



E. I. DU PONT DE NEMOURS & COMPANY
INCORPORATED

ELASTOMER CHEMICALS DEPARTMENT

cc: H. E. Serenbetz/R. L. Checkel/
W. J. Touhey
B. D. Cowley
G. E. Burge, Pontchartrain
L. R. Bateman, Chambers Works
G. K. Walker, Akron
D. E. Andersen, Exp. Station
T. E. Farley, Chestnut Run
J. E. Nauss, Beaumont
C. J. Norris, Louisville
H. G. Drinkwater, DISA
A. N. Pedersen, Chestnut Run
R. L. Mc Clure, Beaumont
H. R. Deutsch, Louisville
J. F. Gleitz, Germay Park
L. Appleby, Maydown
J. R. Martin, ERD

PLAINTIFF'S
EXHIBIT
DUP-1972

June 25, 1979

TO: F. L. MONTGOMERY

FROM: H. A. SMITH

INDUSTRIAL HYGIENE & OCCUPATIONAL HEALTH
GUIDELINES FOR OFF-PLANT CONTRACTORS

The following guidelines are intended to reemphasize our position relative to off-plant contractors, and have the concurrence of E&M and Environmental Legal:

1) Contractors should be given all appropriate information concerning the hazards and toxicity of the materials they handle on our behalf. Our posture must be one of full disclosure of information. In addition to transmitting what the hazards are, it is appropriate to transmit to the contractor, sufficient information to guide the contractor to safely handle such hazardous materials, including in some situations how Du Pont handles the chemical involved. This is particularly important for chemicals not common to the industry (i.e., chemicals the contractor would not normally use as a part of his business).

2) We should assure ourselves the contractor understands the information provided and indicates they have the capabilities to act accordingly, and plan to do so.

3) If we become aware, through our normal business contacts, that they are not operating properly, we should discuss the problem with the contractor. Where we have knowledge that a contractor's performance of work for us is below acceptable standards of good industrial hygiene practices, the case should be reviewed and appropriate action determined.

DUP 0501794

DBE

1329251

DU 001497

June 25, 1979

FF

4) E&M selects contractors on the basis of their ability to perform the task involved according to Du Pont specifications, and in accordance with accepted industry standards and government regulations. Inspection visits by E&M are frequently used to insure acceptable contract performance. This posture has been reinforced by our recent experience with waste disposal contractors. A "Cook's Tour" of facilities where we have considerable involvement, by someone knowledgeable, would not be out of line.

The contractor is in a position of independence from Du Pont and must remain so. So long as he complies with accepted industry safe practices and applicable governmental requirements, he is the final judge of how and where he will use information and suggestions supplied by Du Pont. If Du Pont learns that safe procedures are not being followed, then prompt action should be taken. This could include an oral contact, a letter pointing out the condition, suggested operating alternatives, or, in extreme cases, with management concurrence, contract cancellation. Also, where product quality or some other compelling reason justifies, greater involvement by Du Pont may become necessary with care being exercised to avoid co-employment. None of these steps should be taken before prior consultation with E&M and Legal Department.

In both on-plant and off-plant contracting, caution must be exercised to avoid "over-controlling". Otherwise, Du Pont could unintentionally assume a "co-employer" role and thereby increase exposure to common law and OSHA liability for the actions of the contractor.

HAS/is

DUP 0501795

DBE

1329252 ☆

DU 001498

STATEMENT TO EMPLOYEES OF RIGHT OF ACCESS
TO EXPOSURE AND MEDICAL RECORDS

Regulations of the Occupational Safety & Health Administration (OSHA) require that you be reminded annually of the existence and accessibility of records the plant maintains relating to workplace exposure information and your medical status.

All records maintained by the Company concerning your health status and your exposure to toxic substances or harmful physical agents are accessible to you if you so request. You have the right to examine and copy these records.

Anyone that you may designate as your representative also has this right of access, provided that you give that person your written permission.

Representatives of the Occupational Safety & Health Administrator also have this right of access with or without your permission.

Personal exposure monitoring records are maintained by Plant Medical for each individual on any substance or physical agent for which that person's exposure has been monitored. Other information which is defined as exposure records is located in various places in the plant and is readily accessible through supervision of the respective areas. Access may be made through your direct supervision or the plant Environmental Health group. Such records include exposure records of other employees with job duties and working conditions related to or similar to yours, fixed-point or ambient sampling records pertaining to your workplace, various analyses which may be made concerning your workplace, and data sheets on the properties of materials present in your workplace.

Your medical records are maintained by the Plant Medical staff and are accessible through the plant Personnel and Training Superintendent. These include health history questionnaires, X-ray photographs, test results, physicians' notes and recommendations, and similar information pertaining to your health status and history.

Copies of the OSHA regulation and its appendices are readily available through your direct supervision, the Environmental group, or Employee Relations.

RLM/bdr
10/18/85
(24.10)

DUP 0501836

DU 001499

Bitte : Use All Supervision Distribution List
(Available from Allen)

To: All Beaumont Works Supervision
From: Blum

Annual Employee Notification Requirements

Under various Federal rules and Corporate policies certain information must be communicated annually to all Beaumont Works employees. Area records should be maintained to document our compliance with these notification requirements.

The attached material is intended to remind you and to aid in ^{making} these communications. In cases where ongoing ^{departmental or area} programs already include corporate these notification steps, this notice may be disregarded. However, it is sug-

DUP 0501837

DU 001500

gested that the content of such programs be reviewed periodically to ascertain that they are complete and current.

summarized below:

Topics included are ~~as follows~~:

- Employee Access to Exposure and Medical Records

All employees are to be reminded annually of their rights of access to their exposure and medical records. New employees and transferees from other sites are to be informed during initial orientation. The ~~information~~ notification may be given orally or in writing, and should occur prior to the end of ~~October~~ ^{November} each year.

- TSCA Rule 8(c) - Record of Alleged ^{Significant Reaction} Adverse ~~Effects~~

Records must be kept of all allegations of significant, previously unknown adverse effects on human health or the environment caused by chemical substances. The ^{Corporate} ~~pro-~~cedure ~~for Belmont~~ is to be reviewed ~~prior~~ with all employees ~~annually~~ ^{prior} to the end of November.

- TSCA Rule 8(e) - Notification of Substantial Risk

The EPA must be informed immediately of new information that a chemical substance presents a substantial risk to human health or the environment. The Corporate procedure is to be reviewed with all employees annually prior to the end of November.

- Hearing Conservation Training

Company policy requires that all employees receive training in hearing conservation annually. See Safety How R-5.

DUP 0501839

DU 001502