



INTEROFFICE CORRESPONDENCE

PLAINTIFF'S
EXHIBIT
PD-10

TO:	ALL PERSONNEL	OFFICE:	El Paso, TX
FROM:	Donald R. Smay, Safety Coordinator	OFFICE:	El Paso, TX
SUBJECT:	CHEMICAL HAZARD COMMUNICATION PROGRAM	DATE:	June 1, 1988

GENERAL:

SCOPE: This Hazard Communication Program complies with the Federal Occupational Health and Safety Act as amplified by the Federal OSHA Hazard Communication Standard enacted in 1985 and implemented in 1986. It is intended to supplement the Standard by providing information pertinent and/or unique to Phelps Dodge operations in El Paso, Texas. In the unlikely event of conflict between this Program and the Standard or any of its interpretative rulings, current or future, the priority of enforcement shall be federal, state, local and company. In the event of any implementing instructions by Phelps Dodge Corporation which might be in conflict with plant directives pertaining to Chemical Hazard Communication, interpretation shall favor the corporate guidance.

APPLICABILITY: This Program is applicable to all Phelps Dodge employees working at the El Paso locations whether fully assigned or on temporary utilization. Also covered by its provisions are contractor personnel, service representatives, delivery persons and visitors.

THE PROGRAM:

LISTING OF HAZARDOUS AND POTENTIALLY HAZARDOUS CHEMICALS UTILIZED AT THE EL PASO PLANTS: Appended hereto is a listing of chemicals used at the El Paso plants. Updated at least semi-annually and more frequently if deemed necessary by the safety coordinator based upon major additions and/or deletions to the plants' chemical holdings, this listing of substances identifies chemicals known or suspected to be hazardous as well as many currently deemed safe but which may in future years be determined to be hazardous. This listing identifies also those chemicals for which Material Safety Data Sheets (MSDS) are currently in inventory or have been requested from manufacturers or vendors. Copies of the listing will be maintained in each of the plants' departmental offices, laboratories and security stations.

MATERIAL SAFETY DATA SHEETS: While only the listing is circulated to consumer departments, each and every MSDS is available for review in the office of the Safety Coordinator twenty-four hours a day. In the absence of Safety Office personnel, security officers will provide access to MSDS upon valid request. In the event security officers are unable to accommodate any request or locate the necessary MSDS(s), a safety office representative is on call to handle the matter. MSDS accepted for inclusion in the MSDS volumes will comply with the specifications for content elaborated in 29 CFR 1910.1200g.

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EMPLOYEE INFORMATION AND TRAINING: Phelps Dodge supervisors are charged with ensuring that persons working under their direction, be they company employees, contractors, service technicians or other category, are fully informed of and equipped to cope with any known or suspected chemical hazard with which they may come in contact.

INITIAL TRAINING: Within five working days of an employee's hire date or before an employee is assigned to any operation or activity known or suspected of having inherent chemical hazards (whichever is soonest), he/she will be given initial training which conforms to the specifications of 29 CFR 1910.1200h. Currently, that training consists of three video segments by Tele-Train, each approximately twenty minutes in duration. Collectively, the set addresses general chemical characteristics, chemical health hazards and fire and explosion hazards. Normally, contractors, service technicians and others conducting routine business on Phelps Dodge properties will have been trained by their respective employers; however, safety office personnel will, upon request of the contracting officer, include them in training sessions conducted for Phelps Dodge employees. If needed, special classes may be conducted for such personnel. Phelps Dodge chemists and safety personnel retain the prerogative to mandate instructional topics within the scope of chemical hazard communication for non-Phelps Dodge employees working on the properties.

ANNUAL TRAINING: Following initial training, special hazard training will be accomplished annually, usually during the month of February. Such training will inform personnel of the substances deemed most hazardous or those where plant experience suggests workers need and merit more than basic training.

REMEDIAL TRAINING: As deemed necessary, personnel experiencing exposures, near-exposures or other adverse situations will be given remedial training emphasizing the pertinent protection and hygiene aspects of the substances with which they may be in contact.

ON-THE-JOB and PRE-JOB TRAINING: Supervisors are responsible for ensuring that personnel working under their direction (employees, contractor personnel, service technicians, temporaries, and all other categories), are fully informed of and properly prepared for any known or potential hazards associated with the tasks they are performing or about to perform. Non-routine tasks which may involve exposing personnel to hazardous chemicals will be reviewed by the supervisor(s) in charge, the MSDS for relevant chemicals screened and the workforce fully briefed by the supervisor(s) or safety personnel BEFORE operations begin.

LABELS, SUBSTANCE IDENTIFICATIONS AND OTHER WARNINGS:

PROCURED SUBSTANCES: No chemical substance shall be stocked or used in the El Paso Plants unless it bears identifying labels and cautionary instructions which conform to Department of Transportation (DoT) guidance and/or the provisions of 29 CFR 1910.1200f.

MATERIALS PRODUCED OR MANUFACTURED BY PHELPS DODGE, EL PASO:
Managers of production elements in conjunction with Plant Engineering and the Director, Division of Occupational and Environmental Health, Phelps Dodge Corporation, will prepare and cause to be posted on containers of each product and by-product for sale by these plants, labels which conform to specifications of DoT and/or 29 CFR 1910.1200f. Additionally, MSDS meeting proper specifications will be developed for each product sold by the company and provided with the initial delivery to each customer and thereafter as major revisions are made. Sales Division is responsible for dissemination of MSDS to consumers. As with proper labeling, MSDS formulation will be accomplished by the Director, Division of Occupational and Environmental Health with the assistance of Engineering and Laboratory personnel.

WORKING QUANTITIES: Periodically, quality assurance and laboratory personnel must utilize small, working quantities of the various substances produced here or used in the production process. Persons transferring substances from larger to smaller vessels or vice versa will ensure that all containers are properly marked, that receiving containers have been properly purged and that no incompatible chemicals are mixed in other than fully controlled circumstances. This portion of the program is supplemented by standing operating procedures (SOP's) and other policies defined in guidance for the operation of the plants' laboratories.

Encl: 1 (Chemicals and MSDS Inventory) (With Departmental Files Only)