

## Annex M

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### OCCUPATIONAL HEALTH AND SAFETY REQUIREMENTS

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## Occupational Health and Safety Requirements

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### 1.0 OH&S Concept and General Requirements

#### 1.1 Occupational Health and Safety Concept

The work or activities at or near the Site under the Contract must be executed or implemented in such a way to:

- (a) Safeguard the health and safety of all the personnel, community and others involved; and
- (b) To protect property

with the clear objective to achieve ZERO accidents.

Every effort needs to be made and actions implemented to prevent injuries, occupational illness and property damage by maintaining a safe working environment at all times, taking into consideration the following principles:

- Safety and health are core values, not just the highest priority.
- Safety and health are conditions for executing all works or activities.
- All accidents can be prevented and therefore avoided.

#### 1.2 General Requirements

AM/NS Calvert LLC is referred to herein as “Owner”. The Contractor shall fully comply with the requirements set forth in this document, the Owner’s “Contractor Safety & Health Field Manual”, all of which are subject to change or amendment from time to time, and with all federal, state and local statutes, regulations and standards regarding occupational health and safety which are applicable to the Site during the performance of the Contract. In case of conflict between the requirements herein contained and the law applicable to the Site, then the more stringent shall be required.

The Contractor shall additionally fulfill any requirements and the instructions given by the Owner’s site safety personnel.

Before the start of the work or activities under the Contract at the Site, the Contractor shall meet with Owner and present its safety management system and Contractor's implementation and methodologies to be established at the Site in order to achieve an excellence in safety performance and to comply with the minimum standards established by law and the Contract. This shall include an overview of the Contractor’s past safety philosophies and performance.

Prior to performing any work or activities at the Site, Contractor must have a policy and controls implemented to provide and maintain a drug free environment. Additionally Contractor must ensure its employees while on Site are not under the influence of alcohol or drugs. The possession of illegal or controlled substances and alcohol products is strictly prohibited on Owner's property, including all parking areas.

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**1.3 ISNET Requirement**

Contractor agrees to maintain, at Contractor's expense, a subscription with ISNetworld ([www.ISNetworld.com](http://www.ISNetworld.com)) for the duration of the Contract. Contractor shall also furnish ISNetworld with any information requested by ISNetworld in connection with ISNetworld's evaluation of the Contractor.

In the event that Contractor's ISNetworld rating falls below an A or B, Contractor shall promptly take all steps necessary to improve the rating so that an A is achieved and maintained. If the Contractor does not improve such rating to an A or B within 30 days after the issuance of the rating by ISNetworld, Contractor may be deemed by Owner, in its discretion, to be in material breach of the Contract.

Owner makes no representation about the quality of services being performed by ISNetworld. Owner's use of ISNetworld shall not constitute or be construed as Owner assuming responsibility or liability for safety under the Contract or at law, and does not relieve Contractor from full compliance with its legal and contractual obligations. ISNetworld is an independent contractor, and any acts or omissions by ISNetworld shall not be considered an act or omission of Owner. ISNetworld is not an agent of the Owner.

**2.0 Responsibilities**

- 2.1 The Contractor is responsible for carrying out the supervision of the work or services under the Contract, having the highest regard for the occupational health and safety (OH&S) at the Site, or in the vicinity of the Site following the concept indicated in 1.1 above.
- 2.2 The Contractor shall be responsible for ensuring that all its agents, Subcontractors and employees fully implement and comply with the requirements herein contained. Therefore, when the Contractor or its employees or personnel are mentioned in this Annex, that reference shall be understood to include Contractor's agents, Subcontractors and all associated personnel as well.
- 2.3 The Contractor shall be responsible to:
  - (a) Ensure compliance and strict observance of (i) all applicable federal, state and local safety rules and regulations; and (ii) all the Owner's Site requirements, procedures and directives. This includes applicable rules and regulations of the Occupational Safety and Health Administration (OSHA) and the Environmental Protection Agency (EPA) and any other state agencies having jurisdiction over and which are applicable to the Site.

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- (b) Issue documentation which sets realistic jobs duration and identifies relevant safety plans and work method statements.
- (c) Conduct frequent inspections at the Site to ensure:
  - Hazards are appropriately identified, communicated and corrected.
  - The job scope is clearly defined.
  - Site conditions are understood.
  - Contractor's personnel are trained.
  - Contractor's personnel are following the required safety procedures.
  - Contractor's personnel are using all required personal protective equipment.
  - Contractor's personnel have completed the required safety orientations and training before they start work.
- (d) Assignment of a trained and competent "Safety Professional or Safety Contact" to be responsible to implement the Contractor's safety, fire prevention and environmental management activities during the duration of the work or activities at the Site. If a competent person(s) is different than the Contractor's Safety Professional or Contact for selected activities, these individuals must be identified to the Owner along with their responsibilities.
- (e) Enforce basic safety rules and regulations compliance, including but not limited to qualification of its personnel.
- (f) Submit job safety analysis for all activities with special attention to operations involving specific hazards.
- (g) Ensure that equipment is appropriate for each task or activity.
- (h) Firearms and weapons of any type are not allowed on the worksite. The Contractor shall take the necessary measures to ensure this requirement is adhered to by Contractor's personnel.

**3.0 Specific OH&S Requirements**

The following are some specific requirements that Contractor must comply with. However, as noted above, the Contractor shall comply with all occupational safety and health laws and not just those mentioned specifically below. In addition, the Contractor bears sole responsibility for taking all necessary steps to ensure the safety and health of its employees and must abide by all OSHA, workers' compensation and other provisions applicable to occupational safety and health as required by law or the Contract, regardless of Owner's requirements, guidance and instructions in this respect.

**3.1 Job Specific Hazards**

The Contractor shall identify specific job related hazards and emergency plans applicable to the work or activities under the Contract at the Site. The Contractor is required to make

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its own assessment of the hazards involved and risks associated with such work or activities and take the necessary actions to neutralize or minimize those hazards.

The Contractor shall provide the Owner with a complete and comprehensive report describing the identified activity related hazards, specific actions that will be taken to control such hazards and foreseen emergency plans.

**3.2 Training and Safety Orientation**

3.2.1 The Contractor shall ensure that all its personnel working at the Site are adequately trained in the type of work to be performed, have the knowledge in the relevant procedures to be implemented, have the appropriate qualifications or certifications to perform their tasks and are under competent supervision. Records are to be maintained by Contractor of the appropriate training, qualifications and certifications of each of Contractor's personnel and shall be available for review upon request.

If requested by the Owner or Owner's Representative, the Contractor shall provide the pertinent evidence that each of Contractor's personnel has been trained or is qualified to perform his or her job.

3.2.2 Before the commencement of the Contractor's activities at the Site, the Owner shall provide a safety orientation session to the Contractor's Safety Officer and to Contractor and its employees.

3.2.3 The Contractor shall ensure that all its personnel who will have access to the Site complete the Owner's safety orientation. In addition the Contractor shall ensure that its personnel are inducted in Contractor's own site or work training for applicable safety issues. Access to the Site shall be denied to any of the Contractor's personnel which have not completed the safety orientation.

**3.3 Personal Protection**

3.3.1 All Contractor's personnel at the Site (including visitors) must use or wear the following personal safety equipment as required by and meeting the specifications of OSHA/ANSI:

- Safety helmet head protection.
- Metatarsal Guarded Safety Boots.
- Safety glasses with attached side shields.
- Suitable protective clothing.

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- Any other personal protective equipment required by law, Owner's "Contractor Safety & Health Field Manual" or by the Contractor's hazard analysis.
- 3.3.2 Hearing protection shall be worn by personnel exposed to noise levels exceeding 85dB for any period of time or where signs indicate that hearing protection is required.
- 3.3.3 Other personal protection items such as gloves, face shields, leather spats, aprons or other such items may be required to be used or worn depending either on the perceived risks associated with the work or by the applicable regulations or the recommendations or instructions given by the equipment or materials manufacturers or suppliers.
- 3.3.4 For personnel working at unprotected elevations of higher than 4', a harness and retractable life line device shall be used by the Contractor's personnel attached to an appropriate anchor point. Any additional OSHA fall protection requirements also must be met depending upon the task.
- 3.3.5 All safety equipment must comply with applicable standards and shall be inspected and maintained in good condition.
- 3.3.6 All Contractor and Subcontractor personnel entering operating mill area(s) are required to wear flame resistant ("FR") clothing, including FR pants and FR long sleeved shirts or FR long sleeved jackets, along with other standard PPE (a safety vest is not required). There are various FR materials that can be used: Indura Ultrasoft, Indura, Proban, Carbon X, Carbon Kevlar, etc. The clothing must be labeled as "Flame Resistant".
- 3.3.7 Protective gear and clothing, such as hard hats, jackets, and coveralls must be labeled with the Contractor's company name for identification purposes.

**3.4 Equipment and Hand Tools**

- 3.4.1 The Contractor shall ensure that all equipment and hand tools brought into or used at the Site are:
  - Appropriate for the type of work to be performed and in good working condition.
  - Inspected, tested and tagged in accordance with applicable regulations and Owner's requirements.
  - Properly maintained or repaired.
  - Ground fault protection is required for use of electrical devices.

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- 3.4.2 The Contractor shall keep on Site the records of any type of major equipment (i.e. cranes, generators, excavators, etc.) used at the Site to perform its obligations under the Contract.

**3.5 Hazardous Substances**

- 3.5.1 Hazardous substances shall be understood as any substance or material specified in applicable legal regulations as being hazardous or flammable.

Prior to any hazardous substances being brought onto the Site or produced on the Site, the Contractor shall supply the Owner or Owner's Representative with the following:

- List of chemicals and Material Safety Data Sheets (MSDS) or Safety Data Sheets (SDSs) for each chemical product.
- Intended use or application.
- Safe storage and containment for both new and waste materials.
- Safety requirements and environmental pollution prevention.

- 3.5.2 Contractor shall comply with Annex N "Site Environmental Requirements".

**3.6 Risk Areas**

If required under the Contract, the Contractor shall implement and maintain the marking, posting and signaling related to dangerous or risk areas around the Site. Such marking, posting and signaling shall be in accordance with the applicable law and any additional requirements set by the Owner.

**3.7 Safety Reporting and Record-Keeping**

The Contractor shall notify the Owner immediately after the occurrence of any incident, accident, near-miss, non-conformance and other activities resulting in the potential or actual injury or illness of the Contractor's personnel or any other person, or of damage to property or to the environment at the Site.

The Contractor shall immediately investigate and prepare a written report of the incident, accident, near-miss, non-conformance or damage which shall include:

- Date, time and place where occurred.
- Detailed description.
- Type of injury or illness (if any).
- Medical treatment provided (if any).

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- Persons involved.
- Corrective action to prevent recurrence.
- Any other information as the Owner may reasonably require or requested by authorities.

A copy of the initial investigation reports shall be provided to the Owner as soon as possible (the goal is within 2 hours of the incident). A copy of the final investigation report shall be provided to the Owner within 24 hours of the incident; however, complex investigations may take longer. If the investigation is to take longer, the Owner shall be notified.

The Contractor is also responsible for complying with OSHA and other legal reporting, record-keeping and posting requirements.

In the event of an OSHA inspection, the Contractor shall immediately notify the Owner of the visit and, following the inspection, have a meeting with the Owner to report anticipated citations, corrective actions, and Contractor shall provide copies of citations once received.

**3.8 Safety Statistics**

The Contractor shall prepare and maintain a “Safety Performance Statistics Report” for its activities at the Site.

**3.9 Visitors to the Site**

All of Contractor's visitors who have the intention to visit the Site must obtain authorization of the Owner prior to visiting the Site. The Contractor bears the sole responsibility for guarding the safety of its visitors and must take all steps necessary to that end. The following are some specific requirements by the Owner which must also be observed by Contractor, in addition to any requirements in the Owner's “Contractor Safety & Health Field Manual”:

The visitors to the Site shall complete the visitor safety orientation prior to being allowed access to the Site. Visitors must remain in the care and custody of a designated Owner's Team Member for the full period of time that the visitor is at the Site.

All visitors who enter the Site must comply with the following requirements:

- (a) Use at all times a safety helmet and glasses (to be provided by the Contractor).
- (b) Wear adequate footwear (no open toe shoes, thongs or sandals) and suitable clothing (long pants and long sleeve shirt).



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- (c) Only be allowed outside main offices when accompanied by a senior staff employee of the Contractor.
- (d) Obey all safety signs and access restrictions (including bunting and barricade tape).
- (e) Do not enter any restricted area at the Site unless expressly authorized by the Owner.
- (f) Obey all verbal directions or instructions given.
- (g) Complete and forward to the Owner's Safety Manager or designee a signed "Visitor Safety Declaration" and a signed "Visitor's Release from Liability and Assumption of Risk" (to be provided by the Owner upon request).