

JUN-24-1997 08:49

UCC CONTRACT DIV

P.02/08
P.01

**PLAINTIFF'S
EXHIBIT**

UC_P-159

C-3 18 25 28

P71418

MMIS - SM211000 WORKLOAD CONTROL - UPDATE UCC BUSINESS CONFIDENTIAL
 WORK REQUEST: PY1415 SET ORD/DRID: 00001100 LEADMAN: 141 BLDG: 117
 PRIORITY: 1 SUPERINTENDENT: MILLER NE
 HWP: Y (Y/N) HTAG: Y (Y/N) DESCRIPTION: INSUL/01 RECTIFYING COLUMN
 DATE START: 100196 (MMDDYY) DATE COMPLETE: 100296 (MMDDYY)
 LABOR EST: 000000 MATERIAL EST: 000000 TOTAL EST: 000000
 LONG * NEED FIB INSULATOR SUPPORT AND MAYBE MORE CRAFTS TO STRIP *
 DESCRIPTION * SOME COLUMN FLANGES TO REPAIR LEAKS. THIS IS A FRESH AIR *
 * JOB. NEED TO CONTACT DICK HADLEY EXT 5317 FOR DETAILS. *
 * HOT SHOT PHIL SEND TO UCS INSUL.CO.100296. ASBESTOS *
 STATUS: ASS: C&P CODE: PLAN STAT: DATE WRITTN: 100196
 PLANNER: PROP NUM: RN NUM: DATE CLOSED:
 WRK TYP: 4 WRK CAT: CONTACT NAME: PHONE: MILLER, 5245 DRENTR: 03750
 RSP CR ST ESTHRS REMHRS : RSP CR ST ESTHRS REMHRS : RSP CR ST ESTHRS REMHRS
 SLT SL. 00. 00. : 733 18 R 00. 00. : 735 FS R 00. 00.
 790 99 00. 00.

ENTR (CLR) PF1 (HELP) PF2 (RETRIEVE) PF3 (EXIT) PF4 (CREATE)
 PF5 (QWRQ ?) PF9 (UPDATE) PF10 (CASCADE) PF11 (CLOSE WRQ) PF12 (CHRG BK)
 WORK REQUEST UPDATED !

TOTAL P.01

UCTC 00310

JUN 24 '97 9:38

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JUN-24-1997 13:35

UCC CONTRACT DIU

P.02/18

MMIS - SM211000 WORKLOAD CONTROL - UPDATE UCC BUSINESS CONFIDENTIAL
WORK REQUEST: PW1866 1ST ORD/ORIG: 00071520 LEADMAN: 191 BLDG: 219
PRIORITY: 3 SUPINTENDENT: HERRICK JE
HWP: Y (Y/N) MTAG: N (Y/N) DESCRIPTION: ASBESTOS REMOVAL
DATE START: 111196 (MMDDYY) DATE COMPLETE: 112596 (MMDDYY)
LABOR EST\$: 000000 MATERIAL EST\$: 000000 TOTAL EST\$: 0000000
LONG * REMOVE ASBESTOS INSULATION AND REINSULATE LINE ON SOUTH SID *
DESCRIPTION * E OF 219. LINE RUNS NORTH/SOUTH AND IS USED FOR TRACING ON *
* TANKS IN TANK FARM. VICKNAIR HAS LOOKED AT JOB. *
* HOTSHOT EARL 10-29-96 SEND TO P.C.I. CO. *
STATUS: R ASG: C&P CODE: PLAN STAT: DATE WRITTN: 102896
PLANNER: PROP NUM: RM NUM: DATE CLOSED:
WRK TYP: 2 WRK CAT: RF CONTACT NAME,PHONE: LINDA 4296 ORGNTR: 05837
RSP CR ST ESTHRS REMHRS | RSP CR ST ESTHRS REMHRS | RSP CR ST ESTHRS REMHRS
733 18 R 00. 00. | 735 FS R 00. 00. | BBO 80 R 00. 00.

PCD

7

JUN 24 '97 14:24

PAGE.002

UCTC 00300

C15-0000002

JUN-24-1997 13:36

UCC CONTRACT DIV

P.03/18

MMIS - SM211000

WORKLEAD CONTROL

WORK REQUEST: PW9776

1ST ORD/ORIG: 00046423

LEADMAN: 191 BLDG: 051

PRIORITY: 3

SUPINTENDENT: HERRICK

JE

HWP: Y (Y/N) HTAG: N (Y/N) DESCRIPTION: ASBESTOS INSULATION AT AMINES

DATE START: 111196 (MMDDYY) DATE COMPLETE: 122096 (MMDDYY)

LABOR EST\$: 000000

MATERIAL EST\$: 900000

TOTAL EST\$: 0900000

LONG * REMOVE ASBESTOS INSULATION AT BUILDING 50/51 PER EARL VICKNA

DESCRIPTION * IR'S RECOMMENDATION. HOTSHOT EARL 10-29-96. SEND TO P.C.I.

* CO.

STATUS: R

ASC:

C&P CODE:

PLAN STAT:

DATE WRITTN: 102996

PLANNER:

PROP NUM:

RM NUM:

DATE CLOSED:

WRK TYP: 2 WRK CAT: RP CONTACT NAME,PHONE: LINDA 4296

ORGNTR: 05837

RSP CR ST ESTHRS REMHRS

RSP CR ST ESTHRS REMHRS

RSP CR ST ESTHRS REMHRS

733 18 R

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735 FS R

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880 80 R

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9

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PAGE.003

UCTC 00301

C15-0000003

JUN-24-1997 13:36

UCC CONTRACT DIV

P.04/18

WORK REQUEST UPDATED :

MMIS - SM211000

WORKLOAD CONTROL - UPDATE

UCC BUSINESS CONFIDENTIAL

WORK REQUEST: PW2987

1ST ORD/ORIG: 00075366 LEADMAN: 151 BLDG: 019

PRIORITY: 3

SUPINTENDENT: DAZEY

LR

HWP: N (Y/N) MTAG: N (Y/N)

DESCRIPTION: STEAM LINE BUY OXOCORNER B186

DATE START: 111596 (MMDDYY)

DATE COMPLETE: 111896 (MMDDYY)

LABOR EST\$: 000000

MATERIAL EST\$: 000000

TOTAL EST\$: 0000000

LONG

* STRIP INSULATION SEE CUZ, WILL NEED JLG AND MAY BE ASB.

DESCRIPTION

* REMOVE ASBESTOS INSULATION. HOTSHOT EARL 11-15-96

* SEND TO P.C.I. CO.

* INSULATORS, P SHOP

STATUS: R

ASG:

C&P CODE:

PLAN STAT:

DATE WRITTN: 111496

PLANNER:

PROP NUM:

RM NUM:

DATE CLOSED:

WRK TYP: 2 WRK CAT:

CONTACT NAME,PHONE: DAZEY 4349

4971-570

ORGNTR: 05184

RSP CR ST ESTHRS REMHRS

RSP CR ST ESTHRS REMHRS

REMHRS

RSP CR ST ESTHRS REMHRS

REMHRS

321 39 W 00. 00.

733 18 R 00. 00.

00. 00.

735 FS R 00. 00.

00. 00.

880 80 R 00. 00.

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14

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C15-0000004

UCTC 00302

JUN-24-1997 15:15

UCC CONTRACT DIV

P.06/06

WORK REQUEST UPDATED !

MMIS - SM211000

WORK REQUEST: FW6618

PRIORITY: 3

HWP: Y (Y/N) MTAG: Y (Y/N) DESCRIPTION: INSUL/UNIT ASBESTOS REMOVAL

DATE START: 120296 (MMDDYY) DATE COMPLETE: 122096 (MMDDYY)

LABOR EST\$: 000000

MATERIAL EST\$: 000000

TOTAL EST\$: 0000000

LONG

DESCRIPTION - * NEED INSULATION SHOP SUPPORT TO REMOVE SOME OLD ASBESTOS *
* INSULATION ON THE EAST END OF B-115. NEED ASBESTOS PEOPLE *
* TO CONTACT JIM AUSHUS TO WALK OUT JOB. HOTSHOT EARL 11-25-96 *
* SEND TO P.C.I. CO. *

STATUS: R ASG: C&P CODE

PLAN STAT:

DATE WRITTN: 111996

PLANNER: PROP NUM:

RM NUM:

DATE CLOSED:

WRK TYP: 2 WRK CAT:

CONTACT NAME, PHONE: MILLER, 5245

ORGNTR: 03750

RSP	CR	ST	ESTHRS	REMHRS	RSP	CR	ST	ESTHRS	REMHRS	RSP	CR	ST	ESTHRS	REMHRS
733	18	R	00.	00.	735	FS	R	00.	00.	880	80	R	00.	00.

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16

JUN 24 '97 16:03

TOTAL P.06
PAGE.006

UCTC 00309

C15-0000011

JUN-24-1997 13:36 UCC CONTRACT DIV P.05/18
WORK REQUEST: PW0328 1ST ORD/ORIG: 00073553 UCC BUSINESS CONFIDENTIAL
PRIORITY: 3 SUPINTENDENT: DAZEY LR
HWP: Y (Y/N) MTAG: Y (Y/N) DESCRIPTION: STEAM LEAKS AT CLEANING RK
DATE START: 112096 (MMDDYY) DATE COMPLETE: 112796 (MMDDYY)
LABOR EST\$: 000000 MATERIAL EST\$: 000000 TOTAL EST\$: 0000000
LONG * NEED INSULATORS, CARPENTERS 2 SCAFFOLD
DESCRIPTION * THIS IS ASB. U44 FOR DETAILS-OR FITTERS
* REMOVE ASBESTOS INSULATION. HOTSHOT EARL 11-21-96
* SEND TO P.C.I. INSULATION CO.
STATUS: R ASG: C&P CODE: PLAN STAT: DATE WRITTN: 112096
PLANNER: PROP NUM: RM NUM: DATE CLOSED:
WRK TYP: 2 WRK CAT: CONTACT NAME, PHONE: DAZEY 4349 4871-570 ORGNTR: 0518
RSP CR ST ESTHRS REMHRS RSP CR ST ESTHRS REMHRS RSP CR ST ESTHRS REMHRS
731 17 R 00. 00. 735 FS R 00. 00. 880 BD R 00. 00

P.C.I.

15

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PAGE.005

C15-0000005

UCTC 00303

UNION CARBIDE
MAINTENANCE CONTRACT SERVICES
P.O. BOX 471 - BLDG. 199
TEXAS CITY, TEXAS 77592-0471

0515-013104- 1997

FACSIMILE TRANSMITTAL COVER SHEET

TO:

Joan Murphy

Fax 212-808-7897

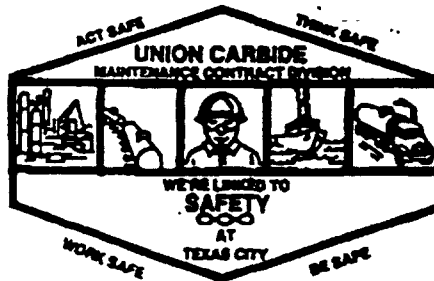
FROM:

Irma Rodriguez
UCC - Texas City

TOTAL PAGES: 5 (excluding cover sheet)

FAX NO.: (409) 948-5748

If you do not receive all of the pages, please notify the sending operator, IRMA RODRIGUEZ at 1-409-948-5204. Thank you.



JUN-24-1997 15:14
WORK REQUEST UPDATED !

UCC CONTRACT DIV

P.05/06

MHIS - SM211000

WORKLOAD CONTROL - UPDATE

UCC BUSINESS CONFIDENTIAL

WORK REQUEST: WE9440

1ST ORD/ORIG: 00024876

LEADMAN: 121 BLDG: 079

PRIORITY: 3

SUPINTENDENT: MUNSON

FE

HWP: N (Y/N) MTAG: N (Y/N)

DESCRIPTION: REMOVE ASBESTOS INSULATION AND

DATE START: 010397 (MMDDYY)

DATE COMPLETE: 011097 (MMDDYY)

LABOR EST\$: 000000

MATERIAL EST\$: 000000

TOTAL EST\$: 0000000

LONG

* REINSULATE WHEN LEAK IS REPAIRED. (SEE D. PAYNE, B-205)

DESCRIPTION

* HOTSHOT EARL 01-06-97. BUILD ENCLOSURE AND REMOVE ASBESTOS

* INSULATION. SEND TO P.C.I. INSULATION CO.

STATUS: R ASG:

C&P CODE:

PLAN STAT:

DATE WRITTN: 010397

PLANNER: PROP NUM:

RM NUM:

DATE CLOSED:

WRK TYP: 2 WRK CAT:

CONTACT NAME,PHONE: PAYNE @ 5252-4875/186 ORGNTR: 05841

RSP CR ST ESTHRS REMHRS

RSP CR ST ESTHRS REMHRS

RSP CR ST ESTHRS REMHRS

733 18 R

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735 FS R

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880 80 R

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UCTC 00308

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JUN-24-1997 15:14

UCC CONTRACT DIV

P.03/06

MNIS - SM211000 WORKLOAD CONTROL - UPDATE UCC BUSINESS CONFIDENTIAL
WORK REQUEST: WE0902 1ST ORD/ORIG: 00030555 LEADMAN: 111 BLDG: 011
PRIORITY: 3 SUPINTENDENT: JOHNSON CW
HWP: Y (Y/N) MTAG: Y (Y/N) DESCRIPTION: REPAIR LEAK ON 600/200 FLANGE
DATE START: 021097 (MMDDYY) DATE COMPLETE: 021497 (MMDDYY)
LABOR EST\$: 000000 MATERIAL EST\$: 000000 TOTAL EST\$: 0000000
LONG * REMOVE ASBESTOS AND REPAIR LEAK ON STEAM LINE WEST SIDE OF B *
DESCRIPTION * -11 HOTSHOT EARL 01-24-97. SEND TO P.C.I. INSULATION CO *
* * *

STATUS: R ASG: C&P CODE: PLAN STAT: DATE WRITTN: 012397
PLANNER: PROP NUM: RM NUM: DATE CLOSED:
WRK TYP: 2 WRK CAT: CONTACT NAME,PHONE: MCDOUGLE 5009 ORGNTR: 04248
RSP CR ST ESTHRS REMHRS | RSP CR ST ESTHRS REMHRS | RSP CR ST ESTHRS REMHRS
FSP PL 00. 00. | 733 18 R 00. 00. | 735 FS P 00. 00.
880 BO R 00. 00.

P.C.I. - 9

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PAGE.003

UCTC 00306

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JUN-24-1997 15:14
WUWK REQUEST UPDATED :
MMIS - SM211000

UCC CONTRACT DIV

P.04/06

WORKLOAD CONTROL - UPDATE UCC BUSINESS CONFIDENTIAL
WORK REQUEST: PW0328 1ST ORD/ORIG: 00073553 LEADMAN: 151 BLDG: 019
PRIORITY: 3 SUPINTENDENT: DAZEY LR
HWP: Y (Y/N) MTAG: Y (Y/N) DESCRIPTION: STEAM LEAKS AT CLEANING RK
DATE START: 112096 (MMDDYY) DATE COMPLETE: 112796 (MMDDYY)
LABOR EST\$: 000000 MATERIAL EST\$: 000000 TOTAL EST\$: 0000000
LONG * NEED INSULATORS, CARPENTERS 2 SCAFFOLD *
DESCRIPTION * THIS IS ASB. U44 FOR DETAILS-OR FITTERS *
* REMOVE ASBESTOS INSULATION. HOTSHOT EARL 11-21-96 *
* SEND TO P.C.I. INSULATION CO. *
STATUS: R ASG: C&P CODE: PLAN STAT: DATE WRITTN: 112096
PLANNER: PROP NUM: RM NUM: DATE CLOSED:
WRK TYP: 2 WRK CAT: CONTACT NAME, PHONE: DAZEY 4349 4871-570 ORGNTR: 05184
RSP CR ST ESTHRS REMHRS | RSP CR ST ESTHRS REMHRS | RSP CR ST ESTHRS REMHRS
731 17 R 00. 00. | 735 FS R 00. 00. | 880 80 R 00. 00.

P.C. 2.

15

JUN 24 '97 16:02

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UCTC 00307

C15-0000009

JUN-24-1997 15:13
WORK REQUEST UPDATED !
MMIS - SM211000

UCC CONTRACT DIV

P.02/06

WORKLOAD CONTROL - UPDATE UCC BUSINESS CONFIDENTIAL
WORK REQUEST: WE4394 1ST ORD/ORIG: 00001200 LEADMAN: 161 BLDG: 114
PRIORITY: 3 SUPINTENDENT: MILLER NE
HWP: Y (Y/N) MTAG: Y (Y/N) DESCRIPTION: UNIT MAINTENANCE
DATE START: 031797 (MMDDYY) DATE COMPLETE: 040497 (MMDDYY)
LABOR EST\$: 000000 MATERIAL EST\$: 000000 TOTAL EST\$: 0000000

LONG * NEED FSG SUPPORT ON SEVERAL JOBS AT B-114. ASBESTOS INSULAT- *
DESCRIPTION * ION REMOVED IN SEVERAL SPOTS & SOME SPOTS REINSULATED. SOME *
* LABELING & STENCIL I.D. WORK DONE. SOME OLD PIPE REMOVED. *
* HOTSHOT EARL 03-06-97 SEND TO P.C.I. INSULATION CO. *

STATUS: R ASG: C&P CODE: PT PLAN STAT: DATE WRITTN: 030597

PLANNER: 10 PROP NUM: RM NUM: DATE CLOSED:

WRK TYP: 2 WRK CAT: CONTACT NAME, PHONE: MILLER, 5245 ORGNTR: 03750

RSP	CR	ST	ESTHRS	REMHRS	RSP	CR	ST	ESTHRS	REMHRS	RSP	CR	ST	ESTHRS	REMHRS
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733	18	R	00.	00.	735	FS	P	00.	00.	761	PL	P	00.	00.
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880	80	R	00.	00.										
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17

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UCTC 00305

C15-0000007

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ENTR (CLR) PF1 (HELP) PF2 (RETRIEVE) PF3 (EXIT) PF4 (CREATE)
PF5 (QWRQ ??) PF9 (UPDATE) PF10 (CASCADE) PF11 (CLOSE WRQ) PF12 (CHRG BK)

WORK REQUEST UPDATED !

MMIS - SM211000

WORKLOAD CONTROL - UPDATE

UCC BUSINESS CONFIDENTIAL

WORK REQUEST: WE9727

1ST ORD/ORIG: 00022105

LEADMAN: 111 BLDG: 009

PRIORITY: 3

SUPINTENDENT: JOHNSON

CW

HWP: Y (Y/N) MTAG: Y (Y/N)

DESCRIPTION: REMOVE ASBESTOS

DATE START: 041097 (MMDDYY)

DATE COMPLETE: 041097 (MMDDYY)

LABOR EST\$: 000000

MATERIAL EST\$: 000000

TOTAL EST\$: 00000000

LONG

* REMOVE ASBESTOS FROM CONDENSATE PIPE THAT WAS REPLACED. *

DESCRIPTION

* PIPE IS WEST OF B-45 BENEATH PIPE RACK *

*

* HOT SHOT PHIL 041197. SEND TO PCI INSULATION CO. ASBESTOS. *

STATUS: R

ASG:

C&P CODE:

PLAN STAT:

DATE WRITTN: 041097

PLANNER:

PROP NUM:

RM NUM:

DATE CLOSED:

WRK TYP: 2 WRK CAT:

CONTACT NAME,PHONE: MCDOUGLE 5009

ORGNTR: 04248

RSP CR ST ESTHRS

REMHRS

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REMHRS

733 18 R

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735 FS R

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P.C.I

28

UCTC 00046

MMS - SM211000
 WORK REQUEST: JU7609
 PRIORITY: 3
 HWP: Y (Y/N) MTAG: Y (Y/N) DESCRIPTION: REPAIR 70# STM LK 3RD & C PR
 DATE START: 051298 (MMDDYY) DATE COMPLETE: 051298 (MMDDYY)
 LABOR EST\$: 000000 MATERIAL EST\$: 000000 TOTAL EST\$: 0000000
 LONG * REPAIR 70# STEAM LEAK IN THE MAIN PIPERACK 3RD & C.... *
 DESCRIPTION * NEED SCAFFOLD, ASBESTOS STRIPPED, PROBABLY GASKET BLOWN, MAY *
M. M. Dine * BE CUT FLANGE....HAVE LEAK REPAIR FOR CONTINGENCY...ONLY HAV *
 * E 8 TO 10 HOURS SHUT DOWN TIME UNTIL START AFFECTING UNIT. *
 STATUS: R ASG: C&P CODE: PT PLAN STAT: DATE WRITTN: 050898
 PLANNER: PROP NUM: RM NUM: DATE CLOSED:
 WRK TYP: 4 WRK CAT: CONTACT NAME: PHONE: BILL WILKINS 4875-072 ORGNTR: 42727
 RSP CR ST ESTHRS REMHRS | RSP CR ST ESTHRS REMHRS | RSP CR ST ESTHRS REMHRS
 FIC IC 00. 00. | 713 00 00. 00. | 735 FS P 00. 00.
 761 PL 00. 00. | 880 80 R 00. 00. |

PCD | *45*

OWNER'S FIELD COPY

Contract No. 0515-013104

Code 3510

MAINTENANCE CONTRACT

INCLUSIVE RATE

THIS CONTRACT, made and entered into, and effective, as of the 1st day of October, 1996 by and between UNION CARBIDE CORPORATION, a New York corporation, whose address is 3301 Fifth Avenue South, Texas City, TX 77590 (P.O. Box 471 Texas City, TX 77592-0471) (hereinafter called "Owner"), party of the first part, and Performance Contracting, Inc., a Kansas corporation, whose address is 9408 North Loop East, Houston, TX 77029 (hereinafter called ("Contractor")), party of the second part.

WITNESSETH:

That for and in consideration of the mutual covenants and agreements hereinafter set forth, the parties to this Contract (sometimes hereinafter referred to individually as "Party" and collectively as "Parties") covenant and agree as follows:

ARTICLE I - THE WORK; TERMS AND CONDITIONS; CONFLICTS

- (1) Contractor, as an independent contractor, shall perform the work described below (hereinafter called the "Work") at the facilities described below:

Insulation and related scaffolding services within Owner's Plant and Marine Terminal located in Texas City, Texas.

The Work shall be requested by Owner from time to time during the term of this Contract by means of work releases described in Article II of this Contract, (said work releases being hereinafter in the singular called "Work Release" and in the plural "Work Releases"). Owner shall not be obligated to request any particular amount of work hereunder, and the amount of work, if any, requested shall be at Owner's sole discretion.

- (2) Except as otherwise provided in this Contract, Contractor shall provide and furnish, in connection with its performance of the Work, all personnel and services and all materials, equipment and other things which are required for its performance of the Work (which materials, equipment and other things are sometimes hereinafter referred to in the singular as "Thing" and in the plural as "Things"). Materials, equipment, and other things

Jo. UC 334-160 (6/95)

UCTC 00131

C15 - 0000012