

RE: Tank and Cylinder Safety

The transporting of smaller propane cylinders can be dangerous if not handled properly. **ALWAYS** keep cylinders standing upright. **NEVER** use or store cylinders indoors. **KEEP** cylinder away from heat. **NEVER** keep your cylinder in your vehicle except for immediate transportation. Even if you think your cylinder is empty **NEVER** keep it inside your vehicle while doing other stops. **YOUR FIRST STOP WHEN NEEDING A TANK FILLED SHOULD BE YOUR PROPANE SUPPLIERS LOCATION – AFTER FILLING IMMEDIATELY HOME AND UNLOADED.**

Many of you have propane tanks on your property, whether it is a large or small tank for home heating, farm use in hog units or other livestock, shop use, drying bins, campers, connected to barbecue grills, etc. These tanks are not things to play on or around. **DO NOT** let children or adults sit on tanks or run around them. They could easily pull loose the lines connected to them and create a leak, which could be very dangerous.

All lines from the tank to the regulator should be buried in the ground at least **18 inches** deep. **NEVER** let a line lay on top of the ground. Children or adults can trip over them, livestock can damage lines by walking over them and also chew through the lines, and tractor or truck tires can also damage lines when they drive over them. Lawn mowers and weed eaters can damage the lines. These are just a few examples of what could happen.

Insurance requirements have become very strict with rules and regulations with propane safety, along with us, your propane supplier. We will no longer fill any tank that we feel is unsafe, whether it is the tank, lines, regulators, or any other reason we feel is not safe. Also all regulators have to be replaced every 15 years unless otherwise specified by the manufacturer. You also need to have an annual visual inspection done on your tank. The visual inspection will be noted on your delivery ticket. For all Commercial Accounts, we will need a copy of the annual checklist & inspection done on your system every year in order for us to fill your tank. Or we can do the inspection for you at an additional charge. You will be charged for any necessary repairs made to your propane system. If we cannot handle the repairs, then we will recommend someone to you. Please understand that if repairs need to be made, we will not be able to deliver propane to your tank until they are corrected and quite possible, a leak check might need to be performed.

# ***Duty to Warn Information With New Changes In Place***

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## ***Please Read Carefully***

### **Document Signature Letter**

**(Purple and Blue Pages)**

**Must Be Signed and Returned**

**To Us - A.S.A.P.**

Thank you for your cooperation.

**A Self-Addressed Envelope is Enclosed  
For Your Convenience.**

**Ag 91 Energy, LLC  
Clarkson, Nebraska**

Dear Patron,

June 2023

This letter is to inform you of the summer fill special, contracts, regulators and other safety information in the propane division at Ag 91 Energy.

**We are also implementing a "same day delivery charge". If you call and require same day delivery you will be subject to a minimum extra fee of \$30.00. You will also be subject to leak check fees and any other charges that might occur if your tank runs empty before we can get there. Best time to call is when your tank level is 20% to 25%.**

Petroleum has again been very volatile this year, and to help you with these constantly changing propane costs we have put together our summer fill and contract program. The **summer fill is available to order now through July 29, 2022**. Those who sign up for our schedule delivery program will also receive an extra 5-cent discount on the summer fill only. **In this mailing is a SCHEDULE DELIVERY SHEET. We are requiring that all customers fill out a new schedule delivery sheet EVERY YEAR.** This will allow us to be more informed on your system if changes occur and keeps everyone involved up to date on your intentions along with our policies.

You must **order** the summer fill before the date specified above. The Summer Fill **Special is good for your first fill only and takes at least 50 and must be delivered in July or August of 2021, also your account must be current.** Schedule Delivery customers automatically receive the summer fill price on their delivery made during July or August. However, we do need everyone to fill out new sheets each year to be considered a schedule delivery customer. **WE HAVE A NEW SCHEDULE DELIVERY POLICY IN PLACE THIS YEAR. PLEASE CAREFULLY READ THE SCHEDULE DELIVERY POLICY PAGE.**

This year we will offer three different types of contracts, the Fully Prepaid, the 15-cent Deposit and the Price Protector (Max Price). The current contract prices are good as long as quantity last. The "Max Price" contract protects your price; it protects you **against higher prices** along with giving you the **low side advantage**. There is a chance we could see lower prices this fall/winter, but any type of news in the world can cause a spike in the propane cost. For more information on the "Max Price" option contact the Ag 91 Energy office.

Regulator replacement is in progress at this time. We will be contacting our propane customers to check and if needed, replace regulators. Regulators are good for 15 years in most cases. If yours is older, then per regulations, they will need to be replaced. The cost of regulators will vary from each different set up. The charge for replacing regulators will vary from site to site depending on the extent of the installation. There is a minimum installation charge of \$75.00, which includes the leak check that must be performed. Regulations state that we cannot deliver propane to tanks with outdated or unsafe regulators.

Propane safety is our most important topic that needs your attention. Please read carefully the enclosed information, sign the form and return to us in the envelope provided as soon as possible. If you have any questions on our safety program or contract options then please stop at the Ag 91 Energy Office and visit with our staff, or call us at (402) 892-9821.

Thank you for your patronage  
Ag 91 Energy, LLC

RE: Out of Gas Calls, Schedule Delivery Program

June, 2023

Out of gas can be the most dangerous of all situations with propane. When you call that you are out of propane, valves must be shut, and prior to opening, your system MUST go through a complete safety check. This means a leak check of all lines to appliances, regulators and control valves. In order for this to be done, a responsible adult must be at home at the time of delivery. WE WILL NOT be able to deliver propane to an empty tank unless the above procedures can take place. There will also be an additional fee of a minimum \$50.00 for out of gas and leak calls. We know this a costly amount, but this procedure is vital for your safety, and for compliance with the law and insurance requirements.

We also have established a leak check policy. Testing will occur for new customers, tenant changes, leaks and out of gas calls. The cost for new customers and tenant changes will be waived; however out of gas / leak calls will remain at the minimum \$50.00 rate unless otherwise specified by the manager.

There will also be an additional minimum \$50.00 fee for after-hours / holiday calls when you need propane after normal working hours. This is due to the fact that our employees are off the clock and have to come back to work.

No matter when you call an order in for less than 150 gallons, you will automatically be charged an additional delivery charge. The cost of delivery is too great to be feasible to deliver less than 150 gallons. Our minimum delivery is 100 gallons; the delivery fee may be adjusted at the managers' discretion.

On tanks smaller than 250 gallon capacity there will be an automatic delivery charge of a **minimum** of \$20.00. *(These tanks are not allowed on the schedule delivery program)*

We do have a "SCHEDULE DELIVERY PROGRAM" that could eliminate the above inconvenience and costs to you. This program is available October 1, through April 15<sup>th</sup>. We will fill your tank monthly if needed; you will also automatically receive the pricing on the size of your tank to 80%. This program can take the burden off of you; you can relax knowing your tank will be filled once a month, as long as your account is kept current. This program however does not eliminate the possibility of you running out of propane but it does reduce the risk tremendously. It is still your responsibility to check your tank, especially during high usage months. Please read our new schedule delivery policy page for more information.

We also have contracting available for propane users; this program can change from year to year. We are requesting that anyone who contracts propane for home heating purposes, be put on the schedule delivery program. In the past we have gone past homes, in town or country, and the next day that person calls with an order. That makes our deliveries not very efficient, it cost the company more money and in the long run it also costs you. By going on the schedule delivery, we will fill your tank on a routine schedule.

If you have any questions on the information in this letter, PLEASE call us. We are here to help your home run safer, when it comes to propane.

RE: Propane Policy

(Revised June, 2020)

Ag 91 Energy has adopted a new policy pertaining to propane delivery, employee and customer safety. The following policy will be followed by the employees of Ag 91 Energy.

### PROPANE POLICY

#### **Out of Gas Situations:**

It is hereby our policy that if customer calls that they are out of gas or we attempt to fill a tank that is empty the following procedure will be followed.

- A responsible adult **MUST** be at the location before any propane can or will be delivered into the empty tank.
- The propane system must go through a leak check. A leak check of all lines to appliances, regulators and control valves must be completed. There will be a minimum charge of \$50.00 for this safety check.
- There will be an additional \$50.00 minimum fee for after-hours / holiday calls
- There will be an additional \$25.00 minimum fee for less than 150 gallons of propane ordered, with a minimum of 100 gallons delivered.

#### **Leak Check Policy:**

- Testing will occur for new customers, tenant changes and out of gas calls. The \$50.00 leak Test fee will be waived for new customers and tenant changes.
- All commercial account propane systems must go through an annual inspection. Documentation on this inspection must be kept by the customer and a copy must be provided to Ag 91 Energy every year.
- Should the customers' propane system have a leak, then proper replacement parts will be installed and charged to the customer. If the leak still persists then Ag 91 Energy will recommend to the customer that a certified repairperson should take a look at the system.
- Regulators must be replaced every 15 years unless otherwise specified by the manufacturer. If a regulator needs to be replaced we will notify the customer, Ag 91 Energy will replace the regulator if the customer wishes us to. The charge for the regulator, any other parts and installation will be charged to the customer.
- Ag 91 Energy cannot and will not deliver any propane to a tank that is not up to code or we feel is unsafe for the employee or the customer.

#### **Pressure Test Policy:**

- Ag 91 Energy requires pressure tests on all new and modified piping systems. The documentation on this test needs to be provided to Ag 91 Energy. A leak test will always follow a pressure test due to the interruption in service.

### *Propane Policy Continued*

#### **Schedule Delivery Customers:**

- Schedule Delivery Residential Customers will have a visual inspection done on their tank by Ag 91 Energy. Documentation will be provided to the customer as a notation on the delivery ticket.
- Schedule delivery customers will automatically receive the pricing level for the delivery size of their Tank. The delivery size is 80% of capacity
- Ag 91 Energy will fill the tank once per month if needed, during the heating season, (October 1<sup>st</sup> through April 15<sup>th</sup>). If changes occur within the household such as; additional persons sharing the residence, new gas stove, water heater, dryer, etc. then the customer must notify Ag 91 Energy of these changes. More propane could be used in a lesser time and the customer should monitor the level of propane in the tank and notify Ag 91 Energy if it is low.
- Ag 91 Energy will only put heating tanks on a schedule delivery list. It is impossible to put a drying bin or irrigation tank on the schedule delivery. Ag 91 Energy would not be able to know when the customer is drying or irrigating. Also, any livestock barn that would be put on a schedule delivery list must be talked over with management to know when they will be full or empty and the customer must monitor the level of product in the tank and notify Ag 91 Energy if it is low.

#### **Tank and Cylinder Fill Operations:**

- All tanks and cylinders will only be filled by properly trained employees of Ag 91 Energy with training records on file.
- All tanks must be visually inspected before filling and visual re-certification requirements must be met and recorded.
- OPD valve must be installed on all tanks required. Ag 91 Energy employees will not fill any propane cylinder that is required to have these valves.
- Warning labels should be affixed to all cylinders.
- Documents on the tank inspection will be kept on file.

#### **Driver and Propane Delivery Vehicle Requirements:**

- Each driver of the propane truck will have a file with his or her qualifications documented.
- Hose management program will be followed and documented along with pre and post trip inspection reports.
- Each driver and trained delivery person shall follow all of the safety requirements for delivering propane for their safety and the customers' safety.

#### **Emergency Procedure:**

- If a customer calls that they smell propane **ASK THEM TO GET EVERYONE OUT OF THE BUILDING IMMEDIATELY – DO NOT USE PHONE, OR FLIP ANY SWITCHES –** Then send a trained person to the location to investigate the problem. Write down the date, time, name of caller and address. Record this information in the propane file.

RE: What to Do When You Smell Propane

June, 2023

The first thing we would like you to do is scratch and sniff the indicated area of the pamphlet enclosed. After that you should know what propane smells like. If in any case propane can be smelled in or around your house PLEASE GET EVERYONE OUT OF THE HOUSE AND TO A SAFE DISTANCE AWAY. We do not mean to alarm you by telling you this, but your safety is our first priority. All calls on a propane smell will need to go through a leak check. There can be a brief whiff of propane if your tank runs empty. BUT DO NOT ASSUME THAT IS THE PROBLEM. Please follow the procedure below.

DO get everyone out of the house

DO NOT attempt to find the leak

DO NOT attempt to repair your appliance or light your pilot light

DO NOT turn on or off any light switches inside your home

DO NOT use a telephone inside your home or in nearby areas.

DO NOT light matches anywhere inside the home or near the home.

DO shut the valve off at the tank **ONLY** if you are familiar with the shut off valve and have been trained by our delivery personnel to do so. And **ONLY** if it is completely safe. If you have any doubts then **DO NOT ATTEMPT IT.**

DO call your propane supplier from a neighbor's home, they will come and check out the situation. The company can determine if it is a problem they can fix or if it needs further assistance.

**AT ANY TIME** you feel there is great amount of propane odor or are uncomfortable with the situation then **PLEASE** call the Fire Department from a phone out of your home. Each and every one of us, including the Fire Department would rather be safe than sorry.

If you are lighting a propane gas appliance, such as a furnace, space heater, or water heater, sniff all around the area. Be sure to sniff at floor level. Propane gas is heavier than air and may temporarily settle near the floor, although it immediately starts to defuse when released to the atmosphere. **IF YOU SMELL GAS DO NOT LIGHT THE APPLIANCE.** Call a service technician.

Make sure that everyone who shares your home knows what propane smells like. There has been an odor added to propane so that you can smell it to detect a leak, although some people cannot smell the odor of propane. If you are one of those who cannot then you should consider installing an electronic gas detector in your home.

RE: Propane Safety Material Packet

June, 2023

To Our Valued Customers;

The Manager, Board of Directors and Employees of Ag 91 Energy, LLC care about your safety. We have put together a procedure dealing with propane. Please read over all of the letters and material provided to you in this packet carefully for it has valuable information that you need to be aware of. As your propane retailer, the safety of you and your family is important to us. Propane when used properly is a safe, cost-effective, clean burning, convenient and efficient energy. As with other fuel types (fuel oil, electricity, natural gas, wood, etc...) it is extremely important to respect, understand and know how to safely use your propane system, and know what to do if ever an emergency occurs.

Although propane is a safe form of energy for homes, there is still opportunity for mishaps. The best prevention to ensure the safety of your propane system is to have your Service Technician perform an annual checkup and inspection. In this packet we have information for you and/or your family regarding the safe use of propane and potential hazards of propane.

One of the most important issues on propane safety is a leak check. There is a \$50.00 minimum leak check fee. **All interruptions of service require a leak check, this includes the valve being shut off.** Propane will not be delivered to a customer unless the system passes all required tests. If a customers' system has been modified in any way, Ag 91 Energy needs to be informed so the system can be inspected and a leak test performed.

**All rental owners need to notify Ag 91 Energy of any tenant changes. Inform your renter that they need to contact US, also. We will then go over our propane safety packet with them; this will help take some burden off of the property owner / Landlord.**

**Data Plates:** Per NFPA 58 Code Book, all propane tanks **MUST** have a readable data plate permanently attached to said tank with markings to include serial number, manufacturer, water capacity and more.

***If it does not – it cannot be filled.***

We will be documenting all deliveries of this packet. We need for you to sign and date the enclosed letter where indicated and return to the Ag 91 Energy Office. This will assure us that you have received the information, have read and understand the safety of propane and hazards that can occur.

If you have any questions or concerns PLEASE call us, we are here to help you understand your propane system to the fullest. We will not settle for anything less, you and your family's safety is our top priority. Propane is very efficient and safe, but handled wrong it can be deadly.

For your safety,  
Ag 91 Energy, LLC

## Schedule Delivery Program Policy

Ag 91 Energy, LLC will be implementing the following policies to our Schedule Delivery Program

- All Schedule Delivery Customers will be required to fill out a Schedule Delivery Agreement annually. This is a year to year agreement. **A new form MUST be signed every year.**
- **Program Dates: - October 1<sup>st</sup> through April 15<sup>th</sup>.**
- Schedule Delivery tanks must have a 250-gallon capacity size or larger. Smaller tanks will not be allowed to be put on a schedule delivery status.
- Grain drying tanks and irrigation tanks will NOT be put on a schedule delivery status.
- Livestock barn tanks over 250-gallon capacity can be on a schedule delivery; however the customer is responsible for letting Ag 91 Energy know when the tanks are low. This just gives the driver the ok to fill when they are there filling a house tank that is on the schedule delivery.
- We will fill your propane tank to 80% of its capacity once per month if needed, (fuel tanks generally can be filled completely), as long as your tank will take at least 75 gallons. If your tank needs filled more than this it will be your responsibility to call us and order more.
- Ag 91 Energy, LLC Delivery Drivers MUST have access to The Customer's tanks at all times. We will NOT call ahead of time for delivery.
- If you only want product less than once per month then you will NOT be considered a schedule delivery Customer and you will have to call in to order.
- If you only want a set amount of gallons each month, you will NOT be considered a schedule delivery Customer and will be responsible to call in your order.
- If you remove your name from the list or want to be skipped during any time-frame of the schedule delivery program you will not be allowed to go back on until the next heating season.
- Your account MUST be in good standing and kept current. The Manager has the right to remove any customer from the Schedule Delivery Program due to past due accounts.
- Cash only customers can be on Schedule Delivery, but only with the Budget Program in place and a credit balance on account to cover the delivery.
- Ag 91 Energy, LLC will fill your tank once per month if needed, however, You, The Customer will be responsible for watching your tank to make sure it does not run empty.
- Even though Ag 91 Energy, LLC will fill your tank once per month if needed, that does not guarantee the possibility of your tank running empty. You, The Customer, will still be responsible for checking the level of product in your tank and notify us if it is low. There are many factors involved in the usage of any customers tanks such as; but not limited to; extreme weather conditions, undersized tanks, number of appliances on system, failure of appliances, household size, undetected leaks, etc. etc. ***By working together we can hopefully eliminate any outages and we will do our best to prevent your tank from running empty, but it is the sole responsibility of each Customer.***
- You, The Customer, may be liable for any costs involved in a tank running empty.
- Management has the right to review each account on an individual basis.

# Ag 91 Energy, LLC

214 E 1<sup>st</sup> Street - P.O. Box 207  
Clarkson, NE 68629  
402-892-9821 / Fax 402-892-9832

## Price Protector (Max Price) Contract

For the last several years AG 91 Energy has offered a price protector contract for propane for the winter months and for grain drying.

For example, a customer purchases a Max Price contract for \$2.00 per gallon plus a 28 cent contract fee.

*(The contract fee is due at time of signing contract, the propane is to be paid on delivery).*

At the time of delivery, if the tank wagon price is less than \$2.00, the customer will pay the lower cash price on delivery.

At the time of delivery, if the tank wagon price was \$2.50, the customer would pay the cash price, at the max price of \$2.00, on delivery.

	\$ 2.40	\$ 2.00	Customer Price
	\$ 2.30	\$ 2.00	Customer Price
	\$ 2.20	\$ 2.00	Customer Price
Sample	\$ 2.10	\$ 2.00	Customer Price
Cap Price	\$ 2.00	\$ 2.00	Customer Price
Only	\$ 1.90	\$ 1.90	Customer Price
	\$ 1.80	\$ 1.80	Customer Price
	\$ 1.70	\$ 1.70	Customer Price
	\$ 1.60	\$ 1.60	Customer Price

Sample  
Pricing  
Only

Other advantages the Price Protector (Maximum Price) would provide.

Why pay the 28 cents?

You, the customer, are able to lock in a price for your winter needs or for grain drying and if the price is lower you're able to buy the lower price propane.

Less the contract fee if you do not need the propane you're able to walk away without any penalties. There are no refunds or roll over provisions.

*Please be reminded: Cash price is paying driver on delivery. For all charge tickets we will add 4 cents per gallon and that is your discount amount which may be deducted if you pay your account in full by the discount date on the statement.*

If you have any questions, please stop in the office or give us a call.

## Budget Plan Agreement

2022 / 2023 Heating Season

**SAMPLE SHEET ONLY**

Customer

Name

Customer Address

On the budget plan, your deliveries will be made based on the "Schedule Delivery - Automatic Monthly Delivery Program"

The monthly amount to be paid is based on the following information:

Estimated Gallons	-----	1000	
Estimated Price per gallon	-----	1.95	
Total for heating season	-----	1950.00	
	Total Tax	-----	
Sales tax Rate	7%	136.50	Deposit
	Total Amount (Minus the Deposit)	2086.50	
Divided By	10	Months	-----
		208.65	

This is your monthly Budget Amount **209.00**

*The monthly budget is rounded up to nearest 10.00 and includes sales tax at the rate above, this rate is subject to change. (State Tax at 5.5% & City Tax, (If Applicable))*

### Terms:

The above budget amount is an estimated amount only and is not considered as a contract price.

To lock in price you must do an actual contract along with this budget agreement.

The Ag 91 Budget Plan Year, runs from May through April of every year. Any balance owed at the end of April must be paid by the following May 15th. If there is a credit on your account, it will be applied to your next years monthly budget. If at any time there is not enough credit to cover that months delivery you will be liable for any interest charged.

The Plan Year starts with May, however, if your start date is after that your monthly payment will be based on the remaining months left of the Plan Year.

If you are considered a C.O.D. Budget Customer, there must be enough credit on your account to cover the delivery being made. If there is not enough credit on the account at the time of delivery you will be asked to leave payment for the difference, this way you will not fall behind during the heating season.

This agreement is based on heating fuel and propane purchases. Any service done or other items purchased will need to be paid for separately.

If monthly payments are not made by the 25th of the month this agreement may be cancelled by Ag 91 Energy.

Budget Plan Beginning July, 2022 and Ending April, 2023  
Budget Payment of 209.00 per Month.

Signature SAMPLE SHEET ONLY Date SAMPLE ONLY

By signing this you agree to the "Schedule Delivery Program" and all other terms in this agreement.