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PLAINTIFF'S EXHIBIT

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A Subsidiary of
Union Pacific Corporation

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SAFETY ORGANIZATION FUNCTIONAL PROCEDURE

Procedure No. 35

I. Purpose

A safety movement within a refinery requires an organization comprised of the management and supervisory level. It is here where the decisions are made regarding the extensiveness of the safety activities and where safety policy is established.

II. Scope

The safety policy and compliance with effective safety activities must permeate the particular operation, department or manufacturing process. It includes each individual comprising a specific plant or refinery.

III. Safety Accountability

The Champlin Corpus Christi Refinery requires that the safety of its personnel be each manager's and supervisor's responsibility. It is imperative that safety be acted upon and maintained at the same level as the other components of a manager's and supervisor's position; such as, quality, production, service and cost. Safe work conditions are to be provided and each first line supervisor will require that safe procedures are followed. Accident prevention measures will be successful to the degree each member of the refinery organization accepts safety as an individual concept.

IV. Principles

The following principles have been developed to guide the Corpus Christi Refinery in a safety approach designed to control accidents and prevent injuries:

1. Safety is to be continuously stimulated through total staff and line support.

1.1 To furnish the initiative and incentives for progress, the department manager will:

- Maintain a consistent comprehensive safety program in their operations.
- Take the necessary action to control accidents by correcting unsafe conditions and requiring safe practices.
- Employ the use of personal protective equipment in preventing injuries.
- Discuss with line supervisory personnel each week the plan for accident reduction activities.
- Maintain plantkeeping standards that promote safe work performance.

2. Provide consistent safety direction regularly.

2.1 The manager of a department, through line supervision with the guidance of the refinery safety department will administer adequate safety activities at all times.

- Inform and instruct those in each job assignment on safe work practices and accident control matters.
- Develop safe methods with workers, applying safe procedures and as these are formulated or improved, they shall be put down in written form to reflect the existing practices.
- Maintain safe working conditions. The department; its property, machinery and equipment is to be safeguarded considering the safety and health of workers.
- The MANAGER of a department is held personally and directly accountable for the correction of unsafe conditions and any plantkeeping discrepancies existing in the department. This shall include whatever follow-up may be required. This paramount safety responsibility cannot be delegated.
- Investigate, report, and analyze all work inflicted injuries, no-injury accidents as well as the conditions and factors which brought them about.
- Enforce the procedures for reporting all work injuries, however slight, immediately by the injured employee.
- Implement the most effective measures to prevent reoccurence of any occupational case even those first aid case incidents.
- Measure and evaluate injury experience and circulate pertient data widely as a means of making safety guidance and education more meaningful.

3. Train all workers in safety techniques.

3.1 Line supervisors will give safety training to workers concerning their job, work assignment or task to be accomplished. A supervisor has the opportunity, the authority and therefore is accountable for full instructions to clarify the safe efficient conduct of the work assigned.

- Safety instructions must be given, not only to new employees and to those transferred to unfamiliar exposures, but to all members of a group since safety measures, methods and practices continously improve to meet new techniques and changing conditions.
- Each supervisor's leadership action must set an example to his people in the area of safety conduct and the use of personal protective equipment in particular.
- A supervisor must take immediate action to correct unsafe practices, personal protective equipment violations and rectify improper housekeeping.
- Supervisors will require the use of personal protective equipment and clothing prescribed.

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Accomplishing a state of recordable injury free performance within the refinery is also a function of operations which requires spontaneous cooperation from department managers and line supervisors to ensure proper enforcement of safety activities, accident control measures and injury prevention requirements.

Necessary action must be taken at management level to see that unsafe practices, unsafe conditions and inadequate housekeeping receives the department manager's consideration for a compatible solution.

The Safety Department cannot fulfill the total functions for the various and essential safety requirements without the full cooperation of all refinery personnel. Safety personnel serve in a liaison capacity in directing the safety approach by proving technical instructions and guidance. Department managers and supervisors must be held accountable for the safety of those in their respective areas. This accountability is in direct proportion to the number of people they supervise.

R E Schneck

Richard E. Schneck
Refinery Manager