PLAINTIFF'S EXHIBIT
MON-2780

CONTRACTOR SAFETY PROGRAM

FOR THE TEXAS CITY PLANT

Rough Draft Revised 4/27/84

I. PURPOSE

This bulletin sets forth a guideline for safety and occupational health considerations for contractor personnel working for the Texas City Plant.

II. SCOPE

This bulletin covers procedures for dealing with contractors and responsibilities of the contractor and Monsanto representatives. This guideline cannot be expected to cover every situation, but it provides a framework within which sound field decision can be made. This bulletin compliments the plant's "Contractor Guide to Accident Prevention" and the "Plant Chemical Safety Manual."

III. DEFINITION

A. Monsanto Representative - The person requesting services and having responsibility for the job. Normally a maintenance supervisor, CED supervisor, or project engineer.

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VI. PROCEDURES & RESPONSIBILITIES

A. Once the need for contractor services is determined, the Monsanto Representative should define those safety/health requirements called for to properly do the work. "General conditions", "specific condition", & a description of specific hazards involved in the work should be reviewed with the prospective contractor(s) prior to submission of bids & be incorporated into the written contract. Provisions for the following items must be considered:

- Respiratory Protection
- Biological Health Monitoring
- Personel Protective Clothing & Equipment
- Supervision of Contractor Employees
- Contractor Safety/Health Orientation
- Hygiene Facilities & Practices
- Exposure Monitoring
- Emergency Medical Care
- Injury Reporting
- Use of Plant Permit Systems
- Environmental Control Procedures
- Hazard Communication
- Safety Supervision (monitoring)

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On larger jobs, the Monsanto Representative should consult with the Loss Prevention & Safety Dept. (LP&S). It may then be

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determined that a Loss Prevention Review (LPR) be conducted prior to starting work.

B. All services performed on Company property by outside contractors shall be covered by written contracts. Purchasing shall be familiar with all written contracts.

C. In all contractor work on Company property, contractor supervision is expected to maintain responsibility for the safety & health of his employees.

D. The Monsanto Representative is responsible to see that a general safety orientation is given to contractor personnel immediately after entering the plant. LP&S has the responsibility to conduct this orientation. As a minimum, the following areas must be included:

- General Plant Policies
- Plant Emergency Procedure & Alarms
- Traffic Rules
- Basic Protective Equipment Usage
- Personal Hygiene Practices
- General Industrial Hygene
- Hazard Communication
- Plant Safety & Housekeeping Operations
- Plant Health & Safety Personnel

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To identify contractors who have received the orientation, a sticker should be placed on the contractors' safety hard hat indicating that they have attended the orientation.

E. Prior to beginning work in the field, the Monsanto Representative is responsible to conduct a more detailed orientation. As a minimum, the following areas must be included:

- Apprise the contractor of known industrial hazards (including chemical health hazards), hygiene facilities, and safety procedures specific to the assigned work area.
- Apprise the contractor of relevant permit procedures (i.e. hot work, tank entry, lock-out, etc.)
- Advise the contractor of special protective clothing & equipment specific to the assigned work area.
- Apprise the contractor of his responsibilities & restrictions while on site.

F. The Monsanto Representative shall coordinate & monitor contractor's work on site and be primarily responsible for communication with the contractor. He will maintain close contact with the contractor on job progress and scheduling. The Monsanto Representative enforces plant policies & practices, and is responsible to provide feedback to Purchasing on contractor performance. (See Appended "Contractor Performance Form")

G. Monsanto does not assume responsibility for contractor compliance to all state & federal regulations governing health & safety. Monsanto will attempt to utilize those contractors who have demonstrated a high degree of compliance with work place laws/standards, plant policies & practices, and have a history of good safety performance. This however, does not preclude Monsanto of enforcing plant safety rules & policies.

H. Contractor shall furnish & require the use & wearing of proper personal protective equipment & clothing by its employees. Purchasing is responsible to communicate these minimum requirements. If the contractor does not have the specific equipment, the task shall be delayed until such equipment can be obtained by the contractor. Personal protective clothing & equipment shall not be supplied by Monsanto, unless dictated by an emergency.

I. Use of respiratory protective devices typically requires proper written standard operating procedures, selection and fitting, training, assignment, cleaning & disinfection, storage, inspection & repair, surveillance, periodic evaluation, medical approval, and NIOSH approval when available per current OSHA regualtions. Accordingly, each contractor employee who may have need to wear a respirator shall be properly fitted & trained in its use by the contractor prior to beginning work. The contractor shall be responsible for furnishing the proper devices

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to his employees & assuring that they have been medically certified to wear the equipment. The appended "Respirator Certification Assurance Form Letter" should be used to obtain written verification from the contractor by Purchasing at the time of contract negotiation. In the event that contractor's employees have not or cannot be properly fitted & respiratory protection is deemed necessary, only positive pressure, supplied air equipment should be used. In all cases, plant policy regarding facial hair in the sealing area of respirators must be adhered to by the contractor.

J. Breathing air for contractor respirator usage will be supplied by Monsanto.

K. Contractor shall assure that proper medical care is available for his employees. Medical services are the responsibility of the contractor. However, when unique biological monitoring of body fluids as required by Monsanto when handling or exposed to select process chemicals, Monsanto will under these situations conduct or arrange for appropriate tests & provide the data to the contractor or its medical service. The contractor shall be made aware of these provisions prior to bidding with such requirements written as part of the contract. Where "base-line" data on contractor employees is required prior to working in an area, sufficient lead time for collection & analysis of samples will be needed in scheduling the work.

L. Contractor personnel delivering or picking up materials in the plant must have & use appropriate protective equipment consistant with the hazards of the material being transferred & the work procedures of the area being entered.

M. All contractor tools & equipment on site shall be in a safe working condition & conform to OSHA standards. Monsanto shall have the right to refuse or restrict the use of tools, equipment, or chemicals in the plant for safety reasons. (See Exhibit "B: of the "Master Maintenance Contract" for additional information on contractor tool usage)

N. Contractor must ensure that its eating facilities are separate from work areas, kept clean, and have proper washing facilities.

O. Contractor must comply with proper plant procedures for securing permits involving hot work, tank entry, breaking into pipelines, lock-out, etc. Permits will be coordinated thru the Monsanto Representative. Monsanto will prepare equipment and/or facilities and test atmospheres prior to releasing these permits to contractor for work.

P. Contractor change & shower facilities, if required, will be arranged by the contractor. Monsanto shall have the right to inspect these facilities.

Q. Monsanto Representative shall be immediately notified of all injuries sustained by contract employees. The incident will be investigated following site procedures as outlined in Procedure Bulletin P-0113. Contractor shall provide copies of records & reports of all injuries upon request of Monsanto.

R. In situations where personnel (industrial hygiene) monitoring is required by OSHA Standards for substances to which contractor employees may reasonably be exposed, the contractor shall be advised of his legal obligation prior to entering the plant & within the context of the contract. Monsanto will consider providing necessary monitoring services upon written request of the contractor. Normally, Monsanto sampling instruments shall not be loaned to or used by the contractor.

S. Each contractor shall have a competent responsible supervisor in charge at the site at all hours during which his workers are employed. To maintain the independent contractor status, Monsanto shall avoid supervising or controlling contractor employees whenever possible.

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T. Contractor operations may be periodically audited to determine if the contractor is making proper use of tools, equipment, following Monsanto health & safety procedures, and assuring that their operations do not endanger Monsanto personnel & property. Depending on the job, the audit can be conducted by the Monsanto

Representative or an audit team. The audit team would typically consist of:

- Monsanto Representative
- Contractor Supervisory Representative
- LP&S Representative
- Monsanto Area Supervisor

- Follow-up surveys may be conducted to ascertain compliance with recommendations previously put forth to the contractor. Purchasing should receive a copy of the audit.

U. Failure to comply with the contract agreement or supplemental conditions may result in removal of the violator from the plant and/or contract termination.

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V. Where a contractor's employee creates a known imminent danger situation, <u>immediate</u> corrective action shall be taken. The Monsanto Representative should bring any violation of normal safe practices to the contractor's attention. Upon request of the Monsanto Representative, the contractor will remove any worker violating any plant operations and safety rules. The severity of the infraction will impact the final decision on removal of contractor's employee.

W. For service personnel spending only a short time in the plant, (truck drivers, vendors, service personnel working on their equipment, visitors, etc.) a short orientation shall be conducted including:

- Traffic Rules
- Emergency Procedures & Alarms
- Safety Rules (personal safety equipment, matches, etc.)

The Security Department is responsible to enforce this orientation.

The length of time spent in the plant or type of work performed does not exempt contractors or service personnel from wearing necessary personal protective equipment (hard hats, safety glasses, sleeves where required, etc.)

The Security Dept. has the responsibility to issue and collect hard hats and safety glasses to service personnel that do not have this personal protective equipment.

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