

PROCEDURE BULLETIN — TEXAS CITY PLANT P-0106

CONTRACTOR SAFETY PROGRAM

PLAINTIFF'S EXHIBIT

MON-754

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. DEFINITIONS

- A. Monsanto Representative: The person requesting services and having responsibility for the job. Normally a maintenance supervisor, CED supervisor, or project engineer.
- B. Contractor: In this document, generally understood to mean contractor supervision.

IV. PROCEDURES AND 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," and a description of specific hazards involved in the work should be reviewed with the prospective contractor(s) prior to submission of bids and be incorporated into the written contract. Provisions for the following items must be considered:

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

SC

005335

ORIGINAL ISSUE: 6/26/84

REVISED:

PAGE 1 OF 7

LAM006546

PROCEDURE BULLETIN—TEXAS CITY PLANT

P-0106

CONTRACTOR SAFETY PROGRAM

On larger jobs, the Monsanto Representative should consult with the Loss Prevention and Safety Department (LP&S). It may then be 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. When appropriate, Monsanto's purchase orders, signed by the contractor, may be used. Contracts drawn by contractor must be reviewed and approved by Monsanto's Law Department.

Prior to issuing the contract, Purchasing shall verify that the Monsanto Representative has reviewed job and safety requirements with the contractor.

- C. In all contractor work on Company property, contractor supervision is expected to maintain responsibility for the safety and health of his employees. Monsanto will advise contractor of known safety, environmental and health hazards associated with the work place in order that the contractor may carry out his obligations. Monsanto will also advise on the appropriateness of special protective clothing and equipment specific to operating areas in which contractor personnel will work.

- 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 and Alarms
- Traffic Rules
- Basic Protective Equipment Usage
- Personal Hygiene Practices
- General Industrial Hygiene
- Hazard Communication
- Plant Safety and Housekeeping Operations
- Plant Health and Safety Personnel

To identify contractors who have received the orientation, a sticker is placed on the contractor's safety hard hat indicating that they have attended the orientation. In addition, a log is kept to verify attendance. To keep the program current the orientation is renewed with the contractor employees on a yearly basis.

PROCEDURE BULLETIN — TEXAS CITY PLANT P-0106

CONTRACTOR SAFETY PROGRAM

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, lockout, etc.)
- Advise the contractor of special protective clothing and equipment specific to the assigned work area.
- Apprise the contractor of his responsibilities and restrictions while on site.

F. The Monsanto Representative shall coordinate and 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 and practices and is responsible to provide feedback to Purchasing on contractor performance. (See appended "Contractor Performance Form".)

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

H. Contractor shall furnish and require the use and wearing of proper personal protective equipment and 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 and equipment shall not be supplied by Monsanto, unless dictated by an emergency.

SC

005337

PROCEDURE BULLETIN — TEXAS CITY PLANT

P-0106

CONTRACTOR SAFETY PROGRAM

- I. Use of respiratory protective devices typically requires proper written standard operating procedures, selection and fitting, training, assignment, cleaning and disinfection, storage, inspection and repair, surveillance, periodic evaluation, medical approval and NIOSH approval when applicable per current OSHA regulations. Accordingly, each contractor employee who may have need to wear a respirator shall be properly fitted and trained in its use by the contractor prior to beginning work. The contractor shall be responsible for furnishing the proper devices to his employees and 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 and 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. If for some reason breathing air is supplied by the contractor, the contractor will test each cylinder of breathing air for adequate oxygen content and ensure that the breathing air meets specifications in 29 CFR 1910.134 and Grade D as described in the Compressed Gas Association Commodity Specification G-7.1-1966 prior to use.
- 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 is required by Monsanto when contractor's employees are handling or exposed to select process chemicals, Monsanto will under these situations conduct or arrange for appropriate tests and provide the data to the contractor or its medical service. The contractor shall be made aware of these provisions prior to working in an area, sufficient lead time for collection and analysis of samples will be needed in scheduling the work. When the severity of an injury dictates immediate attention on-site, Monsanto may

SC

005338

ORIGINAL ISSUE: 6/26/84

REVISED:

PAGE 4 OF 7

LAM006549

PROCEDURE BULLETIN—TEXAS CITY PLANT

P-0106.

CONTRACTOR SAFETY PROGRAM

provide first aid treatment, but only to the extent necessary to stabilize the condition of the contractor's employee for transport to the contractor's medical service or facility.

- L. Contractor personnel delivering or picking up materials in the plant must have and use appropriate protective equipment consistent with the hazards of the material being transferred and the work procedures of the area being entered.
- M. All contract tools and equipment on site shall, as a minimum, be in safe working condition and conform to OSHA standards. Monsanto shall have the right to refuse or restrict the use of tools, equipment or chemicals on the site. Contractor shall provide all tools, equipment and safety paraphernalia necessary to perform the work required. In no event shall Monsanto's tools, equipment or safety paraphernalia be used by contractor, contractor's employees, agents or subcontractors without obtaining Monsanto's prior written consent, unless otherwise specified by contract.
- N. Contractor must ensure that its eating facilities are separate from work areas, kept clean, and have proper washing facilities. The contractor shall institute an industrial hygiene approval system at each facility.
- O. Contractor must comply with proper plant procedures for securing permits involving hot work, tank entry, breaking into pipelines, lockout, etc. Permits will be coordinated through the Monsanto Representative. Monsanto will isolate equipment and/or facilities and test atmospheres prior to releasing these permits to contractor for work. The contractor will check the adequacy of the preparations and then sign the permit before work commences.
- P. Contractor change and shower facilities, if required, will be arranged by the contractor. Monsanto shall have the right to inspect these facilities.

SC

005339

LAM006550

PROCEDURE BULLETIN—TEXAS CITY PLANT P-0106

CONTRACTOR SAFETY PROGRAM

- 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 and reports (including OSHA 200 summary log, or equivalent) 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 and 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. It must be emphasized that direct supervision of contractor's employees by Monsanto must be considered only as a last resort and be practiced only on an extremely limited basis.
- T. Contractor operations may be periodically audited to determine if the contractor is making proper use of tools and equipment, following Monsanto health and safety procedures, and assuring that their operations do not endanger Monsanto personnel and 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 Supervisor Representative
 - LP&S Representative
 - Monsanto Area Supervisor

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

SC 005340

LAM006551

PROCEDURE BULLETIN—TEXAS CITY PLANT

P-0106

CONTRACTOR SAFETY PROGRAM

- 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.
- V. Where a contractor's employee creates a known imminent danger situation, immediate 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 and 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.).

Hard hats and safety glasses will be issued and collected by the Security Department to service personnel who do not have this personal protection equipment.

Developed by Special
Safety Subcommittee:

R. C. Baca - Chairman
G. W. Bostick
H. M. Lacy
B. C. Lancaster
M. A. Riddle
R. V. Sharp
J. D. Richards

Written by:


R. C. Baca

Approved by:


G. L. Tromblee

Reviewed by:
Plant Manager's Safety Board

LAM006552

ORIGINAL ISSUE: 6/26/84

REVISED:

PAGE 7 OF 7

PROCEDURE BULLETIN — TEXAS CITY PLANT

APPENDIX A
P-0106

CONTRACTOR SAFETY PROGRAM

RESPIRATORY CERTIFICATION ASSURANCE FORM LETTER

RE: Contract No. _____

Monsanto Plant: _____

Dear

It has been determined that your employees may be required to wear respirators in the performance of the subject contract. Monsanto Company requires that any employee of a contractor who might use respiratory equipment must be medically certified for respirator use.

In 29 CFR 1919.134, OSHA has adopted standards regarding proper respiratory protection including requirements regarding respirator written standard operating procedures; selection and fitting; training; assignment; cleaning and disinfection; storage; inspection and repair; surveillance; periodic evaluation; medical approval; and, when available, NIOSH approval. Section 1910.134(b)(10) recommends that a physician determine whether each employee wearing a respirator is physically able to perform the work while using the respiratory equipment.

In order to fulfill Monsanto's requirement regarding medical certification, the statement at the bottom of this letter must be executed and returned. I must receive this assurance of respirator certification before on-site work may proceed under the subject contract.

Very truly yours,

We (I) certify that all employees assigned by the undersigned to work at the referenced Monsanto Company site in tasks which have been identified as possibly requiring the use of respirators have been medically certified by a physician on a current basis for use of such equipment.

COMPANY: _____

BY: _____

TITLE: _____

DATE: _____

SC 005342

LAM006553

PROCEDURE BULLETIN—TEXAS CITY PLANT

APPENDIX B
P-0106

CONTRACTOR SAFETY PROGRAM

CONTRACTOR PERFORMANCE APPRAISAL

Firm's Name _____ Project/Job No. _____
Address _____ Title _____
_____ Location _____
Phone No. _____ Prepared by _____
Position _____ Date _____

1. CONTRACT INFORMATION

Purchase Order No. _____ Date Work Performed _____
Dollar Volume of Contract (If lump-sum show value of original contract) - - - - -
If Lump-Sum, total volume of extra work - - - - -
Total Volume of Contract - - - - -

2. EQUIPMENT

What equipment or material did contractor furnish:

Please rate the contractor's performance by checking in appropriate heading for each item. Mark out items not applicable to evaluation.

3. PERSONNEL

- a. Caliber of field personnel
- b. Availability of field personnel
- c. Technical know-how of supervisor
- d. Competence of Main Office Staff & Management
- e. Name & rate contractors key field personnel:

Site Superintendent _____

Others: _____

- f. Overall rating
- Remarks: _____

Excel- lent	Good	Fair	Poor

SC

005343

LAM006554

APPENDIX B
P-0106

4. EXECUTION OF WORK

- Remarks:

5. SAFETY AND HOUSEKEEPING

- Remarks:**

6. COST AND SCHEDULE

- Remarks:**

7. LABOR RELATIONS

- ## 8. SERVICE CAPABILITIES

- [illegible]

PROCEDURE BULLETIN — TEXAS CITY PLANT

APPENDIX B
P-0106

CONTRACTOR SAFETY PROGRAM

9. MATERIALS REQUIREMENTS

- a. Quality of material and/or equipment furnished
- b. Quantity
- c. Delivery

Excel- lent	Good	Fair	Poor

10. GENERAL PERFORMANCE

- a. Rate contractor's overall performance
Excellent Good Fair Poor
- b. Recommendations for future work:
Yes No , Qualified Yes No
(Please clarify under Item 11)

11. SPECIFIC COMMENTS

SC

005345

ORIGINAL ISSUE: 6/26/84

REVISED:

PAGE 3 OF 3

LAM006556