



CR2E022 (10-85)

A handwritten signature in cursive script, reading "George Firestone".

George Firestone
Secretary of State



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Profit Corporation
SUNSHINE SHIPPING, INC.

Filing Information

Document Number	J30273
FEI/EIN Number	20-4318611
Date Filed	08/25/1986
State	FL
Status	ACTIVE
Last Event	AMENDMENT
Event Date Filed	02/21/2006
Event Effective Date	NONE

Principal Address

2550 Eisenhower Blvd.
210
FORT LAUDERDALE, FL 33316

Changed: 02/11/2025

Mailing Address

P.O. BOX 2505
CORPUS CHRISTI, TX 78403

Changed: 01/13/2015

Registered Agent Name & Address

WEEKS, JASON
1102 S 82nd Street
Tampa, FL 33619

Name Changed: 08/18/2006

Address Changed: 02/11/2025

Officer/Director Detail

Name & Address

Title DP

WEEKS, JASON
2550 EISENHOWER BLVD., SUITE 210
FT LAUDERDALE, FL 33316

Title VP

Peirano, Jerome A
1102 S 82nd Street
Tampa, FL 33619

Annual Reports

Report Year	Filed Date
2023	02/16/2023
2024	02/16/2024
2025	02/11/2025

Document Images

02/11/2025 -- ANNUAL REPORT	View image in PDF format
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08/18/2006 -- ANNUAL REPORT	View image in PDF format
04/27/2006 -- ANNUAL REPORT	View image in PDF format
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09/09/2005 -- Amendment	View image in PDF format
08/03/2005 -- ANNUAL REPORT	View image in PDF format
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[09/09/1998 -- REINSTATEMENT](#)

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[05/01/1996 -- ANNUAL REPORT](#)

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[07/03/1995 -- ANNUAL REPORT](#)

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[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Foreign Limited Partnership
VALLS SHIP AGENCIES LP

Filing Information

Document Number B06000000358
FEI/EIN Number 20-4318611
Date Filed 10/04/2006
State TX
Status ACTIVE

Principal Address

210 SOUTH CARANCAHUA STREET, SUITE 600
CORPUS CHRISTI, TX 78401

Mailing Address

P.O. BOX 2505
CORPUS CHRISTI, TX 78403

Registered Agent Name & Address

PEIRANO, JEROME
205 S. HOOVER BLVD., STE 205
TAMPA, FL 33609

Name Changed: 10/05/2016

Address Changed: 10/05/2016

General Partner Detail

Name & Address

VESSEL AGENCY OPERATING LLC
210 SOUTH CARANCAHUA STREET, SUITE 600
CORPUS CHRISTI, TX 78401

Annual Reports

Report Year	Filed Date
2023	02/16/2023
2024	02/16/2024
2025	02/11/2025

Document Images

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02/16/2023 -- ANNUAL REPORT	View image in PDF format
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01/11/2021 -- ANNUAL REPORT	View image in PDF format
01/29/2020 -- ANNUAL REPORT	View image in PDF format
01/25/2019 -- ANNUAL REPORT	View image in PDF format
01/11/2018 -- ANNUAL REPORT	View image in PDF format
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10/05/2016 -- Reg. Agent Change	View image in PDF format
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02/04/2009 -- ANNUAL REPORT	View image in PDF format
02/11/2008 -- ANNUAL REPORT	View image in PDF format
04/25/2007 -- ANNUAL REPORT	View image in PDF format
10/04/2006 -- Foreign LP	View image in PDF format



No Filing History

Fictitious Name Detail

Fictitious Name

VALLS SHIP AGENCIES, LP

Filing Information

Registration Number G25000109501
Status ACTIVE
Filed Date 08/28/2025
Expiration Date 12/31/2030
Current Owners 1
County BROWARD
Total Pages 1
Events Filed NONE
FEI/EIN Number NONE

Mailing Address

2550 EISENHOWER BLVD
SUITE 210
FORT LAUDERDALE, FL 33316

Owner Information

SUNSHINE SHIPPING, INC
2550 EISENHOWER BLVD, STE 210
TAMPA, FL 33316
FEI/EIN Number: 20-4318611
Document Number: J30273

Document Images

[08/28/2025 -- Fictitious Name Filing](#)

View image in PDF format

No Filing History

State of Florida

Department of State

I certify from the records of this office that VALLS SHIP AGENCIES, LP is a Fictitious Name registered with the Department of State on August 28, 2025.

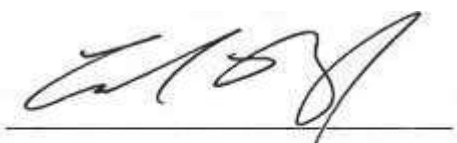
The Registration Number of this Fictitious Name is G25000109501.

I further certify that said Fictitious Name Registration is active.

I further certify that this office began filing Fictitious Name Registrations on January 1, 1991, pursuant to Section 865.09, Florida Statutes.

*Given under my hand and the Great Seal of
Florida, at Tallahassee, the Capital, this the
Twenty Ninth day of August, 2025*




Secretary of State

State of Florida

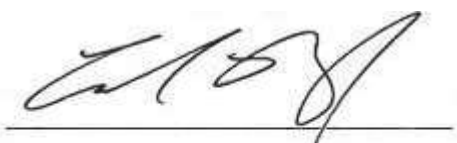
Department of State

I certify that the attached is a true and correct copy of the Application For Registration of the Fictitious Name VALLS SHIP AGENCIES, LP, registered with the Department of State on August 28, 2025, as shown by the records of this office.

The Registration Number of this Fictitious Name is G25000109501.

*Given under my hand and the Great Seal of
Florida, at Tallahassee, the Capital, this the
Twenty Ninth day of August, 2025*




Secretary of State

VALLS SHIP AGENCIES, L.P.

POST OFFICE BOX 23405 • TAMPA, FLORIDA 33623
TEL: 813-639-4300 • FAX: 813-639-0409
Email: agency.tampa@vallsgroup.com

Page 4, Section F – Previous Business History

History

Since its inception in 1950, the name Valls has been synonymous with excellence and experience in the international trade and transportation industry. What began as a small local Customs brokerage office turned into a U.S. based international services group committed to providing exceptional service to its customers.

In 1950, when Ralph Valls established Ralph Valls Customs Brokers, Laredo, Texas, was, and to this day remains, the largest land gateway and port of entry into the U.S.

In 1952, Valls secured a license to operate as an Export Forwarder at the U.S. - Mexico border.

In 1960, Richard R. Valls accepts an invitation from Ralph Valls to join in the opening of an office at the port of Corpus Christi, Texas and the Customs clearance service was also provided in that location.

In 1978, Richard R. Valls opens **Valls Ship Agencies** (Vessel Agency) in Corpus Christi, Texas.

In 1981, Port Corpus Terminal, Inc. is formed as a materials handling company. It later expanded and was licensed to become the stevedoring arm of Valls Group.

In 1987 Richard R. Valls and Dan Ostos purchase controlling interest of Coastal Bend Mooring & Marine, Inc., a mooring and barge service in Corpus Christi, Texas.

In 1996, **Valls Ship Agencies** company acquired the agency division of the Boyd-Campbell **Co.**, the oldest and largest steamship agency in Corpus Christi, Texas.

Over the next 18 years, the Valls Group consolidated into a leading provider of international trade and transportation services specializing in providing **full service vessel agency**, Customs brokerage and freight forwarding services for liquid and dry bulk, break bulk and project cargoes, offering vessel agency services at 20 deep water ports on the U.S. Gulf Coast, Mississippi River and Florida East Coast and Customs clearance service at 50 mainland U.S. ports of entry and Puerto Rico

Certifications & Associations



Valls Ship Agencies, LP

Corporate:	Valls Ship Agencies, LP P.O. Box 2505, Corpus Christi, TX 78401 Telephone: (361) 883-3288 Fax: (361) 883-3289 PIC: Jason E. Weeks - Cell: (361) 813-9803 jweeks@vallsgroup.com www.vallsgroup.com
Corpus Christi, TX Brownsville Point Comfort Lighter Areas	Valls Ship Agencies, LP (Corpus Christi) 210 S. Carancahua, Suite 600, Corpus Christi, TX 78401 Email: agency.corpus@vallsgroup.com Telephone: (361) 883-3288 Fax: (361) 883-3289 PIC: Jason Weeks - Cell: (361) 813-9803
Beaumont, TX: Port Neches Nederland Orange Lighter Areas	Valls Ship Agencies, LP (Sabine) 595 Orleans Streets, Suite 1004, Beaumont, TX 77701 Telephone: (409) 838-1190 Fax: (866) 958-0714 E-Mail: agency.beaumont@vallsgroup.com PIC: Chris Adkins - Cell: (361) 877-4374
Houston, TX: Galveston Texas City Freeport Lighter Areas	Valls Ship Agencies, LP (Houston) 711 W. Bay Area Blvd., Suite 315, Webster, TX 77032 Email: agency.houston@vallsgroup.com Telephone: (281) 332-3833 Fax: (866) 402-3579 PIC: Rick Milligan - Cell: (361) 813-1002
Tampa, FL: Port Manatee Jacksonville Port Canaveral	Valls Ship Agencies, LP (Tampa) 205 S. Hoover Blvd. Suite 300, Tampa, FL 33609 Email: agency.tampa@vallsgroup.com Telephone: (813) 639-4300 Fax: (813) 639-0409 PIC: Jay Peirano - Cell: (813) 758-6706
Lake Charles, LA	Valls Ship Agencies, LP (Lake Charles) One Lakeshore Drive Suite 1480, Lake Charles, LA 70629 Telephone: (337) 437-3970 Fax: (866) 401-9518 E-Mail: agency.lakecharles@vallsgroup.com PIC: Chris Adkins - Cell: (361) 877-4374
New Orleans, LA Baton Rouge Pascagoula, MS Mobile, AL Lighter Areas	Valls Ship Agencies, LP (New Orleans) C/O Gulf Inland Marine 2341 South Darla Avenue, Gonzales, LA 70737 Telephone: (225) 647-2770 Fax: (225) 647-2778 E-Mail: agency.nola@vallsgroup.com PIC: Kevin Hunt - Cell (225) 268-9634
Fort Lauderdale, FL: Miami Palm Beach	Valls Ship Agencies, LP (Everglades) 2550 Eisenhower Blvd., Suite 210, Fort Lauderdale, FL 33316 Telephone: (954) 764-8434 Fax: (954) 763-8093 E-Mail: agency.everglades@vallsgroup.com PIC: George Para - Cell: (954) 914-0617

VALLS SHIP AGENCIES, L.P.

POST OFFICE BOX 23405 • TAMPA, FLORIDA 33623
TEL: 813-639-4300 • FAX: 813-639-0409
Email: agency.tampa@vallsgroup.com

Port Everglades Client List

U.S. Navy 2008
U.S. NAVY CONTRACT UNDER
VT Halter Marine
Louisiana
VT Halter Marine
Office: 228-712-2134
Cell: 228-990-5617
Fax: 228-712 -2185

U.S. Flag Training Ship
GOLDEN BEAR
California Maritime Academy (CMA)
Capt. Samuel R. Pecota
Director of Marine Programs
Commanding Officer, TS Golden Bear
Office: 707-654-1164
Cell: 916-812-7984

Tanker Vessels
CITGO Petroleum 1994
VALERO Marine 2008
Crowley Petroleum Services 2006
Fairwater 2024
Marathon Petroleum 2010
Racetrac 2013
Kirby Marine 2004
Freepoint 2019
Keystone Shipping inc 2020
WAWA Inc 2020
Kirby Offshore Marine 2007
Global 2024
Gulf, Inc 2025

Yachts
ARGOLA-AQUARIOUS-PHOENIX-PHONIEX 1 2003
M/Y PHOENIX2,
Flag- Malta
Official Number is 1010284
Aquanaut Marine Ltd
PO Box 100
Trafalgar Court
Admiral Park
St Peter Port
Guernsey
GY1 3EL

VALLS SHIP AGENCIES, L.P.

POST OFFICE BOX 23405 • TAMPA, FLORIDA 33623
TEL: 813-639-4300 • FAX: 813-639-0409
Email: agency.tampa@vallsgroup.com

Yachts (continued)

Captain Martyn Walker 2003
Various yachts .
Master M.Y. Pegasus V
c/o HILLS ROBINSON
1845 CORDOVA ROAD
SUITE 211
FORT LAUDERDALE, FL. 33316
US cell +1 954 610 9465
VOIP +1 954-499-5060
GSM cell+ 33 (0) 685-599-700
<http://www.my-pegasus.com>
<http://www.captainmartyn.com>

Motor Yacht "Kwikumat" 2014
United Shipping and Trading Co., of Greece
6 Iassonos Street 185 37 Piraeus-Greece
Tel : +30 210 4283660
Fax : +30 210 4283630
Mobile : +30 6944 256 485
E-mail : travel@utrade.gr;

MOTOR YACHT "BATON ROUGE" 2008
Hola George, aqui le mando los Doc del Baton Rouge
Gustavo Hamui
15535 NW 12th PLace
Pembroke Pines, FL 33028
Ph.: (954) 274-0454
Email: gustavo@medyachtservices.com

MOTOR YACHT CELESTIAL
Aeolian Limited
Mobile: +30 6944537269
Sat: +870773210180
Email: plouzis@mms.gr
Celestial9h9958@gmail.com

VALLS SHIP AGENCIES, L.P.

POST OFFICE BOX 23405 • TAMPA, FLORIDA 33623
TEL: 813-639-4300 • FAX: 813-639-0409
Email: agency.tampa@vallsgroup.com

MOTOR YACHT C2
Hill Robinson International Inc
1845 Cordova Road Suite 211
Fort Lauderdale, FL 33316 USA
Tel No.; 954-792-6112
Fax No.: 954-792-6113
Email: barrett@hillrobinson.com



CERTIFICATE OF LIABILITY INSURANCE

Exhibit 1
Page 38 of 41
8/20/2025

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 Acrisure Texas Risk Advisors & Insurance Services, LLC 5057 Keller Springs Rd. Suite 200 Addison TX 75001		CONTACT NAME: Janet Jones PHONE (A/C, No. Ext): E-MAIL: jjones@acrisure.com ADDRESS:		FAX (A/C, No):
License#: BR-1797482 COASBEN-16		INSURER(S) AFFORDING COVERAGE		
INSURED Valls Ship Agencies LP P O Box 2505 Corpus Christi TX 78403-2505		INSURER A: Travelers Property Casualty Company of America		NAIC # 25674
		INSURER B: Texas Mutual Insurance Company		22945
		INSURER C: American Longshore Mutual Association Ltd.		
		INSURER D: Travelers Property Casualty Insurance Company		36161
		INSURER E: The Travelers Indemnity Company of Connecticut		25682
		INSURER F: Houston Casualty Company		42374

COVERAGES **CERTIFICATE NUMBER:** 439349402 **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	COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR 10,000 GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:		ZOL-41M77270-25-ND	5/12/2025	5/12/2026	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
E	AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY		BA9T921107	6/16/2025	6/16/2026	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	UMBRELLA LIAB ☒ OCCUR ☒ EXCESS LIAB ☐ CLAIMS-MADE DED ☒ RETENTION \$ 25,000		ZOB-91M79669-25-ND	5/12/2025	5/12/2026	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000 \$
B	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 / A	0001203878	8/20/2025	8/20/2026	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
C D F	WorkComp USLH Protection & Indemnity E&O		ALMA00701-06 ZOH-71M78118-25-ND H725-125559	4/15/2025 5/12/2025 4/13/2025	4/15/2028 5/12/2026 4/13/2026	Agg/Accident/Emp General Aggregate Aggregate/ Ea Claim 1,000,000 1,000,000 2,000,000

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

Form #CG D2 46 The General Liability policy includes a blanket automatic additional insured endorsement that provides additional insured status to the certificate holder only when there is a written contract between the named insured and the certificate holder that requires such status. This includes Completed Operations.

Form #CG D1 86 The General Liability policy includes a blanket automatic waiver of subrogation endorsement that provides waiver of subrogation status to the certificate holder only when there is a written contract between the named insured and the certificate See Attached...

CERTIFICATE HOLDER **CANCELLATION**

CERTIFICATE HOLDER Broward County 1850 Eller Drive, Suite 603 Fort Lauderdale FL 33316	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE Jimmy Irwin
--	--

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LOC #: _____



ADDITIONAL REMARKS SCHEDULE

Page 1 of 1

AGENCY Acrisure Texas Risk Advisors & Insurance Services, LLC		NAMED INSURED Valls Ship Agencies LP P O Box 2505 Corpus Christi TX 78403-2505	
POLICY NUMBER		EFFECTIVE DATE:	
CARRIER	NAIC CODE		

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,

FORM NUMBER: 25 **FORM TITLE:** CERTIFICATE OF LIABILITY INSURANCE

holder that requires such status.

Form #CG T1 00 The General Liability policy contains a special endorsement with Primary and Noncontributory wording applicable only when there is a written contract between the named insured and the certificate holder that requires such status.

Form ALMAspws(02/02) The Workers Compensation policy includes a waiver of subrogation endorsement that provides waiver of subrogation status in favor of the certificate holder only when there is a written contract between the named insured and the certificate holder that requires such status.

Form CA T3 53 0215 The Commercial Auto Liability policy includes a blanket automatic additional insured endorsement that provides additional insured status to the certificate holder only when there is a written contract between the named insured and the certificate holder that requires such status.

Form CA T3 53 0215 The Commercial Auto Liability policy includes a Blanket Automatic Waiver of Subrogation endorsement that provides waiver of subrogation status to the certificate holder only when there is a written contract between the named insured and the certificate holder that requires such status.

Form #CA T4 74 0817 The Auto Liability policy includes a blanket Primary and Noncontributory endorsement that is applicable to the certificate holder only when there is a written contract between the named insured and the certificate holder that requires such status.

Form WC420304B The Workers Compensation policy includes a waiver of subrogation endorsement that provides waiver of subrogation status in favor of the certificate holder only when there is a written contract between the named insured and the certificate holder that requires such status.

Form #EU 0001 0716 Excess policy follows terms, definitions, conditions and exclusions of Scheduled Underlying Insurance, subject to the policy period, limits of insurance, premium, and all other terms, definitions, conditions and exclusions of this policy.

American Longshore Mutual Association Policy ALMA00701-06 Workers Compensation policy includes USL&H

VALLS SHIP AGENCIES, LP - PORT EVERGLADES

Balance Sheet As Of July 31, 2025

Unaudited

ASSETS

Current assets:	
WELLS FARGO	533,398.00
ACCOUNTS	717,295.15
PREPAID ASSESSMENT	2,360.00
PREPAID CUSTOMER EXPENSE	357,666.15
DEPOSITS	1,914.00
Total current assets	1,612,633.30
Fixed assets:	0.00
Other assets:	0.00
	1,612,633.30

LIABILITY AND SHAREHOLDER'S EQUITY

Current liabilities:	
ACCOUNTS PAYABLE	732,797.04
CUSTOMER ADVANCE DEPOSITS	80,082.50
Total current liabilities	812,879.54
Long term liabilities:	.
Shareholder's equity:	
INTERCOMPANY TRANSFERS	(2,636,065.09)
RETAINED EARNINGS	3,259,905.85
Profit (loss) for period	175,913.00
Total shareholder's equity	799,753.76
	1,612,633.30

VALLS SHIP AGENCIES, LP - PORT EVERGLADES

Statement of Earnings

For the 7 periods ending July 31, 2025

	Unaudited
	Current YTD
Revenue:	
FOREIGN INCOME	5,343,929.07
MIXED INCOME	7,693.33
UPS INCOME	7,355.40
CORPORATE DISCOUNTS	1,614.00
SERVICE FEES INCOME	384,975.00
	<u>5,745,566.80</u>
Cost of sales:	
FOREIGN EXPENSE	5,343,929.07
MIXED EXPENSE	726.11
UPS VESSEL EXPENSE	7,732.06
CONTRACT LABOR	2,200.65
	<u>5,354,587.89</u>
Gross profit	<u>390,978.91</u>
Costs and expenses:	
ADMINISTRATIVE	15,151.12
ADVERTISING/MARKETING	3,000.00
COMMUNICATIONS/TELEPHONE	4,852.62
DUES FEES & SUBSCRIPTIONS	3,124.64
PROFESSIONAL LIABILITY INSURANCE	1,771.34
INSURANCE WORKERS COMP	3,996.23
AUTO INSURANCE	803.93
LIABILITY INSURANCE	6,251.62
EMPLOYEE MEDICAL/LIFE INSURANCE	1,913.17
MANAGEMENT EXPENSE	53,690.00
MEALS	1,429.87
OFFICE EXPENSE	2,058.68
OFFICE SUPPLIES	1,467.51
GROUP PERSONNEL EXPENSE	4,285.67
DIRECT PERSONNEL EXPENSE	95,562.43
PROFESSIONAL	553.70
RENT REAL ESTATE	12,698.19
UTILITIES	2,430.19
	<u>215,040.91</u>
Earnings (loss) from operations	<u>175,938.00</u>
Other income and expenses:	
MISCELLANEOUS INCOME	(25.00)
	<u>(25.00)</u>
Earnings (loss) before income taxes	<u>175,913.00</u>
Provision for income taxes:	<u>0.00</u>
Net earnings (loss) for period	<u><u>175,913.00</u></u>

Credit References for Sunshine Shipping d/b/a Valls Ship Agencies, LP
2025 franchise application

Broward County (Port Authority)

1850 Eller Drive

Fort Lauderdale FL 33316

Port Everglades Pilot's Association

PO Box 13017

Fort Lauderdale FL 33316

(954) 522 4491

E.N. Bisso & Son, Inc

1 Walnut St

New Orleans LA 70118

(504) 828 3296

Wells Fargo

(540) 563 7323

Details listed on separate document (attached)



July 15, 2024

VALLS SHIP AGENCIES LP
Attention: LAURENCE VALLSWells Fargo Bank, N.A.
Balance Confirmation Services
D1127-023
PO Box 563974
Charlotte, NC 28256
Ph: (540) 563-7323

Item ID: T39763

Fax/Swift: 361-883-3289

Subject: Wells Fargo Bank, N.A. ("Wells Fargo") customer information you requested

As you requested, we are providing the following information for **VALLS SHIP AGENCIES LP** as of **July 15, 2024**:

Account number	8915983897	
Account type	Business Checking	
Legal title	VALLS SHIP AGENCIES LP	VALLS SHIP
	AGENCIES LP (PORT EVERGLADES_	
Routing/Transit number	111900659	
Wire ABA	121000248	
Swift	WFBIUS6S	
Account notes	For receiving wires in U.S. dollars: Wells Fargo Bank NA 420 Montgomery St San Francisco, CA 94104	

Thank you.

Sincerely,

*Tammy Ferrill*TAMMY FERRILL
Operations Processor
Balance Confirmation Services

Wells Fargo Bank, N.A.
Balance Confirmation Services
Ph: (540) 563-7323

Item ID: T39763

By accepting this information, the recipient thereof represents and warrants to Wells Fargo Bank, N.A. ("Wells Fargo"), that the recipient is authorized by the customer to receive lawfully this information. The recipient agrees that it will not disclose this information to any third party, unless compelled to do so by legal process, and that it will lawfully use this information. The recipient acknowledges that Wells Fargo does not represent and warrant that the information is complete and accurate and that Wells Fargo does not assume any duty or obligation to any person by providing the information. Recipient further agrees that any errors or omissions in the information shall not be a basis for a claim against Wells Fargo. The recipient further acknowledges that the information may not disclose the entire relationship between customer and Wells Fargo. The information is subject to change without notice to the recipient. The recipient agrees to indemnify, defend, and hold Wells Fargo harmless from and against any claim resulting from the disclosure and use of the information by the recipient, or from the breach by the recipient of any agreement, representation, or warranty contained herein.

Section M



P.O. BOX 6469
CORPUS CHRISTI, TEXAS 78466-6469

PHONE 361 / 992-9900
FAX 361 / 991-0084

24-HR. BANK-BY-PHONE
992-9901
CUSTOMER SERVICE DIRECT LINE
992-9911
INTERNET SITE
americanbank.com

MEMBER INDEPENDENT BANKERS
ASSOCIATION OF TEXAS

July 23, 2024

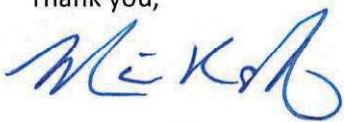
RE:Valls Ship Agencies LP

To Whom it May Concern:

This is to inform you that our customer, Valls Ship Agencies LP, has an active letter of credit in the amount of \$200,000.00 with a maturity date of 3/1/2026 here at American Bank, N.A.

Please feel free to contact me should you need any additional information at (361) 653-5347 or mkorff@americanbank.com

Thank you,



Michael Korff
Senior Commercial Lending Officer

BROWARD COUNTY LOCAL BUSINESS TAX RECEIPT

115 S. Andrews Ave., Rm. A-100, Ft. Lauderdale, FL 33301-1895 – 954-357-4829

VALID OCTOBER 1, 2025 THROUGH SEPTEMBER 30, 2026**Business Name:** VALLS SHIP AGENCIES LP/SUNSHIN**Receipt #:** 322-11672
Business Type: BOAT REPAIR/MOBILE CAR DETAIL
(SHIPPING AGENT)**Owner Name:** SHIP AGENCIES LP VALLS**Business Opened:** 09/26/1986**Business Location:** 2550 EISENHOWER BLVD 201
FT LAUDERDALE**State/County/Cert/Reg:****Exemption Code:****Business Phone:** 954-764-8434**Rooms****Seats****Employees**

6

Machines**Professionals**

For Vending Business Only						
Number of Machines:				Vending Type:		
Tax Amount	Transfer Fee	NSF Fee	Penalty	Prior Years	Collection Cost	Total Paid
81.00	0.00	0.00	0.00	0.00	0.00	81.00

Receipt Fee 81.00
 Packing/Processing/Canning Employees 0.00

THIS RECEIPT MUST BE POSTED CONSPICUOUSLY IN YOUR PLACE OF BUSINESS**THIS BECOMES A TAX RECEIPT****WHEN VALIDATED**

This tax is levied for the privilege of doing business within Broward County and is non-regulatory in nature. You must meet all County and/or Municipality planning and zoning requirements. This Business Tax Receipt must be transferred when the business is sold, business name has changed or you have moved the business location. This receipt does not indicate that the business is legal or that it is in compliance with State or local laws and regulations.

Mailing Address:

SHIP AGENCIES LP VALLS
 PO BOX 13025
 FORT LAUDERDALE, FL 33316

Receipt # WWW-24-00284495
Paid 07/22/2025 81.00

2025 - 2026**BROWARD COUNTY LOCAL BUSINESS TAX RECEIPT**

115 S. Andrews Ave., Rm. A-100, Ft. Lauderdale, FL 33301-1895 – 954-357-4829

VALID OCTOBER 1, 2025 THROUGH SEPTEMBER 30, 2026**Business Name:** VALLS SHIP AGENCIES LP/SUNSHIN**Receipt #:** 322-11672
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For Vending Business Only						
Number of Machines:				Vending Type:		
Tax Amount	Transfer Fee	NSF Fee	Penalty	Prior Years	Collection Cost	Total Paid
81.00	0.00	0.00	0.00	0.00	0.00	81.00

Receipt # WWW-24-00284495
Paid 07/22/2025 81.00

Valls Ship Agencies - HSSE Policy and Procedures

1. Purpose

To safeguard the health, safety, security, and environmental well-being of our employees, contractors, customers, and the communities where we operate. This policy applies to all Valls Ship Agencies employees, contractors, and visitors on duty or performing company business.

2. Commitment

- **Zero Harm Objective:** Prevent injury, illness, environmental incidents, and security breaches.
- **Compliance:** Meet or exceed all applicable international, federal, state, and port regulations
- **Continuous Improvement:** Regularly review and update training, procedures, and technology.

3. HSSE Responsibilities

Role	Responsibilities
Management	Provide resources, enforce policy, and review performance.
Supervisors	Conduct risk assessments, ensure proper training, stop unsafe work.
Employees & Contractors	Work safely, follow all procedures, report hazards or incidents immediately.

4. Training & Competence

1. **Mandatory Port/Terminal Training** – All agents must complete refinery, terminal, and port safety training as required (typically annual).
2. **TWIC Escort Training** – Required at all facilities and ports offering this program.
3. **Onboarding & Mentorship** – New hires must complete a minimum 90 days of supervised training with a certified agent trainer.

4. **ASBA Agents Evaluation** – Successful completion required before independent vessel boarding.
5. **Specialized HSSE Modules** – Confined-space awareness, personal protective equipment (PPE) use, spill prevention, and gangway safety.
6. **Refresher & Emergency Drills** – Conducted at least annually or whenever new hazards arise.

5. Gangway Safety Policy

Steamship agents frequently board vessels via gangways. Improper use poses serious fall and injury risks.

All employees must adhere to the following:

- **Pre-boarding Inspection**
 - Visually check that the gangway is properly secured to the vessel and pier.
 - Confirm anti-slip surfaces, safety nets, and lifelines are in place.
 - Ensure gangway angle does not exceed recommended slope (typically <30°).
- **Personal Safety Measures**
 - Wear appropriate PPE (hard hat, safety shoes with non-slip soles, life jacket where required).
 - Maintain three-point contact when ascending/descending.
 - Carry documents and tools in a secure bag to keep hands free.
- **Adverse Conditions**
 - Do not board during unsafe weather (high winds, heavy rain, ice).
 - Notify vessel and shore management if conditions deteriorate while on board.
- **Incident Response**
 - Report and record any gangway defects, near-misses, or injuries immediately.

6. Security & Environmental Protection

- Comply with ISPS and local port security plans.
- Escort all visitors per TWIC and facility requirements.
- Prevent and report spills, pollution, or improper waste handling.
- Support port and vessel emergency response plans.

7. Drug and Alcohol Policy

Valls Ship Agencies maintains a zero-tolerance policy for drugs and alcohol to ensure safety, compliance, and a professional work environment.

1. Prohibited Substances

- Possession, use, distribution, or sale of illegal drugs, non-prescribed controlled substances, or alcohol on company premises, vehicles, or vessels is strictly forbidden.
- Reporting for duty under the influence of drugs or alcohol is prohibited.

2. Prescription & Over-the-Counter Medications

- Employees must inform their supervisor if a medication may impair their ability to perform duties safely.

3. Testing

- Pre-employment, random, reasonable-suspicion, post-incident, and return-to-duty testing will be conducted as permitted by law.

4. Consequences

- Violations may result in immediate removal from duty, mandatory evaluation or rehabilitation, and disciplinary action up to termination.

5. Support & Rehabilitation

- The company encourages employees to seek assistance for substance abuse issues before they result in disciplinary action. Confidential employee assistance resources will be provided where available.

8. Incident Reporting & Continuous Improvement

- **Immediate Reporting** – All injuries, near misses, spills, or security breaches must be reported to the HSSE Manager within one hour.

- **Investigation & Corrective Action** – Root causes will be analyzed and documented.
- **Periodic Review** – HSSE performance metrics are reviewed quarterly and the policy updated annually.

Management Endorsement

This HSSE Policy is approved and endorsed by Valls Ship Agencies' senior management and will be communicated to all employees, contractors, and stakeholders. Adherence to this policy is a condition of employment and contracting.

VALLS SHIPPING AGENCIES, LP

ANTI-DRUG & ALCOHOL-MISUSE POLICY

Section 1 – POLICY STATEMENT

The purpose of this policy is to assure worker fitness for duty and to protect our employees, passengers, and the public from the risks posed by the misuse of alcohol and use of prohibited drugs. This policy not only meets, but exceeds all applicable Federal regulations governing workplace anti-drug and alcohol programs in the transit industry. The Federal Transit Administration (FTA) of the U.S. Department of Transportation has published 49 CFR Part 655, as amended, that mandates urine drug testing and alcohol testing for safety-sensitive positions and prohibits performance of safety-sensitive functions when there is a positive test result or a refusal to test. The U.S. Department of Transportation (DOT) has also published 49 CFR Part 40, as amended that sets standards for the collection and testing of urine and alcohol specimens. A copy of 49 CFR Part 40 will be available for review upon request by a covered employee.

This policy applies to all safety-sensitive transit system employees, paid part-time employees and contract employees when they are on transit property or when performing any transit-related safety-sensitive business. It is a condition of employment for each covered person to participate in this employer's drug & alcohol testing program.

Under the FTA drug and alcohol testing regulations, the testing for the following five drugs and alcohol are required: *marijuana*, *cocaine*, *opiates*, *phencyclidine* and *amphetamines*. When drugs are mentioned in this policy it will include these drugs. When alcohol is mentioned in this policy, it will include the intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohols, including methyl or isopropyl alcohol.

Section 2 - DEFINITIONS

ACCIDENT means an occurrence involving a mass transit vehicle in which an individual dies, an individual's injuries are treated away from the scene, or any vehicle involved in the occurrence sustains disabling damage, as defined in this section, and must be transported away from the scene by a tow truck or other vehicle.

ADULTERATED SPECIMEN is a specimen that contains a substance that is not expected to be present in human urine or contains a substance expected to be present but is at a concentration so high that it is not consistent with human urine.

AIR BLANK is a reading by an evidential breath testing device (EBT) of ambient air containing no alcohol. (In EBT's using gas chromatography technology, it is a reading of the device's internal standard).

ALCOHOL SCREENING DEVICE (ASD). A breath or saliva device, other than an EBT, that is approved by the National Highway Traffic Safety Administration and placed on the Conforming Products List for such devices.

ALCOHOL USE. The drinking or swallowing of any beverage, liquid mixture or preparation (including any medication), containing alcohol.

VALLS SHIPPING AGENCIES, LP

BREATH ALCOHOL TECHNICIAN (BAT) is an individual who instructs and assists individuals in the alcohol testing process and operates an EBT. A BAT may also act as a Screening Test Technician (STT) who instructs and assists individuals in the alcohol testing process and operates an ASD.

CANCELED TEST is a drug or alcohol test that has a problem identified that cannot be or has not been corrected, or in which 49 CFR Part 40 otherwise requires a test to be cancelled. A cancelled test is neither a positive nor a negative test.

COLLECTOR is a person who instructs and assists individuals at a collection site and who receives and makes a screen examination of the urine specimen provided by individuals.

CONFIRMATION (or confirmatory) TEST. In drug testing, a second analytical procedure performed on a urine specimen to identify and quantify the presence of a specific drug or drug metabolite. Gas chromatography/mass spectrometry (GC/MS) is the only authorized confirmation method of cocaine, marijuana, opiates, amphetamines, and phencyclidine. In alcohol testing, a second test, following a screening test with a result of 0.02 or higher that provides a quantitative data of alcohol concentration.

All confirmatory cutoff levels on positive screening tests will be as follows:

Marijuana metabolite*	15
Cocaine metabolite**	150
Opiates:	
Morphine	2000
Codeine	2000
6-Acetylmorphine****	10
Phencyclidine	25
Amphetamines:	
Amphetamine	500
Methamphetamine***	500

*Delta-9-tetrahydrocannabinol-9-carboxylic acid

**Benzoylcegonine

***Specimen must also contain amphetamine at a concentration greater than or equal to 200 ng/ml

****Test for 6-am when morphine concentration equals 2000 ng/ml or greater

COVERED EMPLOYEE means a person, including an applicant or transferee, who performs or will perform a safety-sensitive function for an entity subject to the Federal Transit Administration (FTA) regulations. A volunteer is a covered employee if the volunteer is required to hold a commercial drivers license to operate the vehicle or the volunteer performs a safety-sensitive function for this entity subject to the FTA regulations and receives remuneration in excess of his or her actual expenses incurred while engaged in the volunteer activity. (See Attachment 1 for listing of specific covered employees with this employer.)

VALLS SHIPPING AGENCIES, LP

DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS) - The Department or any designee of the Secretary, Department of Health and Human Services.

DESIGNATED EMPLOYER REPRESENTATIVE (DER) – An employee authorized by the employer to take immediate action to remove employees from safety-sensitive duties or cause employees to be removed from these covered duties and to make required decisions in the testing and evaluation processes. The DER also receives test results and other communications for the employer, consistent with the requirements of Part 40.

When the word “employer” is used in this policy, it shall mean the employer or its designated employer representative.

DILUTE SPECIMEN. A specimen with creatinine and specific gravity values that is lower than expected for human urine.

DISABLING DAMAGE – Damage, which disallows the departure of any vehicle from the scene of an accident in its usual manner in daylight hours after simple repairs. This type of damage includes damage to vehicles that could have been operated but would have been further damaged if so operated. Damage which can be remedied temporarily at the scene of the occurrence without special tools or parts tire disablement (even if no spare is available), damage to headlights, taillights, turn signals, horn, mirrors, or windshield wipers is not considered disabling damage.

DOT means the U.S. Department of Transportation.

EMPLOYEE means the same as Covered Employee.

EMPLOYER means a recipient or other entity that provides mass transportation service or which performs a safety-sensitive function for such recipient or other entity. This term includes sub-recipients, operators and contractors.

EVIDENTIAL BREATH TESTING DEVICE (EBT) is a device approved by the National Highway Traffic Safety Administration (NHTSA) for the evidential testing of breath at the .02 and .04 alcohol concentrations, placed on NHTSA's Conforming Products List (CPL) of Evidential Breath Measurement Devices, and identified on the CPL as conforming with model specifications available from NHTSA's Traffic Safety Programs.

FEDERAL TRANSIT ADMINISTRATION (FTA) means one of the US Department of Transportation modes that have regulatory authority over the mass transit industry.

INITIAL TEST (or screening test) - In drug testing, the test used to differentiate a negative specimen from one that requires further testing for drugs or drug metabolites. In alcohol testing: an analytical procedure to determine whether an employee may have a prohibited concentration of alcohol in a breath or saliva specimen.

The following initial cutoff levels shall be used when screening specimens to determine whether they are negative for these five drug or classes of drugs:

Marijuana metabolites	50
Cocaine metabolites	300
Opiate metabolites	2000

VALLS SHIPPING AGENCIES, LP

Phencyclidine	25
Amphetamines	1000

INVALID TEST – The result of a drug test for a urine specimen that contains an unidentified adulterant or an unidentified interfering substance has abnormal physical characteristics or has an endogenous substance at an abnormal concentration that prevents the laboratory from completing or obtaining a valid drug test result.

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.

MEDICAL REVIEW OFFICER (MRO) is a licensed physician (Medical Doctor or Doctor of Osteopathy) responsible for receiving and reviewing laboratory results generated by an employer's drug testing program and evaluating medical explanations for certain drug test results. The MRO must be knowledgeable of and have clinical experience in controlled substances abuse disorders, including detailed knowledge of alternative medical explanations for laboratory confirmed drug test results. The MRO must be knowledgeable of issues relating to adulterated and substituted specimens as well as the possible causes of specimens having an invalid result. The Consortium has secured a contract with the qualified MRO (see Attachment 1).

PERFORMING (A SAFETY SENSITIVE FUNCTION) means a covered employee is considered to be performing a safety sensitive function and includes any period in which he or she is actually performing, ready to perform, or immediately available to perform such functions.

PRIMARY SPECIMEN - In drug testing it is the urine specimen bottle that is opened and tested by a first laboratory to determine whether the employee has a drug or drug metabolite in his or her system; and for the purpose of validity testing.

REFUSAL TO TEST (alcohol or controlled substances) means that a covered employee:

- 1) 1) Fails to show up for any test (except a pre-employment test) within a reasonable time after being directed to do so by the employer or to remain at the testing site until the testing process is complete, provided that an employee who leaves the testing site before the testing process commences for a pre-employment test is not considered to have refused to test;
- 2) 2) Fails to provide a urine specimen or fails to attempt to provide a saliva or breath specimen for any drug or alcohol test as required by this policy and 49 CFR Parts 655 and 40, provided that an employee who does not provide a urine specimen because he or she has left the testing site before the testing process commences for a pre-employment test will not be considered to have refused to test;
- 3) 3) In the case of a directly observed or monitored collection in a drug test, fails to permit the observation or monitoring in providing a specimen;
- 4) 4) Fails to sign the certification at Step 2 of the Alcohol Testing Form;
- 5) 5) Fails to provide a sufficient amount of urine or a sufficient amount of breath, when directed; unless it has been determined, through a required medical evaluation, that there was an adequate medical explanation for the failure;
- 6) 6) Fails or declines to take a second test the employer or collector has directed the covered employee to take;
- 7) 7) Fails to undergo a medical examination or evaluation as directed by the MRO as part of the verification process, or as directed by the employer concerning the evaluation as part of

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the shy bladder or insufficient breath procedures. 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;

- 8) 8) Fails to cooperate (e.g., leaves the test site before the testing process is completed, refuses to empty pockets) with any part of the drug or alcohol testing process; or
- 9) 9) Verbally refuses to test as required by this policy and 49 CFR Parts 655 and 40.

It is also considered a refusal to test (which is the same as a positive test) when the MRO reports to the employer/Consortium that a covered employee has a verified adulterated or substituted drug test result.

SAFETY SENSITIVE FUNCTION means any of the following duties:

Safety Sensitive Functions shall include:

- (1) Operating a revenue service vehicle, including when it is not in revenue service;
- (2) Operating a non-revenue service vehicle, when it is required to be operated by a holder of a Commercial Drivers license;
- (3) Controlling the dispatch or movement of a revenue service vehicle;
- (4) Maintaining (including repairs, overhaul and rebuilding) a revenue service vehicle or equipment used in revenue service, unless the employer receives funding under 49 U.S.C. 5311 and contracts out such services; or
- (5) Carrying a firearm for security purposes.

SCREENING TEST TECHNICIAN (STT) is a person who instructs and assists individuals in the alcohol testing process and operates an alcohol screening device (ASD).

SPLIT SPECIMEN. A part of the urine specimen that is sent to a first laboratory and retained unopened, and which is transported to a second laboratory in the event that the employee requests it to be tested following a verified positive, adulterated or substituted test of the primary specimen.

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION (SAMHSA) is a federal agency under the Department of Health and Human Services (DHHS) responsible for the certification of laboratories used as part of the drug-testing program. The Consortium has secured a contract with a DHHS/SAMHSA certified laboratory (see Attachment 1).

SUBSTANCE ABUSE PROFESSIONAL (SAP) means a licensed physician (Medical Doctor or Doctor of Osteopathy); or a licensed or certified psychologist, licensed or certified social worker, or a licensed or certified employee assistance professional; or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission or by the International Certification Reciprocity Consortium/Alcohol & Other Drug Abuse). A qualified SAP must be knowledgeable of and have clinical experience in the diagnosis and treatment of alcohol and controlled substances-related disorders, must be knowledgeable of the SAP function as it relates to employer interests in safety-sensitive duties and, must be knowledgeable of 49 CFR Parts 655 and 40, the DOT SAP Guidelines and stay current on any changes to these materials.

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SUBSTITUTED SPECIMEN is a urine specimen with creatinine and specific gravity values that are so diminished that they are not consistent with human urine.

VALIDITY TEST. The initial validity testing is conducted to determine if a urine specimen is adulterated, diluted or substituted. The confirmation validity testing is a second test conducted on a urine specimen to further support a validity test result.

VERIFIED TEST is a drug test result or validity test result from a DHHS/SAMHSA-certified laboratory that has undergone review and final determination by the MRO.

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Section 3 - USE PROHIBITED

49 CFR (Code of Federal Regulations) Parts 655 and 40 prohibit the use/misuse of controlled substances and/or alcohol by covered employees regulated by the FTA.

Notwithstanding the disciplinary action as cited in this policy, under this employer's independent authority and by the Drug-Free Workplace Act of 1988, the unlawful manufacture, distribution, dispensation or possession of drugs are prohibited on all employer premises, in any employer-owned or leased revenue service vehicle or equipment used in revenue service, or other location at which the covered employee is to perform work. If this employer proves a covered employee is engaging in activities as stated above, the covered employee shall be subject to termination. Any covered employee who faces criminal action as a result of engaging in activities as stated above will be immediately suspended without pay until the court makes a final determination. If the covered employee is convicted, the covered employee will be immediately terminated. If the covered employee is found not guilty, the covered employee will be placed back into a safety-sensitive function and will receive all back pay and benefits for the period of suspension.

Under this employer's independent authority, the employer may conduct reasonable searches for illegal drugs or alcohol on this employer's premises or in employer-owned or leased revenue service vehicles or equipment used in revenue service. All covered employees are expected to cooperate in such searches. A covered employee's refusal to cooperate or consent to such searches may result in disciplinary action, including termination.

No covered employee performing safety-sensitive functions will possess any quantity of alcohol, lawful or unlawful, at any work site, in any employer-owned revenue service vehicle or any equipment used in revenue service. Under this employer's independent authority, a covered employee will not possess or consume any quantity of alcohol while on duty, even when he/she is not performing a safety-sensitive function. The only exceptions for possession or consumption of alcohol are stated elsewhere in this Section.

The only exception to alcohol possession in this Policy is alcohol not intended for human consumption or products containing alcohol which, when ingested would not impair the ability to perform safety-sensitive functions.

No covered employee will consume any Schedule 1 drug of the Schedule of Controlled Substances of the Drug Enforcement Administration (marijuana, cocaine, opiates, phencyclidine, and amphetamines) or any other drug as cited by the US Department of Transportation, Federal Transit Administration while on or off duty, except as provided elsewhere in this Section. Covered employees may be tested for drugs (as named above) at any time during the workday. No covered employee shall continue to perform safety-sensitive functions after a positive, adulterated or substituted drug test result. No employer, having actual knowledge of a positive, adulterated or substituted drug test result, shall permit the covered employee to continue to perform safety-sensitive functions.

No covered employee shall refuse to submit to a drug or alcohol test (see Refusal to Test definition in Section 2) when required in accordance with 49 CFR Parts 655 and 40. It is a violation of this policy when a covered employee refuses to test. A covered employee shall not be permitted to perform or continue to perform safety-sensitive functions when he/she refuses to submit to a drug or an alcohol test and will be subject to the Disciplinary Action in Section 10 of this policy.

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A covered employee may use a substance administered by or under direction of a licensed medical practitioner who has advised the covered employee that the substance will not affect the covered employee's ability to safely perform safety-sensitive functions. A covered employee may use an over-the-counter substance that will not affect the covered employee's ability to safely perform safety-sensitive functions. Under this employer's independent authority, the covered employee may be required to inform the employer of any prescribed or over-the-counter substances which may impair his/her ability to safely perform a safety-sensitive function. This employer may require written verification from the licensed medical practitioner or pharmacist that the substance will not adversely affect his/her ability to safely perform safety-sensitive functions. The covered employee shall promptly provide such written verification to the employer. If the substance should adversely affect his/her ability to perform safety-sensitive functions, or, if the covered employee does not promptly provide written verification from the licensed medical practitioner or pharmacist, the employer will temporarily remove or reassign the covered employee from a safety-sensitive function, if deemed appropriate.

The consumption of alcohol is prohibited while the covered employee is performing a safety-sensitive function. No covered employee shall report for duty or remain on duty, requiring the performance of safety-sensitive functions, while consuming or having consumed alcohol within four hours of reporting for such duties, or having a BAC of .04 or greater. Under this employer's independent authority, no alcohol will be consumed at any time while the employee is on duty. The employer having knowledge of such conditions shall not allow a covered employee to perform or continue to perform safety-sensitive functions. Any covered employee having a BAC of .04 or greater shall be subject to the disciplinary action set forth in Section 10 of this Policy.

This employer will maintain a pre-employment screening program designed to prohibit any employee/applicant/transferee that uses illegal drugs from performing any safety-sensitive functions. No pre-employment alcohol testing will be conducted.

No covered employee required to take a post-accident alcohol test shall use alcohol for up to eight hours after an accident or until the post-accident test is completed.

When a covered employee is on-call, this employer shall prohibit the covered employee from consuming alcohol for the specified on-call hours. On-call is defined as the covered employee being available by some means of a telecommunication device for a specified period of time, in order to report for duty if the need arises. The procedure shall include either the opportunity for the covered employee to acknowledge the use of alcohol at the time he/she is called to report to duty and his/her inability to perform his/her safety-sensitive function or the requirement that the covered employee take an alcohol test, if the covered employee has acknowledged the use of alcohol, but claims ability to perform his or her safety-sensitive function.

Any covered employee who has engaged in conduct prohibited in this Section shall be advised by this employer of the resources available in evaluating and resolving problems associated with the misuse of alcohol and/or drugs by providing the covered employee with the name, address and telephone number of one or more SAP's, counseling and treatment programs.

Section 4 - TYPES OF TESTING - According to 49 CFR Part 655, covered employees shall be subject to six types of drug and/or alcohol testing - pre-employment, random, post-

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accident, reasonable suspicion, return-to-duty and follow-up. (See Section 10 of this policy for Disciplinary Action resulting from alcohol and/or drug misuse or refusing to test.) Before performing a test under Part 655, the employer shall notify the covered employee that the test is required by Part 655.

(A) (A) PRE-EMPLOYMENT TESTING

This employer will not place an employee or applicant in a safety-sensitive function until a pre-employment test has been conducted and this employer has received a verified negative drug test result from the MRO/Consortium (Attachment A must be completed by the employee or applicant). This employer will not transfer an employee from a non-safety sensitive function to a safety-sensitive function until a pre-employment test has been conducted and this employer has received a negative drug test result from the MRO/Consortium. (Attachment A must be completed by the transferee). Applicants may be hired after a pre-employment test is administered and prior to confirmation of a negative result for the purpose of training which does not include the operation or maintenance of a mass transit vehicle. Under this employer's independent authority, if the applicant's test returns as a confirmed positive, the applicant will be subject to the Disciplinary Action in Section 10 of this policy.

If the employee's or applicant's drug test is canceled, another drug test shall be conducted with a verified negative test result from the MRO/Consortium before the employee/applicant will be hired or the transferee will start any safety-sensitive function (except as described in the following paragraph).

If an otherwise qualified employee/applicant attempts to provide a specimen and cannot void the minimum 45 ml. of urine, the "Shy Bladder" procedures in Section 5-Drug Testing will apply. If the licensed physician acceptable to the MRO determines the employee/applicant has a medical condition that prevented him or her from providing the required amount of urine and the medical condition is permanent or long-term, the licensed physician may conduct an alternative test to determine if there is clinical evidence that indicates the employee/applicant uses illicit drugs. If the medical evaluation shows no clinical evidence of illicit drug use, the MRO shall report a negative drug test result to the employer with written notations regarding the results of both the medical evaluation conducted and any further medical examination. If the medical evaluation shows clinical evidence of drug use, the MRO will report the drug test result as canceled to the employer with written notations regarding the results of both the medical evaluation conducted and any further medical examination. The written notations will also state the reason for determining that signs and symptoms of drug use exist. The MRO will receive a written statement of the determination from the employee's/applicant's physician who conducted the medical evaluation and shall consult with the physician before reporting a negative or cancelled drug test result.

If the licensed physician determines the employee/applicant has a medical condition, but does not have a permanent or long-term disability, a pre-employment test shall be conducted again on the employee/applicant and the employer must receive a verified negative test result from the MRO/Consortium before the employee/applicant will start any safety-sensitive function.

A pre-employment test will also be conducted on any covered employee or applicant who has not performed a safety-sensitive function for 90 consecutive calendar days, regardless of the reason, and has not been in this employer's random selection pool during that time. This employer must receive a verified negative drug test result from the MRO/Consortium before the employer will allow

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the employee or applicant to perform a safety-sensitive function. (Attachment A must be completed by the employee or applicant).

(B) RANDOM TESTING

All covered employees governed by this policy will be included as a part of the Federal Transit Administration Drug and Alcohol Testing Consortium group from which the Consortium will randomly select a sufficient number of covered employees for testing each calendar year to equal an annual rate of not less than a minimum annual percentage for random alcohol (currently 10 percent) and drug testing (currently 50 percent) as determined by the FTA Administrator.

On a monthly basis, our MRO will, from the total group, randomly select by a computer-based random number generated program, that is matched with the membership numbers, the covered employees' names and their social security numbers. Under the selection process used, each covered employee shall have an equal chance of being selected each time selections are made.

Once the MRO makes the monthly selections, he will forward the random list to the Consortium, who will notify the employers under whose drug and alcohol policies those selected are covered. If any of this employer's covered employees are selected, this employer will be given a date before which the covered employee must be tested per the random selection process. Failure of this employer to ensure the random testing is conducted within the time allotted will cause this employer to be out of compliance with the random testing requirement of 49 CFR Part 655.45.

This employer shall ensure that random drug and alcohol tests conducted under the random testing regulations are unannounced and immediate. This employer shall also ensure that the random tests are spread reasonably throughout the calendar year. Testing shall start in January and shall be continuous throughout the year. There will be no period during which the testing is halted. Testing will be conducted on all days and hours during which the transit service is in operation.

A covered employee shall only be tested for alcohol while the covered employee is performing safety-sensitive functions, just before the covered employee is to perform safety-sensitive functions, or just after the covered employee has ceased performing such functions. A covered employee shall be tested for drugs anytime during the workday.

(C) POST-ACCIDENT TESTING

As soon as possible following an accident, a post-accident drug and alcohol test shall be conducted on the responsible covered employee(s) when any of the circumstances below apply:

1. 1. If an accident involves a fatality with this employer's mass transit vehicle. This employer shall also test any other covered employee whose performance could have contributed to the fatal accident.
2. In a non-fatal accident, if the accident involves this employer's mass transit vehicle, each covered employee operating the mass transit vehicle shall be tested unless this employer determines that the covered employee's performance can be completely discounted as a contributing factor to the accident. This employer shall also test any other covered

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employee whose performance could have contributed to the accident. The non-fatal accident definition includes a person who as a result of the accident immediately receives medical treatment away from the scene of the accident or one or more vehicles incur disabling damage as a result of the accident, requiring the vehicle(s) to be transported away from the scene by tow truck or other motor vehicle. A non-fatal accident may also include some incidents where an individual suffers bodily injury and immediately receives medical treatment away from the scene of the accident even though there is no vehicle collision, unless the covered employee can be completely discounted as a contributing factor to the accident.

If a post accident breath alcohol test is not conducted within two hours following the accident, this employer shall prepare and maintain on file a record stating why the breath alcohol test was not promptly administered. If the breath alcohol test is not conducted within eight hours following the accident, this employer shall cease all attempts to complete the alcohol test and shall prepare and maintain a record stating why the breath alcohol test was not promptly administered. (See Attachment C)

If a post-accident drug test is not conducted within 32 hours following the accident, this employer shall cease all attempts to conduct the drug tests and prepare and maintain, on file, a record stating why the drug test was not promptly administered. (See Attachment C)

A covered employee who is subject to post-accident testing shall remain readily available for such testing or may be deemed by this employer as a refusal to test. Nothing in this section shall be construed to require the delay of necessary medical attention for injured people following an accident or to prohibit a covered employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary medical care.

This employer shall provide the covered employee with necessary post-accident information, procedures and instructions, prior to the covered employee's performing any safety-sensitive function, so that the covered employee will be able to comply with the requirements of this section. (See Attachment D)

The results of a blood, urine or breath test for the use of prohibited drugs or alcohol misuse conducted by federal, state or local officials, having independent authority for the test, shall be considered to meet the post-accident testing requirements provided such testing conforms to the applicable federal, state or local drug and/or alcohol testing requirements, and that the results are obtained by this employer. Such test results may be used only when the employer is unable to perform a post-accident test within the required periods as noted in (C) Post-Accident Testing of this Policy.

(D) REASONABLE SUSPICION TESTING

All persons designated by this employer who supervise its covered employees must complete supervisory training in accordance with 49 CFR Part 655.14. When the designated person(s) has reasonable suspicion that a covered employee has violated the "Use Prohibited" provision of Section 3 of this Policy that covered employee shall be required to submit to an alcohol and/or drug test. This employer's determination that reasonable suspicion exists to require the covered employee to undergo an alcohol and/or drug test must be based on specific contemporaneous, articulable observations concerning the appearance, behavior, speech or body odor of the covered employee. (See Attachment E)

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Under this employer's independent authority, if reasonable suspicion exists to require a covered employee to undergo a drug test, the employee will be immediately removed from performing any safety-sensitive functions and will not be allowed to perform any safety-sensitive functions until the employer receives a negative drug test result. If the employer receives a verified positive drug test result, the employee will be subject to the Disciplinary Action in Section 10 of this policy.

Alcohol testing is authorized when observations of the covered employee are made during, just before, or just after the period of the workday that the covered employee is required to be in compliance with Part 655. The covered employee may be required to undergo reasonable suspicion alcohol testing while the covered employee is performing safety-sensitive functions, just before the covered employee is to perform safety-sensitive functions, or just after the covered employee has ceased such functions.

If a reasonable suspicion alcohol test is not conducted within two hours after observing the covered employee, this employer shall prepare and maintain on file, a record stating the reason why the test was not promptly administered. If the test is not conducted within eight hours after observing the covered employee, this employer shall cease attempts to conduct the test and prepare and maintain on file a record stating the reasons why the test was not administered.

No covered employee shall report for duty or remain on duty when this employer's designated person(s) has observed the covered employee as under the influence of alcohol or impaired by alcohol. This employer shall not permit the covered employee to perform or continue to perform safety-sensitive functions until an alcohol test is conducted and the covered employee's alcohol test result is less than .02 or until the start of the covered employee's next regularly scheduled duty period, but not less than 8 hours following the determination that there was reasonable suspicion to believe the covered employee was under the influence of alcohol or impaired by alcohol. Any covered employee that is impaired by alcohol or under the influence of alcohol will be sent home for the remainder of the workday.

Refusal to submit to a reasonable suspicion test shall be considered a positive test.

The reasonable suspicion observation form must be completed and signed by at least one of the employer's designated person(s) who made the observations either within 24 hours of the observed behavior or before the drug test results are released, whichever is earlier. (See Attachment E)

(E) RETURN TO DUTY TESTING

Any covered employee who has engaged in conduct prohibited in the "Use Prohibited" (Section 3) of this policy or any other DOT drug and alcohol regulation shall be advised by this employer of the resources available in evaluating and resolving problems associated with the misuse of alcohol and/or drugs by providing the covered employee with the name, address and telephone number of one or more SAP's, counseling and treatment programs.

Any covered employee who has violated the "Use Prohibited" (Section 3) of this policy or any other DOT drug and alcohol regulation shall have a face-to-face clinical assessment and evaluation by a SAP to determine what assistance is needed for the covered employee to resolve problems associated with alcohol and/or drug use. The SAP must refer the covered employee to an appropriate education and/or treatment plan and provide a letter to the employer stating the specific recommendations of assistance for the covered employee. The covered employee shall have a

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face-to-face follow-up evaluation to determine if the covered employee has actively participated in the education and/or treatment program and has demonstrated successful compliance with the initial assessment and evaluation recommendations. Successful compliance could mean full or partial completion of the evaluation recommendations.

If the SAP feels the covered employee has not successfully complied with the recommendations of assistance, the SAP must provide a letter to the employer stating so. The covered employee will not be allowed to return to safety-sensitive functions and the employer may take employment action against the covered employee, up to and including termination.

If the SAP feels the covered employee has successfully complied or is continuing to comply with the recommendations of assistance, the SAP must provide a letter to the employer stating so. The SAP letter may include requirements for further recommendations of assistance and follow-up evaluations if the SAP believes that ongoing services are needed to assist the covered employee in maintaining sobriety or abstinence from drug use after the covered employee returns to safety-sensitive functions. The SAP letter provided to the employer shall also include the SAP's follow-up testing plan for the covered employee.

The employer shall fax or mail a copy of the SAP letter to the Consortium, who shall fax a copy to the MRO. The Consortium will assist the employer in determining whether the covered employee has complied with the SAP's recommendations. If the employer is ready for the covered employee to return to safety-sensitive functions, a return to duty test will be scheduled.

The SAP may direct the covered employee to undergo both a drug and alcohol test if the SAP determines that return to duty testing for both drugs and alcohol are necessary for the covered employee. If the alcohol test result is less than .02, and the drug test result is negative, the covered employee may return to safety-sensitive functions.

The provisions of this Section do not apply to an employee or applicant who refuses to submit to a pre-employment drug test or who receives a positive pre-employment drug test result, if this employer does not intend to hire or retain the applicant or employee. The provisions of this Section do not apply to a transferee who refuses to submit to a pre-employment drug test or who receives a positive pre-employment drug test result, if this employer does not intend to transfer the employee to a safety-sensitive position. The provisions of this Section do not apply if this employer has chosen not to rehire a covered employee who previously violated a provision of this employer's Policy.

(F) FOLLOW-UP TESTING

The covered employee will be subject to unannounced follow-up drug and/or alcohol tests following the covered employee's return to safety-sensitive functions. The number and frequency of such tests shall be determined by the SAP and shall consist of at least six tests in the first twelve months of the covered employee's return to duty. The SAP may direct the covered employee to undergo both drug and alcohol tests if the SAP determines that follow-up testing for both drugs and alcohol are necessary for that covered employee. Follow-up testing shall not exceed 60 months from the date of the covered employee's return to duty. The Consortium will assist the employer in ensuring that follow-up testing is conducted in accordance with the plan established by the SAP.

The provisions of this Section do not apply to an employee or applicant who refuses to submit to a pre-employment drug test or who receives a positive pre-employment drug test result, if this

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employer does not intend to hire or retain the applicant or employee. The provisions of this Section do not apply to a transferee who refuses to submit to a pre-employment drug test or who receives a positive pre-employment drug test result, if this employer does not intend to transfer the employee to a safety-sensitive position. The provisions of this Section do not apply if this employer has chosen not to rehire a covered employee who previously violated a provision of this employer's Policy.

Section 5 - DRUG TESTING

(A) DRUG TESTING PROCEDURES: All drug testing procedures will be followed in accordance with 49 CFR Part 40.

To ensure the integrity of collections, the facilities to be used for testing must be secured during drug testing by visual inspection to ensure that no foreign or unauthorized substances are present, to ensure other persons are not present and to ensure undetected access is not possible.

Bluing agents shall be put in the toilet bowl and in a moveable toilet tank (unless the tank is taped or otherwise secured). Any water source shall be secured or otherwise made unavailable to the covered employee. All soaps, disinfectants, cleaning agents or other possible adulterants shall be removed from the facility or otherwise secured, if not removable. All areas and items in the facility that could conceal contaminants shall be secured. All of the above shall be rechecked following each collection.

A covered employee shall appear at the collection site at the time specified by the employer. If the covered employee does not appear at the specified time, the collector shall notify the employer to determine how long it should take for the covered employee to arrive at the collection site. If the covered employee has not arrived by that time, the collector will contact the employer to inform him/her the covered employee has not reported for testing.

When the covered employee arrives at the collection site, the testing process will begin without undue delay. To ensure the security during the testing process, only one collection will be conducted at a time. The covered employee must have positive identification either by photo identification or by the identification of the employee by the employer representative. The collector will explain the basic collection procedures and show the covered employee the instructions on the back of the Federal Drug Testing Custody and Control Form (hereinafter called CCF). The covered employee will be instructed to remove and leave with the collector, or in a mutually agreeable location, any outer clothing (such as a coat, hat, or coveralls) along with any briefcase, purse or other personal belongings. The employee may retain his/her wallet.

The covered employee will be directed to empty his/her pockets and display the items in them. If the collector determines none of the items could adulterate the specimen, the covered employee may return the items into his/her pockets. If there is any material that could adulterate a specimen, the collector must determine whether the material was accidentally brought in or intentionally brought in to adulterate the specimen. If it was accidental, the collector will retain the material and return it to the covered employee when the testing process is complete. If it was intentional, a direct observation test will take place immediately.

The covered employee will be instructed not to list any medications that he/she is currently taking on the CCF (unless it is the covered employee's copy).

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The collector shall complete Step 1 of the CCF. The covered employee shall wash and dry his/her hands before providing the specimen. Thereafter, the covered employee will have no further access to water or other materials until the specimen is given to the collector. The covered employee will select a collection kit and the seal on the collection container will be broken in front of the collector and the covered employee. The covered employee will be instructed to go into the room, provide at least 45 mL of urine, not flush the toilet and return to the collector with the specimen. The covered employee will provide the specimen in private, except in the case of an observed or monitored collection. Any conduct that clearly indicates an attempt to tamper with a specimen will cause a new collection under direct observation to take place immediately.

The collector will ensure there is at least 45 mL of urine in the collection container and the temperature of the specimen is within the range of 90-100 degrees. If the temperature is out of that range, a new collection under direct observation will take place immediately. The specimen will also be inspected for unusual color, the presence of foreign objects or material or for other signs of tampering. If it is apparent the covered employee has tampered with the specimen, a new collection under direct observation will take place immediately.

The collector shall explain to the covered employee the reason for a direct observation test, except when the employer is required to do so. If the collector is not the same gender as the covered employee, a same gender observer will watch the covered employee urinate into the collection container. The observer will continue to watch the specimen until it is given to the collector.

A monitored collection will only be conducted if a multi-stalled restroom is used and all sources of water or potential adulterants cannot be secured. The collector must be the same gender, unless he or she is a medical professional. An observer must be the same gender. A bluing agent shall be put in the toilet the covered employee will use. The covered employee shall provide the urine specimen behind a closed stall door with the collector/observer standing outside of the stall door listening to the covered employee urinate into the collection container. If the collector/observer hears sounds or makes other observations of the covered employee attempting to tamper with a specimen, another collection will take place immediately under direct observation.

The tabs on the specimen bottles will be broken in front of the collector and the covered employee. The covered employee will give the specimen container to the collector and the collector will pour the urine specimen into the split specimen bottles. The primary specimen shall be at least 30 mL of urine. The split specimen shall be at least 15 mL of urine. The covered employee should observe the specimen at all times until the lids/caps are secured and the tamper-evident bottle seals are put over the lids/caps (this is for the covered employee's protection to ensure it is his/her specimen). The covered employee is to initial the tamper-evident bottle seals on the bottles for proof that it is her/her specimen. The covered employee will also be required to sign the CCF as proof that the specimen identified as having been collected is in fact the covered employee's. The collector will complete the CCF and place the specimen bottles and Copy 1 of the CCF in the pouches of the plastic bag and secure both pouches. The covered employee will then be dismissed from the collection site.

Both specimens are then sent by overnight delivery to the DHHS/SAMHSA-certified laboratory for testing of the five drugs or classes of drugs (as described in Section 1) and for validity testing.

All results will be reviewed by the MRO. Negative results will be released by the MRO to the Consortium, who will forward the results to this employer.

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Before a laboratory-confirmed positive test, adulterated test, substituted test or invalid test result will be released to the Consortium, the MRO will conduct a verification interview with the covered employee by telephone unless: the covered employee declines to discuss the test result; the MRO or the employer cannot make contact with the covered employee within 10 days of the MRO receiving the laboratory result; or more than 72 hours have passed since the employer has contacted the covered employee to call the MRO.

Before the start of the verification interview with the covered employee, the MRO will warn the covered employee that any medical information given to the MRO (medical conditions, medications or other substances affecting the performance of safety-sensitive functions the covered employee reports having or using) will be provided to third parties (the employer, a SAP evaluating a covered employee as part of the return to duty process, DOT, another federal safety agency or any other safety agency) if the MRO determines the information is likely to result in the covered employee being medically unqualified to perform safety-sensitive functions or is likely to pose a significant safety risk if the covered employee is allowed to continue performing safety-sensitive functions.

After informing any third party about the legally valid prescription under the Controlled Substances Act the employee is using, the MRO will allow 5 days for the employee to have his/her prescribing physician contact the MRO to determine if the medication can be changed to one that does not make the employee medically unqualified or pose a significant safety risk. If the MRO receives such information from the physician, the MRO must inform any third party who he had previously provided information to about the safety risks of the employee's other medication.

During the verification process, if the covered employee can give the MRO a legitimate medical explanation for the positive, adulterated or substituted test result, the MRO will report the verified test result as negative. If the covered employee cannot give the MRO a legitimate medical explanation, the verified positive test result will be reported as positive and the verified adulterated or substituted test result will be reported as a refusal to test. If the test result is invalid or contains an unexplained interfering substance and the covered employee cannot give the MRO an acceptable explanation or a valid prescription and the covered employee does not admit to adulterating or substituting the specimen, the verified test result will be reported as a cancelled test with a second collection to take place immediately on the covered employee under direct observation. If the covered employee can give the MRO an acceptable explanation, the verified test result will be a cancelled test with no further testing needed unless a negative result is needed for pre-employment, return to duty or follow-up testing. If the covered employee admits to adulterating or substituting the specimen, the verified test result will be reported as a refusal to test.

All verified positive, refusal to test (adulterated or substituted) and cancelled test results will be released by the MRO to the Consortium, who will forward the results to this employer.

(B) DILUTE SPECIMENS: The employer will treat a verified positive drug test result that is diluted the same as a verified positive drug test result.

The employer has chosen not to have any second collections conducted on negative dilute test results.

(C) SHY BLADDER: After a covered employee's first unsuccessful attempt to provide a minimum of 45 mL of urine, the shy bladder time starts. The collector will document on the remarks line of the CCF and inform the employee of the time in which the 3-hour period begins and ends. Any

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insufficient specimen shall be discarded. The covered employee will be urged to drink up to 40 oz. of fluids, reasonably through a period of up to 3 hours; however, it is not considered a refusal to test if the covered employee chooses not to drink fluids. If the covered employee does not provide a sufficient amount of specimen within 3 hours, the collection will be discontinued and the employer will be notified. The employer will consult with the MRO, then direct the covered employee to obtain, within 5 working days, an evaluation from a licensed physician, acceptable to the MRO, who has expertise in the medical issues associated with the covered employee's inability to provide an adequate amount of specimen. The physician must provide to the MRO a written statement of his/her recommendations and the basis for them. If the covered employee has a medical condition that could have prevented him/her from providing a sufficient amount of urine, and the MRO agrees with the physician's recommendation, the MRO will report the test result as a cancelled test. If the covered employee does not have a medical condition that could have prevented him/her from providing a sufficient amount of urine and the MRO agrees with the physician's recommendation, the MRO will report the test result as a refusal to test.

(D) SPLIT SPECIMEN TESTS: When a covered employee is notified of a positive drug test or a refusal to test because of adulteration or substitution, the covered employee has 72 hours from the time of notification by the MRO to request a test of the split specimen either verbally or in writing to the MRO. The MRO will then prepare the documentation and forward it to the laboratory that is storing the split specimen. That lab will then prepare the documentation and send both the split specimen and the documentation to another DHHS/SAMHSA lab for the split specimen testing. Pending the result of the split specimen test, the covered employee is not allowed to remain in a safety-sensitive function.

If the covered employee is unable to contact the MRO within 72 hours, the covered employee may present to the MRO information documenting that serious illness, injury, inability to contact the MRO, lack of actual notice of the verified test result, or other circumstances unavoidably prevented the covered employee from timely contacting the MRO. If the MRO concludes there is a legitimate explanation for the covered employee's failure to contact the MRO within 72 hours, the MRO shall direct that the test of the split specimen take place.

Another DHHS/SAMHSA laboratory will test the split specimen to either reconfirm or fail to confirm the positive, adulterated or substituted drug test result from the result of the primary specimen. If the split specimen reconfirms the positive, adulterated or substituted result, the positive or refusal to test result will stand. If the split specimen fails to confirm the positive, adulterated or substituted result, both the primary specimen and the split specimen test results will be cancelled by the MRO.

If the covered employee notifies the MRO to test the split specimen and the laboratory reports to the MRO the split specimen is not available, the MRO will cancel both the primary specimen and the split specimen tests and direct the employer to conduct another collection on the covered employee immediately under direct observation.

Under this employer's independent authority, any covered employee who requests a test of his/her split specimen shall reimburse the employer for the cost of the split specimen test assessed to this employer by the Consortium.

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Section 6 - ALCOHOL TESTING

[A] ALCOHOL TESTING PROCEDURES: All alcohol testing procedures will be followed in accordance with 49 CFR Part 40. All alcohol testing will be administered by a BAT/STT who has met the qualification training requirements in 49 CFR Part 40.

A covered employee shall only be tested for alcohol while the covered employee is performing a safety-sensitive function, just before a covered employee is to perform a safety-sensitive function, or just after the covered employee has ceased performing a safety-sensitive function.

If both a drug and alcohol test is to be conducted on the covered employee, the alcohol test must be completed before the urine collection process begins.

To ensure the security of the alcohol testing site, only authorized personnel shall be allowed to enter the testing site. The BAT/STT shall ensure that the covered employee is given privacy while an alcohol test is being conducted to prevent unauthorized persons from seeing or hearing the test result. Alcohol testing will be conducted on one covered employee at a time. The screening test and confirmation test, if needed, will be completed on a covered employee before the BAT/STT starts an alcohol test on another covered employee to be tested.

A covered employee shall appear at the collection site at the time specified by the employer. If the covered employee does not appear at the specified time, the BAT/STT shall notify the employer to determine how long it should take for the covered employee to arrive at the collection site. If the covered employee has not arrived by that time, the BAT/STT will contact the employer to inform him/her the covered employee has not reported for testing.

When the covered employee arrives at the collection site, the testing process will begin without undue delay. The covered employee must have positive identification either by photo identification or by the identification of the covered employee by the employer representative. The BAT/STT will explain the testing procedures and show the instructions on the back of the DOT Alcohol Testing Form (hereinafter called ATF) to the covered employee. The BAT/STT shall complete Step 1 on the ATF. The covered employee will then be directed to complete Step 2 on the ATF and sign the certification. If the covered employee refuses to sign the certification, the BAT/STT will document on the ATF that the covered employee has refused to test and the employer will be immediately notified.

If a saliva ASD (hereinafter called device) is used for the screening test, the BAT/STT will check the expiration date on the device and show it to the covered employee. If it is beyond the expiration date, the device shall be disposed of and a new device shall be used.

The BAT/STT will offer the covered employee the choice of using the swab himself/herself, or having the BAT/STT use the swab. If the covered employee uses it, the BAT/STT will instruct the covered employee to insert the absorbent end of the swab in his/her mouth and actively swab around the cheeks, gums and under the tongue for 30-60 seconds or until the cotton swab is thoroughly wet. Otherwise, if the covered employee chooses not to use the device, the BAT/STT

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will swab the covered employee's mouth. The BAT/STT will wear single-use examination or similar gloves when swabbing the covered employee's mouth and will change the gloves following each test given.

If the swab breaks or is contaminated (dropped on the floor or on a surface) or the swab is removed or falls from the device before the device is activated, the BAT/STT shall discard the device and conduct a new test using a new device. The BAT/STT shall note in the remarks section of the ATF the reason for the new test. The BAT/STT will offer the covered employee the choice of using the swab himself/herself, or having the BAT/STT use the swab, unless the BAT/STT feels the covered employee was responsible for the new test needing to be conducted.

On the new device, if the swab breaks or is contaminated (dropped on the floor or on a surface) or the swab is removed or falls from the device before the device is activated, the collection shall be terminated and an explanation shall be noted in the remarks section of the ATF. A new test shall then be conducted immediately by a BAT using an EBT for the screening test.

The BAT/STT shall place the device on a flat surface or hold the device at a slight angle and insert the swab into the entry port. The BAT/STT shall then apply gentle, steady pressure until the device indicates it is activated.

If the saliva ASD procedures are correctly followed but the device does not activate, the BAT/STT shall discard the device and conduct a new test on a new device. In all cases where a new test is necessary because the device does not activate, the BAT/STT will swab the covered employee's mouth.

The BAT/STT shall read the result displayed on the device 2 minutes after inserting the swab into the entry port. The BAT/STT shall show the device and its reading to the covered employee and shall record the result on the ATF. The BAT/STT shall also enter that a saliva ASD was used in Step 3 on the ATF.

If the result is less than .02 alcohol concentration, the BAT/STT shall sign and date Step 3 of the ATF. The BAT/STT must immediately transmit the alcohol test result using Copy 1 of the ATF by telephone, electronic means, or in person to the employer. All devices and materials used in the testing process shall be properly disposed of.

If an EBT is used for the screening test, the BAT or the covered employee will select an individually sealed mouthpiece. The BAT will open the sealed mouthpiece in front of the covered employee and insert it into the EBT. The covered employee will be requested to blow steadily and forcefully into the mouthpiece for at least six seconds or until the EBT indicates that enough breath has been obtained. The covered employee will be shown the breath alcohol test result and the result will be affixed to the ATF with tamper-evident tape.

If the result is less than .02 alcohol concentration, the BAT shall sign and date Step 3 on the ATF. The BAT must transmit the alcohol test result using Copy 1 of the ATF immediately by telephone, electronic means or in person to the employer.

If the alcohol concentration is .02 or greater, a confirmation test shall be conducted with an EBT not less than 15 minutes nor more than 30 minutes after the completion of the screening test. During that time, the covered employee will be asked not to eat, drink, belch or put anything into his/her mouth to prevent an accumulation of mouth alcohol that could lead to an artificially high reading on

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the confirmation test. The BAT/STT will note in the remarks on the ATF these instructions were given and will also note on the ATF if the covered employee chose to ignore the instructions. The confirmation test will still be conducted. If the confirmation test will be conducted at a different site, the BAT/STT or the employer must transport the covered employee to the testing site. The covered employee will not be allowed to drive a motor vehicle.

If the confirmation test is conducted more than 30 minutes after the result of the screening test, the BAT shall note in the remarks on the ATF the reason the confirmation test could not be conducted within the 15-30 minute time frame. The confirmation test will still be conducted.

If the screening test was conducted by a STT or if the confirmation test is to be conducted by a different BAT, the STT or BAT who conducted the screening test shall complete and sign Step 3 on the ATF and give the covered employee Copy 2 of the ATF. A new ATF will be used by the BAT who will be conducting the confirmation test. The BAT will require positive identification of the covered employee and explain the confirmation testing procedures. The BAT shall complete Step 1 on the ATF. The covered employee will then be directed to complete Step 2 on the ATF and sign the certification. If the covered employee refuses to sign the certification, the BAT/STT will document on the ATF that the covered employee has refused to test and the employer will be immediately notified.

Before the confirmation test is conducted, the BAT must conduct an air blank test on the EBT that reads "0.00" and show the reading to the covered employee. An individually sealed mouthpiece will be opened in front of the covered employee and attached to the EBT. The BAT and the covered employee shall read the sequential test number displayed on the EBT. The covered employee will be requested to blow steadily and forcefully into the mouthpiece for at least six seconds or until the EBT indicates that enough breath has been obtained. The covered employee will be shown the breath alcohol test result and the result will be affixed to the ATF with tamper-evident tape.

If the confirmation test result is less than .02 alcohol concentration, the BAT shall sign and date Step 3 on the ATF. The BAT must transmit the alcohol test result using Copy 1 of the ATF immediately by telephone, electronic means or in person to the employer.

If the confirmation test result is .02 or greater alcohol concentration, the covered employee shall be directed to sign Step 4 on the ATF. If the covered employee does not sign, the BAT will note in the remarks on the ATF of the covered employee's failure to sign Step 4. The covered employee's failure to sign Step 4 will not be considered a refusal to test. The BAT must immediately notify the employer by any means of an alcohol test result of .02 or greater to ensure the result is immediately received by the employer.

If a screening or confirmation test is invalid, the BAT/STT will inform the covered employee that the test is cancelled and note the problem on the remarks line on the ATF. If a new screening or confirmation test is capable of being done, a screening test will be repeated or a retest will be conducted for the confirmation test on the covered employee.

[B] INABILITY TO PROVIDE AN ADEQUATE AMOUNT OF SALIVA OR BREATH: If a covered employee is unable to provide sufficient saliva to complete a test on the saliva ASD to activate the device, the BAT/STT shall conduct a new test using a new saliva ASD. If the covered employee refuses to complete the new test, the BAT/STT shall terminate testing and immediately notify the employer.

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If a new test is conducted and the covered employee is still not able to provide sufficient saliva to complete the test, the employer shall be immediately notified and the alcohol test will then be administered by a BAT using an EBT.

If a covered employee is unable, or alleges he/she is unable to provide an amount of breath sufficient to give a reading on the EBT, the BAT should again instruct the covered employee to attempt to provide an adequate amount of breath and the proper way to do so. If the covered employee refuses to make a second attempt, the BAT shall discontinue the test and immediately notify the employer.

If the covered employee does make an attempt again and fails to provide an adequate amount of breath, the BAT may provide another opportunity to the covered employee if the BAT feels there is a strong likelihood the covered employee could provide a sufficient amount of breath. If the covered employee fails to provide an adequate amount of breath, the BAT shall note the failure on the remarks of the ATF and immediately notify the employer. The employer will then direct the covered employee to obtain, within 5 days, an evaluation from a licensed physician who is acceptable to the employer and has expertise in the medical issues associated with the covered employee's inability to provide a sufficient specimen. The employer will tell the physician the covered employee was required to take a DOT breath alcohol test but was unable to provide a sufficient amount of breath and the consequences for refusing to take the required alcohol test. The employer must also tell the physician to provide to the employer a signed statement of the physician's conclusions and the basis for them. If the physician determines the covered employee has a medical condition that could have prevented him/her from providing a sufficient amount of breath, the test will be cancelled. No further testing will be required except when the covered employee needs a test result of less than .02 for a return to duty or a follow-up test. If the physician determines the covered employee does not have a medical condition that could have prevented him/her from providing a sufficient amount of breath, it will be considered a refusal to test. The employer shall notify the covered employee of the physician's conclusions.

[C] OTHER ALCOHOL-RELATED CONDUCT: A covered employee tested under Section 4 of this policy who is found to have an alcohol concentration of .02 or greater, but less than .04, shall not perform or continue to perform safety-sensitive functions, nor shall this employer allow a covered employee to perform or continue to perform safety-sensitive functions, until the start of the covered employee's next regularly scheduled duty period, but not less than 8 hours following the administration of the alcohol test or until another alcohol test is conducted on the employee and the result is less than .02. Any covered employee who has an alcohol test result of .02 or greater, but less than .04, will be sent home, under this employer's independent authority.

Section 7 - ACCESS TO RECORDS

All laboratory records pertaining to a given urine specimen will be kept by the laboratory for two years, unless otherwise instructed by this employer, the employee, the MRO or a DOT agency to retain the records for an additional period of time. The laboratory will keep in long-term frozen storage a confirmed positive, adulterated, substituted or invalid split specimen in its original-labeled specimen bottle for at least one year to be available for the purpose of preserving evidence for litigation or a safety investigation. All MRO records pertaining to negative drug test results are kept by the MRO for one year. All records pertaining to confirmed positive, adulterated, substituted or invalid test results are kept by the MRO for a minimum of five years.

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All records pertaining to the employer's drug and alcohol testing program shall be maintained in a secure location with controlled access and shall be maintained according to 49CFR Part 655. Records, including drug and alcohol test results, shall only be released in the following circumstances:

Upon written request, covered employees are entitled to copies of their records pertaining to their use of drugs or alcohol, including any records pertaining to their drug and alcohol tests. Covered employees are also entitled to have access to any pertinent records directly related to their given urine or alcohol specimen testing such as equipment calibration maintenance records and records of laboratory certifications. This employer shall promptly provide records requested by the covered employee and shall not be conditional upon the employer's receipt of payment for the preparation and/or production of those records.

Records to subsequent employers shall be made available upon receipt of a written authorization from the covered employee. This employer will only disclose information that is expressly authorized by the terms of the covered employee's request. This employer shall provide such information and results requested promptly to the subsequent employer at no charge.

This employer may disclose drug and alcohol information pertaining to a covered employee to the employee or to the decision maker in a lawsuit, grievance or other proceeding initiated by or on behalf of the covered employee, and arising from the results of a drug and alcohol test administered according to 49 CFR Parts 655 and 40 or from this employer's determination that the covered employee engaged in conduct prohibited in Section 3 ("Use Prohibited")(including, but not limited to worker's compensation, unemployment compensation or other proceeding relating to a benefit sought by the covered employee). In addition, the employer may disclose information in criminal or civil actions resulting from the covered employee's performance of safety-sensitive functions, in which a court of competent jurisdiction determines that the drug and alcohol test information sought is relevant to the case and issues an order directing the employer to produce the information. The employer may release the information to the decision-maker in the proceeding only with a binding stipulation that the decision-maker to whom it was released will make it available only to parties in the proceeding. The employer must notify the covered employee in writing of any information released to the decision-maker in the criminal or civil proceeding.

This employer may disclose drug and alcohol testing information required to be maintained under 49 CFR Part 655, pertaining to a covered employee, to the State oversight agency or grantee required to certify to FTA compliance with the drug and alcohol testing procedures of 49 CFR Parts 40 and 655.

This employer shall only release information regarding a covered employee's record as directed by the specific written consent of the covered employee to an identified person. Release of that information by the person receiving the information is permitted only in accordance with the terms of the employee's consent.

Records shall be accessible and copies shall be made available in all of the employer's facilities to the U.S. Secretary of Transportation, or any Federal, state or local safety agency with regulatory authority over the employer or any of the employers covered employees.

Information related to the employer's administration of a post-accident alcohol and/or drug test administered following an accident under investigation by the National Transportation Safety Board (NTSB) shall be made available when requested by the NTSB.

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In the event this employer chooses to rehabilitate a covered employee with a positive alcohol result of .04 or greater, or a refusal to test, this employer shall release the alcohol result and or documentation to the Consortium and to the MRO to assist with the return to duty and follow-up testing as required under 49 CFR Part 40.

Section 8 - EMPLOYEE ASSISTANCE PROGRAM

Each covered employee will receive a copy of this anti-drug and alcohol-misuse policy, which includes all requirements under 49 CFR Part 655.15 and 655.16. Some of those requirements include: the name(s) of the person or people that can answer covered employees' questions about the drug and alcohol program and testing; what period of the workday the covered employee is required to be in compliance; which covered employees are required to comply with the federal regulations and this policy; what conduct and behavior is prohibited under this drug and alcohol program; the circumstances in which the covered employee will be tested for drugs and alcohol; what procedures are used to test for drugs and alcohol; that the employee must submit to drug and alcohol testing as required by Part 655; what kind of behavior that constitutes a refusal to test and that a refusal to test is a violation of this Policy; the disciplinary action that will be taken on an employee who has a verified positive drug test, a verified positive alcohol test of .04 or greater or refuses to submit to test, including that the employee be removed from any safety-sensitive functions and be evaluated by a SAP; the consequences for an employee who has an alcohol concentration of .02 or greater, but less than .04; and any other requirements included in this Policy that exceeds CFR Parts 40 and 655. Each covered employee shall be given educational information concerning the effects and consequences of drug use on the covered employee's personal health, safety and work environment, including signs and symptoms of a drug problem. Also provided to the covered employee under this employer's independent authority is educational information concerning the effects and consequences of alcohol use on the covered employee's personal health, safety and work environment, including signs and symptoms of an alcohol problem.

Each covered employee will be required to sign an Anti-Drug & Alcohol-Misuse Policy Receipt Certificate (See Attachment G) certifying that they received a copy of the Anti-Drug and Alcohol-Misuse Policy which includes the required content as stated above. This employer will provide a copy of the Anti-Drug & Alcohol-Misuse Policy Receipt Certificate to each covered employee and keep the original.

Each covered employee will receive at least 60 minutes of training on the effects and consequences of prohibited drug use on personal health, safety, and the work environment, and on the signs and symptoms which may indicate prohibited drug use. It is the covered employee's responsibility to report to work fit for duty, and remain fit throughout the workday in order to perform in a safe, efficient and productive manner. The covered employee will also be made aware of the signs and symptoms of a drug and/or alcohol problem (his/hers or a co-worker's) and shall be made aware of ways to intervene when a drug and/or alcohol problem is suspected, including referral to management, referral to an employee assistance program (if available from the employer), and referral to drug and/or alcohol abuse hotlines and help-lines as provided below, or local Alcoholics Anonymous or Narcotics Anonymous groups.

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When a covered employee suspects a co-worker is under the influence of drugs and/or alcohol, the covered employee should refer the co-worker's name to management, who shall respond accordingly.

These hotline and help-line numbers are made available as a reference only:

Focus on Recovery Help-Line for Alcohol and Drug Abuse (800) 234-0286, (800) 234-0246, (800) 234-0420

The Center for Substance Abuse Treatments Drug Information, Treatment, and Referral Hotline (800) 662-HELP (4357)

Section 9 - INFORMATION CONCERNING THE EFFECTS OF ALCOHOL AND CONTROLLED SUBSTANCES USE ON AN INDIVIDUAL'S HEALTH, WORK & PERSONAL LIFE

Employees who abuse drugs and/or alcohol cause more absenteeism, loss in work productivity, more accidents and more medical claims. This results in a loss of \$140 billion to American businesses each year.

Compared with the average employee, a typical drug-using employee in the workplace is:

- 2.5 2.5 times more likely to be absent 8 days or more each year;
- 3 times more likely to be late for work;
- 3.6 3.6 times more likely to be involved in workplace accidents;
- 5 times more likely to file a workers' compensation claim; and,
- incur 300% higher medical claims.

Marijuana - The common name for the drug made from chopped leaves, stems and flowering tops of a cannabis plant. Some common street names for marijuana are "dope," "grass," "joint," "pot," "reefer." Marijuana can be smoked or eaten.

Marijuana is a depressant and mind-altering drug. It works on the brain and causes hallucinations. A person using marijuana is more than likely to experience slowed reaction time, reduced concentration, distorted vision and depth perception, is slower in making decisions, often drives slower than the speed limit, is unable to correctly measure distance and time, and has impaired short-term memory.

Some of the symptoms and signs of marijuana use are:

- | | |
|------------------------|--------------------|
| short-term memory loss | reddened eyes |
| moodiness | increased appetite |
| increased heart rate | slowed thinking |
| dilated pupils | loss of memory |

Some visible signs noted for the presence of marijuana are:

- | | |
|--------------------------|-------------|
| roach clips | bongs |
| cigarette rolling papers | small pipes |

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“one hitters” (usually metal - slim tubular device)

The active ingredient in marijuana (THC) is stored in the body fat and could be retained for days or weeks, depending on the quality of the drug, the tolerance of the user and the dosage or amount taken. Marijuana and alcohol together will magnify the effects of both many times. Chronic marijuana smoking could cause severe irritation of the lungs, heart problems, reduced immune system and possible brain damage.

Phencyclidine (PCP) - PCP was developed originally as an anesthetic but was taken off the market because it sometimes caused hallucinations. The most common street names for PCP are “angel dust,” “crystal,” “tea” and “THC.” PCP is sold in various forms, mainly as a white, off-white or brown crystal-like powder, tablet or capsule. It can be ingested by mouth, snorted or injected intravenously. It can also be smoked when combined with marijuana or tobacco.

A person using PCP is more than likely to experience impaired coordination and dulled senses, a sense of power, drowsiness, aggressive behavior, hallucinations and blurred or double-vision. In some cases a person could even experience convulsions, coma, ruptured blood vessels in the brain, heart and lung failure, or even death.

Some of the symptoms and signs of PCP use are:

confusion	increased blood pressure
anxiety	panic
dizziness	drowsiness
hallucinations	disorientation
increased heart rate	sweating
aggressive behavior	

Some of the signs for the presence of PCP are:

needles	capsules
syringes	tablets
plastic packets with a powdery substance	

PCP is water soluble but still could be retained in the body's system for days, depending on the quality of the drug, the tolerance of the user and the dosage or amount taken. PCP and alcohol together is dangerous and could cause an overdose. Chronic PCP use could cause hallucinations, psychosis, convulsions, coma or possible death.

Cocaine - Cocaine comes from the leaves of coca plants. Some common street names for cocaine are “coke,” “crack,” “rock,” “snort,” “toot,” “blow,” and “snow.” Cocaine can be snorted, injected intravenously, smoked or free-based (heating the cocaine and inhaling the vapors).

Cocaine stimulates the body's central nervous system. Psychological dependence on the drug can be high with repeated use.

A person using cocaine is more than likely to experience impatience, anger, overstimulated reflexes, distorted vision and depth perception, slow reaction time and false sense of security and

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alertness. In some cases, a person could even experience seizures, heart attacks, convulsions, hallucinations and death.

Some of the symptoms and signs of cocaine use are:

dilated pupils	nose bleeds
paranoia	irritability
runny nose	needle marks
increased blood pressure	hallucinations
restlessness	talkativeness
anxiety	weight loss
depression	nervousness

Some of the signs for the presence of cocaine are:

small spoons	mirrors
needles	small plastic bags or vials
syringes	small drinking straws
razor blades	rolled paper currency
small butane torch	

Cocaine is water soluble but still could be retained in the body's system for several days, depending on the quality of the drug, the tolerance of the user and the dosage or amounts taken. Cocaine causes the most mental dependency of any known drug. Cocaine and depressants, taken together, can be very dangerous or even fatal. Intravenous users have a high risk of contracting liver disease, tetanus, serum hepatitis and AIDS from the use of needles. Chronic cocaine use could cause seizures, heart attacks, strokes, convulsions, depression or death.

Amphetamines- Amphetamines are manufactured central nervous system stimulants used most often by individuals to stay awake. Psychological dependence on the drug can be high with repeated use. Some common street names for amphetamines are "speed," "crank," "meth," "crystal," "diet pills," "bennies" and "uppers."

In pure form, amphetamines are yellowish crystals in which some are made into tablets, pills or capsules. Amphetamines can be ingested in tablet, pill or capsule form, snorted, or injected intravenously if in powder or liquid form.

A person using amphetamines is more than likely to experience delayed reaction time, overstimulated reflexes, anxiety, irritability, distorted vision and depth perception, and a false sense of security and alertness.

Some of the symptoms and signs of amphetamine use are:

loss of appetite	paranoia
weight loss	sweating
dilated pupils	increased blood pressure
dry mouth	talkativeness
sleeplessness	nervousness
needle marks	depression
hallucinations	anxiety

Some of the signs for the presence of amphetamines are:

pills	small butane torch
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tablets
capsules
small plastic bags or vials
needles

rolled paper currency
small drinking straws
razor blades
syringes

Amphetamines are water-soluble, but still could be retained in the body's system for several days depending on the quality of the drug, the tolerance of the user and the dosage or amount taken. Chronic amphetamine use could cause physical collapse, delusions, hallucinations, brain damage, heart damage, toxic psychosis or death.

Opiates - Some opiates come from the seed pod of the Asian poppy. Other opiates are synthesized or manufactured. Psychological dependence can be high with repeated use. Some common street names are "horse," "junk," "smack," "downers," "M," "yellow jackets," "blues" and "ludes."

Opiates are in many different compounds and forms. The most common are the pills, tablets or capsules. Other compounds and forms are in liquid or powder form. Opiates can be injected, smoked or injected intravenously.

A person using opiates is more than likely to experience distorted sense of time and distance, slowed reflexes, difficulty focusing, drowsiness and little or no concentration.

Some of the symptoms and signs of opiate use are:

nausea
loss of appetite
drowsiness
depression
reduced pain
constricted pupils
diarrhea

needle marks
confusion
cold or moist skin
short attention span
memory loss
sweating
vomiting

Some of the signs for the presence of opiates are:

pills
tablets
capsules
needles
syringes

bottle caps
small packets
eye droppers
small spoons

Opiates are water soluble, but still could be retained in the body's system for one to several days, depending on the quality of the drug, the tolerance of the user and the dosage or amount taken. Opiates taken with alcohol and other depressant drugs magnify the effects of the opiates and could lead to overdoses. Intravenous users have a high risk of contracting liver disease, tetanus, serum hepatitis and AIDS from the use of needles. Chronic opiate use could cause loss of consciousness, convulsions, coma or death.

Alcohol - Some common street names for alcohol are "booze," "juice," "brew," "sauce" and "hooch."

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As a rule, a drink or two will create a feeling of well-being. What determines the rate of metabolism in the body and how fast it dissipates the alcohol depends on the altitude, the individual's body weight, metabolism, stomach content, gender, and whether the individual is sick or healthy, rested or tired. After the first drink or two, impairment begins, depending on the factors stated above. When the individual consumes alcohol that produces physical or mood-altering effects, it becomes a substance of abuse.

A person using alcohol is more than likely to experience blurred or distorted vision, impaired reaction time, impaired judgment, anger, nausea, drowsiness and aggressiveness.

Some of the symptoms and signs of alcohol use are:

slurred speech	hostility
odor on breath	insomnia
flushed skin	loss of concentration
glazed eyes	unsteadiness
blackouts	memory loss
drowsiness	incoherence

Chronic alcohol use could cause brain damage, neurological damage, liver damage, pancreas and kidney damage, heart problems, strokes, cancer, coma, toxic psychosis and possible death.

Section 10 - DISCIPLINARY ACTION - Under this employer's independent authority, any employee who is subject to testing under this Anti-Drug & Alcohol Misuse Policy shall be subject to the following disciplinary action:

After the second violation of this policy, the covered employee shall be terminated.

After each violation(s) of this policy, this employer will advise the covered employee of the resources available in evaluating and resolving problems associated with the misuse of drugs and/or alcohol.

Prior to being eligible for return to duty testing, a covered employee who has violated this policy shall go to a SAP for a face-to-face clinical assessment and evaluation to determine what assistance is needed for the covered employee. The SAP must provide a letter to the employer stating the specific recommendations of assistance the covered employee must follow. When the covered employee has successfully complied with the SAP's recommendations, the covered employee shall go to the SAP for a face-to-face follow-up evaluation. The SAP shall confer with or obtain documentation from the appropriate education and/or treatment program the covered employee was referred to and determine if the covered employee has demonstrated successful compliance with his/her initial evaluation recommendations. If the covered employee has shown successful compliance with the SAP's recommendations, the SAP will provide a letter to the employer stating such and shall include the follow-up testing plan for the covered employee. If the covered employee has not shown successful compliance with the SAP's recommendations, the SAP will provide a letter to the employer stating such and the covered employee will not be eligible for a return to duty test or to perform safety-sensitive functions until the covered employee has shown successful compliance with the SAP's recommendations.

VALLS SHIPPING AGENCIES, LP

The employee will be referred to the Employee Assistance Program (EAP) for the evaluations. The costs for the evaluations will be covered in accordance with the EAP's provider agreement. The costs for the treatment and/or education recommended by the EAP may be covered by the employer's health plan. If not, the treatment and/or education will be the covered employee's responsibility. The costs of the return to duty and follow-up testing will be covered by the employer.

-

THIS IS NOT AN EMPLOYMENT CONTRACT



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The site is secure.

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Reflects inspection data through 08/25/2025

Use our establishment search to locate OSHA enforcement inspections by establishment name. You can also search by a specific inspection number or inspections within a specific industry using NAICS or SIC.

You can now find citation information for violations that Federal OSHA has cited.

For violation and citation results:

- Enter the establishment name in the "Establishment" box and select the "Search" button at the bottom;
- Select the Activity Number (inspection) in the search results;
- If a citation was issued, it will appear under "Violation Items"; and
- Select the "Citation ID" to view the details for that specific citation.

Continue to check back for updates, as citations or violations may be modified during the investigation process.

⚠ Note: Before using our establishment search, please read important information below on how to interpret the results.

Search By:

Your search did not return any results.

Enter an Establishment name, select an OSHA Office, or enter a Site Zip Code.

Establishment

SUNSHINE SHIPPING, INC.

(This field can also be used to search for a State Activity Number for the following states: NC, SC, KY, OR, WA, IN (before April 2022) and AZ (after June 2021))

State

All States



Fed & State



OSHA Office

All Offices



Site Zip Code

Case Status



All



Closed



Open

Inspection Date

Start Date August ▼ 26 ▼ 2020 ▼

End Date August ▼ 26 ▼ 2025 ▼

[Search](#) [Reset](#)**Can't find it?**[For Wildcard search, use %](#)[Establishment Search Help](#)[Search Basics and Search Syntax Examples](#)**NOTE TO USERS**

The Integrated Management Information System (IMIS) was designed as an information resource for in-house use by OSHA staff and management, and by state agencies which carry out federally-approved OSHA programs. Access to this OSHA work product is being afforded via the Internet for the use of members of the public who wish to track OSHA interventions at particular work sites or to perform statistical analyses of OSHA enforcement activity. It is critical that users of the data understand several aspects of the system in order to accurately use the information.

The source of the information in the IMIS is the local federal or state office in the geographical area where the activity occurred. Information is entered as events occur in the course of agency activities. Until cases are closed, IMIS entries concerning specific OSHA inspections are subject to continuing correction and updating, particularly with regard to citation items, which are subject to modification by amended citations, settlement agreements, or as a result of contest proceedings. THE USER SHOULD ALSO BE AWARE THAT DIFFERENT COMPANIES MAY HAVE SIMILAR NAMES AND CLOSE ATTENTION TO THE ADDRESS MAY BE NECESSARY TO AVOID MISINTERPRETATION.

The Integrated Management Information System (IMIS) is designed and administered as a management tool for OSHA to help it direct its resources. When IMIS is put to new or different uses, the data should be verified by reference to the case file and confirmed by the appropriate federal or state office. Employers or employees who believe a particular IMIS entry to be inaccurate, incomplete or out-of-date are encouraged to contact the OSHA field office or state plan agency which originated the entry.

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Establishment

VALLS SHIP AGENCIES LP

(This field can also be used to search for a State Activity Number for the following states: NC, SC, KY, OR, WA, IN (before April 2022) and AZ (after June 2021))

State

All States



Fed & State



OSHA Office

All Offices



Site Zip Code

Case Status



All



Closed



Open

Inspection Date

Start Date August ▼ 26 ▼ 2020 ▼

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P - Provides facility-related permit information.

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Facilities Search Results

Criteria selected:

Facility Name = VALLS SHIP AGENCIES LP

Searching For = Search all facilities

For additional information, select the hyperlinks under "Data Links" where available.

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VALLS SHIP AGENCIES, L.P.

POST OFFICE BOX 23405 • TAMPA, FLORIDA 33623
TEL: 813-639-4300 • FAX: 813-639-0409
Email: agency.tampa@vallsgroup.com

Page 9, Section Q 4 – Environmental Commitment

Health, Safety and Environment Commitment Statement

The executive leadership team, management and employees at Valls Ship Agencies are committed to being an industry leader in Health, Safety and Environmental practices, to maintaining a safe and healthy workplace, and to protecting the environment. We believe excellence in Health, Safety and Environmental practices is vital to the wellbeing of all people everywhere and essential to all aspects of our port business.

The following principles guide and measure our corporate goals and objectives in Health, Safety and Environment:

- We conduct our business so it meets or exceeds all applicable laws and regulations and minimizes risk to our employees, the public and the environment;
- We are committed to continuously improving our Health, Safety and Environment performance;
- We continually promote employee safety on and off the job;
- We believe all occupational injuries and illnesses are preventable;
- We respect the diverse environments and cultures in which we operate;
- We endeavor to do business with companies and contractors which share our Health, Safety and Environment commitment and we regularly assess their performance;
- We use our influence with companies in which we have partial ownership, to meet our Health, Safety and Environment commitment;
- We support open communication between Valls Ship Agencies, our vendors, and the public; and we work with the port community, policy makers and public interest groups who research, develop and implement standards for Health, Safety and Environmental protection.
- We encourage reporting of all Health, Safety and Environment related hazards, potential hazards, incidents and near-hits. We take every report seriously, investigate to identify facts and ensure immunity for good-faith reporting of all incidents and issues.

Respectfully yours,



J.A. Peirano
VP Operations

Valls Ship Agencies Business Statement for Port Everglades

Port Everglades Corporate Communications recently (in June 2020) released the Port Everglades Growth Plan through 2038. The Broward County Mayor is quoted, saying, “this 20-Year Master/Vision Plan update is comprehensive and strategically paves the way for future growth and progress at Port Everglades.” As a privileged Franchise holder, it is our duty to match the commitment of the County and our Port Everglades partners. Our Port Everglades office employs just three (3) of the 13,000 individuals that the port supports. We are grateful to be a small part of this tremendous port economic engine. We are committed to maintaining and renewing (when appropriate) our very convenient office location at the Amman Building, located at 2550 Eisenhower Blvd.

A majority of our agency business serves the tanker and petroleum trade in Port Everglades. A partial client list includes CITGO, Valero, Marathon, Racetrac, Global, Gulf Inc, and Wawa. Over the past ten (10) years, our company has collected dockage and made payment of such to Broward County as follows:

2015: \$2.74 Million
2016: \$2.24 Million
2017: \$3.07 Million
2018: \$3.55 Million
2019: \$3.42 Million
2020 - \$3,423,689
2021 - \$4,379,980
2022 - \$5,448,103
2023 - \$5,773,849
2024 - \$5,612,736
2025: TBA

For 2025 and beyond, we are actively soliciting ship owners/managers to utilize Port Everglades. Also revealed in the 2038 Master Plan, is the widening and deepening of Slip 1. The private terminal operator has committed to relocating and upsizing loading arms and manifolds. These upgrades will improve discharge rates and the overall vessel turnaround at the petroleum berths. For our clients, these efficiencies provide real value and motivate the chartering of larger vessels to call Port Everglades. As the post-COVID-19 economy rebounds, we remain ready for the uptick in petroleum traffic. Energy companies like Valero, Global and CITGO are preparing for south Florida’s high-growth market. These few petroleum entities in particular deliver large quantities of Jet fuel into Port Everglades.

Valls Ship Agencies opened its first office in Corpus Christi, Texas in 1978. Our leadership in the industry spans over forty-two years. We currently operate in twenty (20) deep water ports on the US Gulf, Mississippi River, and Florida. We are both pleased and excited to continue our partnership with Port Everglades in the growth and management of international and U.S. trade.