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August/September 2017

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### From the President

### By Jason Tourville

I remember being outside constantly when I was young. When school was out for summer I would go out in the morning and often wouldn't come back inside until it was getting dark. Some days I would go to work with my dad at the salvage yard. Weed eating, cutting out thistles from the yard, mowing, and if I was really lucky, pulling parts would be the activities of the day.

My favorite days at work with dad were the days I got to go to the salvage auction with him. Every auction or sealed bid sale held the promise of seeing some awesome new cars that had met an unfortunate end. Would I see a totaled out new Camaro that lost it in a street race? A lifted Ramcharger that had given in to the laws of physics? Maybe the latest Datsun Z-car that some spoiled teenager couldn't negotiate through our Ozark Mountain curves. Dad and all of his auction competitors would arrive early before the sale, studying the offerings of the day and jockeying for who might win the best units. The sealed bid sale was the best because we went to the bar-b-que shack for lunch while they opened the bids, which was a rare treat. Then it was back to the sale to see what dad had won and who had overpaid for what. Most of the things dad and I did together revolved around his work, but he was always willing to bring me along and I learned so much from him.

These days the auctions have turned into much less of an adventure. Management duties and buying keep me indoors much more than I would like and much more than they did my father. I have noticed that after a while it starts working on my attitude and my health. I am making a push this summer to spend more time outdoors. It's good for this old soul of mine and helps me connect with my creator and my family.

A simple fire pit in the backyard has proved to be a great place to gather for conversation, hot dogs and s'mores. Evening walks and lake days are also helping me make memories with my younger children that I can't make with them at work like my dad

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Missouri Automobile and Truck Recyclers Association

Newsletter content and association membership inquiries should be directed to:

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#### **Missouri Auto & Truck Recyclers News**

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### ASSOCIATION NEWS

August/September 2017

### 2017 Legislative Session Review

### By Randy J. Scherr, Executive Director

During the first few weeks of Governor Grieten's administration he staged a press conference in front of a giant stack of Missouri regulations. His pledge to the citizens of Missouri was to reign in "out of control" regulations and make Missouri more business friendly.

To that end, the Missouri Department of Natural Resources announced in April that they are eliminating the storm water sampling requirements and subsequent reports established under the previous administration. The MATR office sent an email to the membership on this, that details a lot of the ins and outs of the changed rules.

While the very onerous water sampling and reporting are not required you still have to keep up your facilities Stormwater Pollution Prevention Program and best management practices.

MATR encourages you to contact us if there are issues arising at your shop or yard that you think that this new administration may want to consider changing. The Missouri Department of Natural Resources has expressed their hope to "not be an impediment to business". MATR wants to be a resource to our members and an advocate for your interests. Please don't hesitate to contact us.

## Top 5 Tools For When a Regulator Shows Up

Reilly Taylor – Geologist, Grace Miller – Environmental Scientist, VET Environmental Engineering, LLC

### 1. Treat inspectors in a welcoming and professional manner.

Treat the inspection as if meeting the in-laws for the first time. For those of you lucky enough to have never experienced this situation – shake off any anxiety, be confident, be courteous, and smile! It's important to start off on the right foot and set the tone for a positive interaction. Welcome the inspector to your facility. Introduce yourself and other managers and employees nearby. Ask for the inspector's name and the agency and department they are representing (get a business card if possible). After the introductions, kick up a little small talk to ease any tension by asking how the drive was or what city they are from. When the clipboards come out and the inspection begins, don't take offence to any noted deficiencies or recommendations. Be polite and accommodating to ensure the inspection goes as smoothly as possible and the inspector leaves on a positive note.

### 2. Do appropriate PPE and provide it to the inspector if necessary.

Before you head out to working areas, be sure you're wearing your PPE. For typical recyclers this may include a hard hat, steel-toed boots, safety glasses, gloves, and/or reflective vest. The inspector should also wear PPE – keep a clean set (or two) in your office on the off chance a surprise inspector doesn't have their own. This shows the



inspector that you're dedicated to the safety of all people at your facility, not just your employees.

### 3. Take notes and be responsive.

It's important to show the inspector that you value what they do and want to benefit from the inspection. Follow the inspector as they complete their inspection and answer any questions they may have. Provide honest and definite answers without adding extraneous information. Avoid speculation on anything you do not know for sure. If you cannot answer a question, tell the inspector you will look into it and get back to them in a timely manner. Take notes on what the inspector observed and any comments made. If the inspector seems open to discussion, ask them if they have any tips or recommendations and jot down any helpful notes. During the conclusion of the inspection ask the inspector any remaining questions you may have. At this time, it is a good idea to ask the inspector to summarize their findings. Please note that the inspector may not be obligated to provide you with an inspection summary before they leave and you may have to wait for a written report. In taking notes and being responsive, you show the inspector your willingness to improve and act on noted deficiencies.

# 4. IT'S NOT THE END OF THE WORLD! Know that most violations are fixable. A single inspection will not lead to the downfall of your entire business.

Inspectors are human. They spend most days plowing through paperwork and working around unhappy people being cited. They don't really want to be there any more than you do. Their goal and your goal are mutual: to fix the problem and move on. Regulators don't expect businesses to be perfect all the time, and they don't expect compliance to suddenly happen overnight. What

they do expect is respect, an honest effort by your company to fix noted problems, and work toward compliance. Be sure to maintain communication with the agency throughout the process and respond to all communication in a timely manner. Do NOT ignore them. They will not go away (trust us – they really won't), and ignoring them could result in fines or drawn-out enforcement action that was not originally intended. When you work with the agency instead of against it, it shows that you genuinely want to fix the problem and puts your business in a favorable light. There IS life after a violation.

### 5. Always be prepared.

Keep records handy. You should be able to readily access certifications, training records, your company's salvage license and business permits, your stormwater and spill prevention plans, and any records of waste material disposal. Not only is it beneficial to have these in a crisis, but it also shows the inspector that you care enough about your business practices to keep and maintain your records.

Conduct regular walkthroughs of your facility. Encourage good habits and immediately address substandard ones. Look for things that could be unsafe or ways to improve your processes – use a walkthrough as an opportunity to streamline your business. Periodic clean-ups, even ten or fifteen minutes long, should be a priority and should involve EVERYONE. Cleanliness and tidiness provide regulators with a first impression of your business – make it a good one!

Finally, you're never expected to go it alone. Consider choosing a program to help you keep on top of those inspections, trainings, and records. The program should be administered by a professional familiar with requirements for YOUR industry and state. The program should provide recordkeeping, safety training materials, required inspections, due



### ASSOCIATION NEWS

August/September 2017

dates, and reminders. A good program will give you peace of mind, help you maintain compliance, and stay organized. Let the program deal with researching requirements and developing materials so you can focus on performing the tasks and running your business.

When in doubt, call us. Our new office number is (812) 822-0400.

### **Got Compliance?**

Based in Bloomington IN, VET Environmental Engineering has provided top notch environmental consultation to the Illinois Green Certified Automotive Recycler (IL Green CAR) and the Indiana Certified Automotive Recyclers Exemplary Standards (INCARES) programs since 2013. Indiana and Illinois since 2013. Their focus is to assist Midwest businesses in developing personalized strategies to gain and maintain environmental compliance. For more information visit www. vet-env.com or call (812) 822-0400.

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# Extended Warranties – Waste of Money or Peace of Mind?

### By Theresa Colbert

Should your yard offer extended warranties? This is a big decision, and you need to look at many variables before you decide on what is best for your yard.

Consumer Reports has often said that businesses far and wide, from automakers to computer companies, make more money on the sale of extended warranties than they do from the actual products they make. There is a reason that every time you go into a major retailer you are offered an extended warranty. This is also why your competition and the ""big box" recyclers offer extended warranties.

But a Harvard Business Review writer, Rafi Mohammed, argues that Consumer Reports' analysis didn't include additional value that consumers and businesses receive from extended warranties. For example, warranties provide "peace of mind" benefits, since an extended warranty takes the hassle out of those eventual repairs. That can't be easily quantified financially. As Mohammed notes: "Extended warranties mitigate the concern of being 'ripped off' on the repair, because service companies have an incentive to fix the problem efficiently. Bottom line: There's value in being able to sleep well at night."

### Are extended warranties for everyone?

The honest answer is: not always! Knowing your customers, your selling area, and your products is the first step in deciding if you should offer them. Do your customers expect a longer warranty, and are they willing to pay for it? A lot of shops are selling the extended



warranty to the end user and have no problem selling it for you. Car-Part Pro has extended warranties built in. If a user decides they want a longer warranty, the search results show a price with the warranty already built in.

Also, do you really know your product? Why should you test your parts? This one is a biggie! Some consultants will tell you that if you offer an extended warranty, you don't have to test your parts. I beg to differ! Before I was in the dismantling side of our industry, I managed a repair shop and had 7 techs working for me. My question to you is: what would you do if you were a shop, and a yard sent you one bad motor? How about two or three? The extra income of extended warranties will not overcome the loss of an unhappy customer or an angry mechanic or shop owner. My techs would actually tell me, "If you buy an engine from Yard XYZ, don't bother taking it off the truck - I won't put it in." Were my techs a bunch of prima donnas? Absolutely! But, they were the best in the business. Nothing in the world made them madder than doing the same job twice. I was not too happy paying them to do it again, either! You quickly learn which yards to buy from and which ones to stay away from!

Some yards offer extended warranties against rust. On Car-Part Pro, we have yards that offer a lifetime warranty against rust. Again, this depends on your location, how much rust is in your area, and what year of vehicles that you sell. A couple other factors are: do you do a lot of insurance or body shop work? If you do, are you using eCommerce products such as Car-Part Pro? If so, the extended warranty price is built in on the end user's side.

As always, if I can help you in any way drop me an email: TheresaC@Car-Part.Com or text/call me at 859-802-2382. Thanks for reading my articles and have a great month! - Theresa

Theresa Colbert
Car-Part.Com • 859-802-2382

Theresa Colbert is an on-the-ground representative for Car-Part.com. She goes into the dismantling yards and helps the customers decide which of the products in the Car-Part suite best fits their needs. With her background in aftermarket and from working "on the recyclers side of the counter" Theresa is a firm believer in our industry and the value that recycled parts have. With over 23 years of industry experience, she has seen the auto recycling world from almost every point of view. Theresa speaks at industry trade shows, give classes to recyclers and writes a monthly articles for trade publications.

### **MATR Dates of Interest**

2017

October 6-8 MATR Annual Meeting,

Embassy Suites

St. Charles, MO

November 1-4 ARA Convention

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## 43RD MATR Annual Meeting & Trade Show October 6 & 7, 2017

at Embassy Suites, St. Charles, Missouri

### MAKE PLANS NOW TO ATTEND

The MATR 43rd Annual Meeting will be held October 6-8, 2017, at Embassy Suites, St. Charles, Missouri. We will feature trade show and local tours - including MCI Cores and Modern Imports. Saturday Evening dinner and entertainment will be held at Pole Position Raceways - Indoor Karting. Please plan to join us for networking, races and to watch all the action take place.

### **SPONSORS**

In addition to exhibiting, MATR is also soliciting sponsorships for different events. Each event opportunity is listed on the Sponsorship Signup Form. Sponsorship opportunities will be available on a first come first serve basis.

Sponsors will be recognized in the program, with special signage onsite and on the MATR website with a link to their company's website.

### **EXHIBITORS**

We invite you to be an exhibitor at the MATR Trade Show. For the fee of \$350.00, exhibitors will receive a booth (one 6-ft. table) placed inside the exhibit hall (hall will have Wi-Fi).

**Tentative Trade Show Hours:** 

Friday, October 6 6:00 – 8:00 p.m. Saturday, October 7 7:30 – 9:00 a.m.

View full meeting schedule online at www.matronline.com/convention.html

### Benefits of Attending our Trade Show:

- See the latest technology
- ✓ Hear new product announcements
  - ✓ Visit all vendors in one location
- Get answers directly from vendors
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All forms and an updated schedule of events can be found at http://www.matronline.com/convention.html

### 43RD MATR Annual Meeting & Trade Show October 6 & 7, 2017

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Registration includes: Friday evening Reception, Saturday Breakfast, Meeting, 3 Yard Tours, Transportation, Saturday Lunch, Dinner & Entertainment.

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The Missouri Auto and Truck Recyclers Facebook page is up and running and we need your help. Please like the page, visit the page, share the page, and help us add relative and interesting content to the page.

The Missouri Auto and Truck Recyclers Association Board of Directors, earlier this year, approved the creation of an association Facebook page.

One of the benefits of this type of social media is the opportunity for immediate feedback and engagement-this type of real time back and forth with members and public (which may be your customers) is valuable to the organization. It is an easy and fast way to disseminate information.

Find MATR on Facebook! [ https:// www.facebook.com/Missouri-Automobile-and-Truck-Recyclers-Association-419450528386235/1

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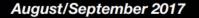
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Visit our website for full contact information www.matronline.com



### MISSOURI AUTO & TRUCK RECYCLER MEMBERSHIP APPLICATION

### Why Should You Join?

- The MATR retains the services of legislative counsel in Jefferson City to monitor proposed new laws, changes in laws and proposed rule changes.
- The MATR publishes a newsletter 6 times a year at no charge with the latest information on business tips on subjects ranging from insurance, to updates on new products and services and more.
- The MATR maintains a web site at www.matronline.com featuring information about the industry for consumers, a membership and associate member on-line roster with direct links to their web sites.
- The MATR produces an annual convention & trade show featuring exhibitors showing off their latest products and services.
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Fax: (573) 636-9749 www.matronline.com

Date of Application:		New Member □		Renewal
Company Name:				
Mailing Address:				
City:	_State:		Zip:	
Business Phone:	Fax:_			
Owner/Key Contact	posteropouros.			
E-Mail:			<u> </u>	

Active/Regular Membership: 1) Applicant must be any individual, corporation, firm, partnership, incorporated or unincorporated association or any other legal or commercial entity with ownership interest in an automobile and truck recycling business operated within the State of Missouri, 2) holds a valid Missouri salvage dealers license, and 3) derives a substantial portion of the income from the dismantling, sale and/or exchange of used automobile and truck parts provided, however, that a person, who does not possess an ownership interest in an automobile and truck recycling business operated within the State of Missouri but who is engaged as the full-time manager of such a business and would otherwise qualify for membership, with the written consent of the owner thereof not be denied membership.

Associate Membership: Any entity or person not meeting the eligibility requirements for active membership as herein above provided shall upon the approval of the Membership Committee be eligible to become an Associate Member of the Association.

#### Please check one:

□ Regular Member	\$400.00
☐ Associate Member	\$275.00

Make check payable to: *MATR* P.O. Box 1072 Jefferson City, MO 65102-1072

Additional Locations are charged \$200.00 annually

Thank you for your support!



### **Industry and ARA News**

### Final Rule Issued for OSHA Walking-Working Surfaces & Fall & Protection Standards

The Occupational Safety and Health Administration (OSHA) finalized the Walking-Working Surfaces and Personal Fall Protection Systems standards by updating and clarifying the rule and also adding inspection and training requirements for businesses. Specifically it addresses "slip, trip, and fall hazards…and adds requirement for personal fall protection systems".

The new standards allow for more choices for employers in selecting fall protection systems that they find most effective in their business environment. Non-conventional fall protection choices will also be acceptable in some settings.

OSHA published the following timeline:

"Most of the rule will become effective January 17, 2017, 60 days after publication in the Federal Register, but some provisions have delayed effective dates, including:

- Ensuring exposed workers are trained on fall hazards (May 17, 2017),
- Ensuring workers who use equipment covered by the final rule are trained (May 17, 2017),
- Inspecting and certifying permanent anchorages for rope de-

- scent systems (November 20, 2017),
- Installing personal fall arrest or ladder safety systems on new fixed ladders over 24 feet and on replacement ladders/ladder sections, including fixed ladders on outdoor advertising structures (November 19, 2018),
- Ensuring existing fixed ladders over 24 feet, including those on outdoor advertising structures, are equipped with a cage, well, personal fall arrest system, or ladder safety system (November 19, 2018), and
- Replacing cages and wells (used as fall protection) with ladder safety or personal fall arrest systems on all fixed ladders over 24 feet (November 18, 2036)."

For more details on this rule, use this link. https://www.osha.gov/ walking-working-surfaces/

### Takata Litigation Update

In February 2015, the ARA filed a class action lawsuit against Takata Corporation and certain automotive manufacturers, including Honda, BMW, Ford, Mazda, Nissan, Toyota, Mitsubishi and Subaru in the U.S. District Court for the Southern District of Florida. The ARA's claims were filed on behalf of all automotive recyclers across the nation for economic losses resulting from defective airbags that were produced by Takata and installed in certain vehicles from those manufacturers. These defective airbags have propelled shrapnel into vehicles causing serious injuries and death to occupants, and the airbags have been subject to a litany of recalls. ARA's goal in filing suit was to obtain compensation from the Defendants for the recyclers holding these now valueless airbags in their inventory.

The ARA's claims were thereafter included as part of a Consolidated Class Action Complaint that also asserted claims on behalf of all owners of the affected vehicles. Defendants responded to the Complaint with numerous motions to dismiss, including motions to dismiss the ARA's claims. In March 2016, the Court issued a series of orders granting in part and denying in part the motions to dismiss the ARA's claims.



The Court generally sustained the ARA's claims against Takata, however it dismissed without prejudice the ARA's claims against the automotive manufacturers, requiring the ARA to provide more specific information as to which vehicles subject to the recall were purchased by the recyclers named in the Complaint.

Over the last year, the Court has issued a number of additional orders concerning Defendants' motions to dismiss. Its last order was issued on June 9, 2017, after which the Court set a deadline for the filing of an amended consolidated complaint. The amended complaint is currently due on July 14, 2017. The automotive recycler and car owners claims can be re-plead at this time to cure any deficiencies identified by the Court. Also, in June, Takata filed for Chapter 11 bankruptcy. The impact of Takata's bankruptcy filing on the litigation is unclear at this time.

From the President.... continued from cover

did with me since growing up in the yard isn't OSHA approved. I hope this summer is finding you doing some things that help you get away from the pressures of life as well as making memories with those you love. It's the best investment you can make.



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- ... have your voice heard by government
- ... take advantage of training opportunities
- ... learn more about environmental issues
- ... keep up to date with the MATR news
- ... promote your industry through involvement
- ... and more!

Contact MATR offices at 573-636-2822 for more information (or see The Membership Application in this newsletter)

Support this newsletter, the Missouri Auto & Truck Recyclers News.