

**NEVADA ENVIRONMENTAL RESPONSE TRUST
CONTRACTOR HEALTH SAFETY ENVIRONMENT
MANUAL**

HENDERSON, NEVADA

Prepared for:

Nevada Environmental Response Trust

*35 East Wacker Drive, Suite 1550
Chicago, IL 60601*

Prepared by:

**HER Services, Inc.
Las Vegas, Nevada**

Edited By:

**Tetra Tech, Inc.
Henderson, Nevada**

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ACRONYMS AND ABBREVIATIONS

ANSI	American National Standards Institute
ASD	Accumulation Start Date
ASTM	American Society of Testing and Materials
CAA	Container Accumulation Area
C&D	Construction and Demolition
CFR	Code of Federal Regulations
CPR	Cardiopulmonary Resuscitation
dBA	Decibel (on A-weighted network)
DOT	Department of Transportation
ETI	Envirogen Technologies, Inc.
EPA	Environmental Protection Agency
GFCI	Ground Fault Circuit Interrupter
GHS	Globally Harmonized System
H ₂ S	Hydrogen Sulfide
HASP	Health and Safety Plan
HAZWOPER	Hazardous Waste Operations and Emergency Response
HSE	Health Safety Environment
IDLH	Immediately Dangerous to Life or Health
IDW	Investigation Derived Waste
JSA	Job Safety Analysis
LOTO	Lockout Tagout
LQG	Large Quantity Generator
mph	Miles per hour
NAC	Nevada Administrative Code
NDEP	Nevada Division of Environmental Protection
NEC	National Electric Code
NERT	Nevada Environmental Response Trust
NIOSH	National Institute for Occupational Safety and Health
NFPA	National Fire Protection Association
NPDES	National Pollution Discharge Elimination System
NRR	Noise Reduction Rating
NRS	Nevada Revised Statute
O&M	Operation and Maintenance
OSHA	Occupational Safety and Health Administration
POTW	Publicly Owned Treatment Works
PPE	Personal Protective Equipment
RCRA	Resource Conservation and Recovery Act
SDS	Safety Data Sheet (formerly MSDS)
SPCC	Spill Prevention, Control and Countermeasure
SWPPP	Storm Water Pollution Prevention Plan
Tetra Tech	Tetra Tech, Inc.
TSD	Treatment, Storage and Disposal

UL Underwriters Laboratories
UN United Nations
VOC Volatile Organic Compound

Table of Contents

1.0 INTRODUCTION.....	1
2.0 GENERAL REQUIREMENTS	2
2.1 ACCESS AND EGRESS	2
2.2 CONCURRENT OPERATIONS.....	2
2.3 CONTRACTOR RESPONSIBILITIES.....	2
2.3.1 Contractor Skills and Knowledge.....	3
2.3.2 Required Health Safety Environment Programs	4
2.3.3 Incident Reporting and Investigation Procedure	4
2.4 DRUG & ALCOHOL POLICY.....	4
3.0 SAFETY REQUIREMENTS	6
3.1 AERIAL LIFTS AND MANLIFTS	6
3.2 COMPRESSED GAS CYLINDERS	6
3.3 CONFINED SPACE ENTRY OPERATIONS.....	6
3.4 DRIVING AND TRAFFIC HAZARDS	7
3.5 ELECTRICAL REQUIREMENTS.....	8
3.6 EXCAVATIONS, TRENCHES AND EARTHWORK	9
3.7 FIRE PREVENTION AND EQUIPMENT	9
3.8 HAND AND POWER TOOLS	10
3.9 HEAVY EQUIPMENT, INDUSTRIAL VEHICLES AND CRANES.....	10
3.10 HOT WORK.....	11
3.11 HOUSEKEEPING	11
3.12 JOB SAFETY ANALYSIS (JSA)	12
3.13 LOCKOUT/TAGOUT (Control of Hazardous Energy).....	12
3.14 LONE WORKERS	13
3.15 MINIMUM PPE REQUIREMENTS.....	13
3.16 SAFE LIFTING PRACTICES	13
3.17 WALKING AND WORKING SURFACES.....	13
3.18 WORKING AT HEIGHTS/FALL PROTECTION	14
3.19 WORKING OVER OR NEAR WATER	14
4.0 OCCUPATIONAL HEALTH REQUIREMENTS.....	15

4.1 HAZARDOUS WASTE OPERATIONS AND EMERGENCY RESPONSE.....	15
4.2 HAZARD COMMUNICATION.....	16
4.3 PERSONAL PROTECTIVE EQUIPMENT	17
4.4 HAZARDOUS BUILDING MATERIALS	18
4.5 HEAT-RELATED ILLNESS.....	19
4.6 HYDROGEN SULFIDE.....	19
4.7 SANITARY AND WASHING FACILITIES	19
5.0 ENVIRONMENTAL REQUIREMENTS	20
5.1 MATERIALS AND WASTE MANAGEMENT	20
5.2 SPILL PREVENTION, REPORTING AND RESPONSE.....	21
5.3 WATER USAGE AND GROUNDWATER PROTECTION	22
5.4 WORK INVOLVING AIR EMISSIONS	22
6.0 CONTRACTOR HSE MANUAL COMPLIANCE AGREEMENT.....	23

1.0 INTRODUCTION

The Nevada Environmental Response Trust (NERT) is committed to conducting operations and activities in a manner that provides and maintains safe and healthful working conditions, protects the environment, and conserves natural resources. The NERT health and safety vision is to achieve project safety and health excellence that will keep employees safe and protect assets by moving beyond regulatory compliance to ensure that we identify and understand associated hazards and risk, apply appropriate risk prevention safeguards and strategies, train and equip the organization, monitor performance, and continuously work towards improvement.

It is NERT's expectation that all Contractors working at the NERT Site make safety and health and environmental protection an unchanging and shared core value, and align their health and safety vision to create NERT project safety and health excellence.

This NERT Contractor Health Safety and Environment (HSE) Manual has been prepared to assist each project Contractor in meeting its contractual and legal incident prevention responsibilities in such a manner so as to ensure safe and efficient operations. All applicable requirements outlined in this Manual shall be incorporated into the Contractor's site-specific Health and Safety Plan (HASP). The site-specific HASP shall be submitted to NERT at least two weeks prior to starting work on the NERT Site.

The content of the Contractor HSE Manual must not be considered to be all inclusive as to the hazards that might be encountered, safe work practices that should be implemented, and safe conditions that should be maintained during the course of any project. Moreover, this Manual does not replace the Contractor's legal obligation to its employees under all relevant health, safety and environmental regulations and standards. All legal requirements not specifically referenced in this manual shall be complied with as applicable to Site operations.

Additionally, a copy of the NERT Health and Safety Plan will be provided to each NERT Contractor engaged in work at the Site to fulfill its obligation under the U.S. Occupational Safety and Health Administration (OSHA) standard for Hazardous Waste Operations and Emergency Response (HAZWOPER) under Title 29 Code of Federal Regulations (CFR) Part 1910.120 (b)(1) to inform employees and Contractors of site-specific hazards. This HASP is present at the NERT Administration office and will be available to all Site personnel who may be exposed to hazardous conditions, including NERT and Contractor personnel participating in site operations, and all authorized Site visitors, including regulatory agency representatives.

2.0 GENERAL REQUIREMENTS

2.1 ACCESS AND EGRESS

The Contractor shall coordinate with the NERT Site Manager to gain access to designated project areas through the Control Access gates (access codes will be provided), and to identify authorized driving routes and emergency egress routes.

2.2 CONCURRENT OPERATIONS

NERT is a multi-employer workplace and the NERT Site Manager will assist with communication and coordination with other Site Operators and Contractors. This is especially important in active treatment areas operated by Envirogen Technologies Inc. (ETI) and in investigation and remediation operations performed by other Contractors.

2.3 CONTRACTOR RESPONSIBILITIES

The Contractor agrees to comply with all rules and procedures contained in this Contractor HSE Manual, unless NERT specifically agrees in writing to a modification or exemption. In addition, the Contractor and all lower tier subcontractors shall:

- Develop a site-specific HASP that addresses all applicable Federal, state, municipal, local, and NERT requirements detailed in this Manual. A copy of the HASP shall be maintained at the NERT Site where employees will have access to a hard copy. The NERT Contractor HSE Manual shall also be provided to Contractor employees for review, understanding and compliance.
- Conduct an Operational Readiness Review prior to each phase of construction work, start-up of a new or modified treatment system, or if major changes have occurred in operations and maintenance procedures.
- Maintain NERT as a drug- and alcohol-free workplace. The use of tobacco is not permitted on the NERT Site.
- Take all prudent and appropriate HSE precautions to protect NERT employees, all Contractor and subcontractor workers, and the public from HSE hazards associated with the Contractor operations.
- Comply with all Federal, state, municipal, local and any other applicable occupational safety and health statutes, rules, ordinances, regulations and requirements issued or mandated by any governmental authority, including but not limited to Title 29 CFR Parts 1903, 1904, 1910, and 1926.
- Comply with all applicable Federal, state, municipal, local and any other applicable air pollution statutes, rules, ordinances, regulations and requirements issued or mandated by any governmental authority.
- Comply with all Federal, state, municipal, local and NERT hazardous materials, hazardous waste, and non-hazardous waste statutes, rules, ordinances, regulations and requirements, including but not limited to Title 40 Code of Federal Regulations.
- Obtain the applicable HSE permits to conduct the work in compliance with local, state and Federal HSE regulations and Site requirements.
- Ensure that all employees and subcontractors have received the appropriate level of HSE training in accordance with all application HSE regulations necessary for the

performance of work requested by NERT and as specified in the Contractor site-specific HASP.

- Prior to commencement of operations, provide employees training and information on applicable governmental laws and regulations, identified health and safety hazards, and safe work practices. Contractor employees shall read and certify that they have read and understood the site-specific HASP developed by the Contractor.
- Provide all Site visitors a safety orientation prior to commencing operations or touring the Site. A visitor log shall be kept to document the orientation.
- Contractor understands that NERT may immediately stop Contractor's work if Contractor violates any applicable Federal, state, municipal, local, and NERT requirements (as detailed in this Manual).
- Contractor is advised that the Contractor operations may be periodically inspected by NERT or a representative of NERT. Periodic NERT inspections in no way relieve the Contractor of its obligations to maintain its own inspection program to identify unsafe conditions or acts. HSE violations will be considered in the evaluation of the Contractor performance.
- NERT is not responsible for training and supervising Contractor employees or abating workplace hazards created by the Contractor or to which the Contractor's employees are exposed.
- Contractor agrees to maintain copies of all pertinent HSE records at the NERT site. Applicable records include, but are not limited to, personnel training, medical surveillance program participation, accident/injury reporting, work area inspections, safety meetings, Safety Data Sheets, air monitoring data, waste container inspections, etc. These records shall also be provided electronically to the NERT Site Manager.
- Contractor shall contact the NERT Site Manager immediately in the event of a fatal or serious injury, an unpermitted environmental release, or any HSE incident that is likely to generate significant publicity or an adverse situation for NERT.
- Contractor shall affix and maintain in good condition all signs and notices required by applicable governmental regulations.

All Contractors are fully responsible for the safety of their employees, as well as employees of their subcontractors, as detailed in this document.

2.3.1 Contractor Skills and Knowledge

Contractors must have appropriate skills and training for their work performed on behalf of NERT. All Contractor managers and supervisors are required to have a thorough knowledge of all safety regulations and safe work practices that apply to the work they direct and perform. Safety and health instructions and compliance must be an integral part of all stages and phases of the contract work.

The Contractor's job site manager/supervisor retains overall responsibility and accountability for HSE performance, including regulatory compliance. The Contractor must designate an onsite individual with overall responsibility for safety, regardless of crew size, and must notify NERT in writing of the name of this individual. This designated person (Competent Person) must be competent in safety regulations pertaining to the work performed and must perform specific day-to-day activities as noted below and communicate them to the NERT Site Manager.

The Contractor shall ensure that all non-English speaking employees fully understand the site HSE requirements and their duties covering health and safety while onsite, including any emergency procedures. The language needs of non-English speaking personnel must be adequately provided for during site orientation, other training, and work supervision, including having at least one English-speaking individual capable of translating into the non-English-speaking Contractor employee's language in the immediate vicinity of non-English speaking employees when performing work that has the potential for high risk such as critical lifts, confined space entry, hot work, line break, elevated work, and excavation/trenching.

The following are considered good management practices and are strongly recommended for NERT Contractors:

- Safety vision and expectations aligned with NERT vision
- Site-specific health and safety plan
- Safety accountability/responsibility assigned
- Supervisory training program
- Recognition for good performance
- Disciplinary action procedures
- Work permits
- Daily toolbox safety meetings

2.3.2 Required Health Safety Environment Programs

Contractors must develop and implement written health safety and environmental management programs for the protection of their employees and the environment based upon the work to be performed. These written programs must at a minimum meet NERT standards and comply with the applicable Federal, state and local occupational health and safety, environmental protection and transportation regulations. These programs and procedures are described in Sections 3, 4 and 5 below.

2.3.3 Incident Reporting and Investigation Procedure

Each NERT Contractor must have a written program for incident reporting and investigation. NERT Contractors will utilize their company incident report forms and procedures for documenting employee incidents that occur on the NERT Site. Incidents include employee injury and illness, property and equipment damage, spills and releases, fire and explosion, motor vehicle accidents, and near miss events.

Each Contractor must provide NERT a monthly HSE summary for its field operations on the NERT site. This report is due to NERT by the 10th working day following the reporting period. Contractors must record their injury and illness statistics, and manhours worked onsite for their employees and others under the Contractor's management or supervision.

2.4 DRUG & ALCOHOL POLICY

NERT is committed to the principle of keeping illegal drug use out of the workplace. Drug use in the workplace endangers fellow workers, public safety, company morale, and production. Moreover, the Nevada legislature has passed an Act that requires employers to adopt a drug

abuse policy. Accordingly, this policy is implemented in accordance with the Drug-Free Workplace Act of 1988 and Nevada Drug Free Workplace Policy under Nevada Revised Statute (NRS) 284 to help ensure and maintain a drug-free, healthful, safe, and secure working environment.

For the purpose of this policy, the definition of a “drug” includes alcoholic beverages, inhalants, illegal drugs and marijuana. In November 2016, the state of Nevada voted to legalize the recreational use of marijuana. However, NERT requires that the workplace is drug-free and that workers are not under the influence of any drug or substance of abuse including marijuana.

The unlawful manufacture, distribution, dispensation, possession, or use of a drug on NERT premises is strictly prohibited. Violations of this policy will result in disciplinary action which, at NERT’s discretion and depending upon the seriousness of the violation, may range from required participation and successful completion in a rehabilitation program to termination of employment. Depending on the circumstances, other action, including notification of appropriate law enforcement agencies, may be taken against any violator of this policy.

3.0 SAFETY REQUIREMENTS

3.1 AERIAL LIFTS AND MANLIFTS

Contractor shall comply with the OSHA Standards under 29 CFR 1910 Subpart F and 29 CFR 1926.452 for work involving boom supported lifts, scissor lifts, aerial work platforms and portable work platforms.

Contractors shall ensure that only authorized employees operate an aerial lift/manlift and that an operator's handbook or manufacturer's instructions accompanies each piece of equipment. Contractor employees are required to wear personal fall protection equipment and tie-off to the pre-approved anchor point in the basket. All equipment must be inspected prior to use and the inspection findings documented. Equipment training records must be maintained onsite and available for review.

3.2 COMPRESSED GAS CYLINDERS

Contractor shall comply with the OSHA Standards under 29 CFR 1910.101 and 29 CFR 1926.350.

Compressed gas cylinders shall be secured with a chain or rope in an upright position at all times. When transporting, moving or storing cylinders, valve protection caps shall be in place and secured. Users shall ensure that compressed gas containers are not rolled in the horizontal position or dragged. Use a suitable hand truck, forklift truck or similar material handling device to move the containers which must be properly secured to the device. Guard against dropping or permitting containers to violently strike against each other or other surfaces.

Compressed gas cylinders shall be kept away from excessive heat, shall not be stored where they may be damaged or knocked over by passing or falling objects, and shall be stored at least 20 feet away from highly combustible materials. Cylinders shall be labeled as to the nature of their contents. Users of compressed gas should become familiar with the properties and inherent hazards of the products they use through review and understanding of product labels and Safety Data Sheets (SDSs).

Oxygen cylinders in storage shall be separated from fuel gas cylinders or combustible materials a minimum of 20 feet or by a noncombustible barrier at least 5 feet high having a fire-resistant rating of at least 30 minutes. Acetylene cylinders shall be stored and used in a vertical, valve end-up position only. Flash arrestors shall be installed on all oxygen and acetylene cylinders.

3.3 CONFINED SPACE ENTRY OPERATIONS

NERT policy **prohibits unauthorized entry into confined spaces**. Entry is defined as breaking the plane of the opening to the confined space with any body part. Therefore, Contractor personnel are not allowed, under any circumstances, to enter identified or potential confined spaces without having appropriate training, supervision, safety equipment, and calibrated air monitoring equipment in accordance with the OSHA Confined Space Entry Standards for Construction (29 CFR 1926.1200-1213) and General Industry (29 CFR 1910.146).

A confined space is defined as an area which has the following characteristics:

- Is large enough and so configured that an employee can bodily enter and perform assigned work.
- Has limited or restricted means for entry or exit (for example, tanks, manholes, sewers, vessels, silos, storage bins, hoppers, vaults, and pits are spaces that may have limited means of entry).
- Is not designed for continuous employee occupancy.

Additionally, a Permit-Required Confined Space must also have one or more of the following characteristics:

- Contains or has a potential to contain a hazardous atmosphere.
- Has an internal configuration such that an entrant could be trapped or asphyxiated by inwardly caving walls or by a floor that slopes downward and tapers to a smaller cross-section.
- Contains any other recognized, serious, safety or health hazard.

Identified confined spaces at the NERT Site include well vaults, sumps, sewer and storm water manholes, storage tanks, and treatment vessels with manway/hatches, etc. NERT shall communicate all known hazards of identified confined spaces to Contractor upon request. NERT and the Contractor and its subcontractors shall coordinate any planned confined space entry operations.

Contractors whose assigned scope of work includes confined space entry must have a written confined space entry program and a permit system for conducting pre-entry and continuous atmospheric testing and accessing a permit-required confined space. Atmospheric hazard testing in a confined space must be conducted using a calibrated direct-reading instrument with sensors for oxygen, flammable gases and vapors (percent of the lower explosive limit), and toxic gases and vapors (such as hydrogen sulfide and carbon monoxide). All personnel involved in confined space entry must be approved by the Contractor based on review and approval of qualifications (education, experience, demonstration of knowledge and competency).

The Contractor shall provide his own rescue equipment and trained personnel for planned entry into permitted spaces.

3.4 DRIVING AND TRAFFIC HAZARDS

Contractor employees are to obey all State of Nevada driving laws and posted traffic signs. Some site monitoring activities will be conducted on public roadways, and on paved or dirt/gravel roadways on the NERT Site. There may be heavy equipment and personal vehicular traffic and pedestrians present. Appropriate precautions to protect the site workers and Contractors should be used including the use of cones, flashing lights, and traffic vests as established by the safe work practices and procedures. Traffic work zone protections such as barricades, use of flagman or spotters, arrowboards and vehicles will be used in accordance with the DOT Manual of Uniform Traffic Control Devices.

While Contractors are on the NERT Site, they are to never exceed the established maximum vehicle speed limit of 25 miles per hour (mph). Some active construction areas have posted speed limits of 5 mph. During inclement weather or when there are other site operations in progress, the NERT Site Manager may reduce the speed limit to ensure the safety of all workers.

Employees should employ defensive driving techniques and eliminate all distractions such as cell phone use while driving. Contractor employees should eliminate backing of vehicles into roadways where possible. Drivers should park their vehicles facing outwards or use a spotter to guide backing movements. The wheels of any truck being loaded or unloaded, and/or parked on an incline must be chocked to prevent movement.

3.5 ELECTRICAL REQUIREMENTS

All Contractor operations shall comply with the OSHA Standards under 29 CFR 1926 Subpart K and 29 CFR 1910.269. All electrical work, installation and wire capacities shall be in accordance with the pertinent provisions of the National Electric Code (NEC), American National Standards Institute (ANSI), and OSHA.

Only qualified persons are permitted to work on electrical systems, as defined under 29 CFR 1910.269 (a)(2). Qualified persons shall be trained and competent in:

- The skills and techniques necessary to distinguish exposed live parts from other parts of electrical equipment;
- The skills and techniques necessary to determine the nominal voltage of exposed live parts;
- The minimum approach distances specified by OSHA corresponding to the voltages to which the qualified employee will be exposed; and
- The proper use of the special precautionary techniques, personal protective equipment (PPE), insulating and shielding materials, and insulated tools for working on or near exposed energized parts of electrical equipment.

Contractor personnel shall properly ground all electrical tools, mechanical digging or concrete breaking equipment and all other electrical equipment while in use. Covers or barriers must be installed on boxes, fittings, and enclosures to prevent accidental contact with live parts.

Temporary wiring installations must be grounded. Electrical systems shall be de-energized utilizing appropriate lockout and tagout (LOTO) procedures prior to conducting work.

Electrical cabinets and equipment shall be labeled indicating the arc flash hazard and shock levels for personnel protection. Contractors may apply the charts of National Fire Protection Association (NFPA) 70E to unlabeled equipment and shall abide by the requirements posted on all labeled equipment.

Contractor shall comply with OSHA Standard 29 CFR 1926.550 (a)(15). If work is to be performed near overhead power lines, the lines must be de-energized and grounded by the owner/operator of the lines, or other protective measures such as line guarding or insulating must be provided before work is started. Unqualified workers and mechanical equipment must stay at least 10 feet away from overhead power lines. If the voltage is over 50,000 volts, the clearance should

be increased by four inches for each additional 10,000 volts. A person shall be designated to observe clearance of the equipment and give timely warning for all operations where it is difficult for the operator to maintain the required clearance by visual means.

3.6 EXCAVATIONS, TRENCHES AND EARTHWORK

Contractor operations shall conform to the OSHA Standard under 29 CFR 1926 Subpart P.

Prior to commencing any excavation, the Contractor must review available drawings (provided by NERT or Tronox) to ensure that all underground obstructions and utilities are identified. For excavations where interferences are shown, the Contractor must hand dig to locate the interference. The Contractor shall contact the One Call service to schedule utility clearance of public utilities and a third party utility clearance contractor for private land.

If workers are to enter excavations, a competent person must be designated and trained in soil classification and the recognition of trenching and excavation hazards. Excavations and trenches shall be inspected by a competent person daily and after every rainstorm, earthquake or other hazard-increasing occurrence.

Contractor shall:

- Inspect the face, banks and top daily when workers are exposed to falling or rolling materials.
- Shore, bench, slope or use equivalent method to protect workers in excavations four feet deep or more.
- Locate soils at least two feet from the edge of the excavation, or one foot from the edge when the excavation is less than five feet deep.
- Install crossings with standard guardrails and toeboards when the excavation is more than 7 1/2 feet deep.
- Provide and secure ladders or steps in all trenches four feet or more in depth. Ladders shall be located to require no more than 25 feet of lateral travel before having access or egress and shall extend three feet above the top of the trench bank.
- Provide suitable barriers, signs and lights for all open trenches and excavations to protect the public. Caution tape is not an approved barricade material.
- Support undermined sidewalks, unearthed pipelines, etc. Contractor shall not excavate beneath the level of adjacent foundations, retaining walls, or other structures until a qualified person (i.e., structural engineer) has determined that the work will not be hazardous.

3.7 FIRE PREVENTION AND EQUIPMENT

Contractor will conform with the OSHA Standards under 29 CFR 1926 Subpart F and 29 CFR 1910 Subpart E.

Contractor personnel are responsible for fire protection in all of their work areas at all times during Site operations (24 hours per day/seven days per week). Approved fire-fighting equipment and extinguishers in adequate quantities for the work activities must be provided. Fire extinguishers will be kept in close proximity to field activities and their location, along with

that of nearby permanent firefighting equipment, will be discussed during the daily tailgate safety meeting. Only personnel trained in the use of portable fire extinguishers are permitted to use them to fight incipient stage fires. Further, personnel must be confident of their ability to extinguish the fire and have their back to the escape route. Contractor shall report all fires extinguished by the Contractor to NERT. **Note that a fire extinguisher cannot put out a perchlorate fire and evacuation will be mandatory for such an event.**

In case of fire, Contractor shall call 9-1-1. Contractor shall also notify its employees in the area to evacuate to a safe place and direct arriving fire department personnel to the fire. Contractor must notify NERT as soon as reasonably possible.

Contractors are to store, dispense, and use flammable and combustible liquids in accordance with OSHA regulations and the Uniform Fire Code. Bonding and grounding of containers containing flammable liquids is required. Open flames and smoking shall not be permitted in flammable or combustible liquid storage areas.

Fire and explosion hazards posed by potential subsurface accumulations of perchlorates and required mitigation measures must be addressed in all Contractor work plans, safety plans, and Job Safety Analyses.

3.8 HAND AND POWER TOOLS

Contractor shall comply with the OSHA Standard 29 CFR 1910 Subpart P and 29 CFR 1926 Subpart I.

All hand and power tools whether furnished by the Contractors or by its employees shall be maintained in a safe condition. Electrical power tools shall be grounded or double-insulated with proper assured equipment grounding inspections or Ground Fault Circuit Interrupter (GFCI) circuit protection provided. Pneumatic power tools shall be secured to the hose or whip by some positive means. Only properly trained Contractor employees shall operate powder-actuated tools. Contractor shall use intrinsically safe equipment where appropriate. All grinding machines shall conform to OSHA and ANSI standards. Tools are not to be left or placed on beams, overhead walkways, or places where they may fall, causing injury.

3.9 HEAVY EQUIPMENT, INDUSTRIAL VEHICLES AND CRANES

Contractor shall comply with the OSHA Standards under 29 CFR 1926 Subparts N, O, W and CC. Only trained and authorized workers may operate heavy equipment, industrial vehicles and cranes. The Contractor shall designate a competent person who shall inspect all machinery and equipment prior to each use to make sure it is in safe working condition. Inspection findings must be documented. The Contractor shall comply with the manufacturer's specifications and limitations applicable to the operation of any and all heavy equipment, industrial vehicles and cranes. Seatbelts are required to be worn if the vehicle has Roll-Over Protection Structures. The swing radius of cranes and heavy equipment shall be barricaded. No workers are permitted to walk under or work under a suspended load.

Operators of powered industrial trucks (such as forklifts, pallet movers, etc.) must be trained and operator training records must be available to NERT upon request. Training records must be maintained at the NERT Site.

All moving equipment shall be equipped with audio and/or visual backup alarms. Ensure that back-up alarms are functional on equipment. Use escort vehicles with flashing lights to warn and control local traffic when moving large equipment to the support area. The equipment operators will establish communication protocols with personnel on the ground, and will maintain awareness of their surroundings at all times. An exclusion zone will also be established to keep ground personnel away from heavy equipment.

A safe lifting plan will be developed that describes the procedures to be used on the NERT Site to ensure that each crane and hoist lift is conducted safely. This shall include a critical lift plan for anticipated lifts over 75 percent of the capacity of the crane or hoist, when personnel are lifted, and for complex lifts, etc. in accordance with Subpart CC.

3.10 HOT WORK

Contractor shall perform all hot work operations such as welding, torch cutting, brazing, soldering, etc. in accordance with the OSHA Standards under 29 CFR 1910 Subpart Q and 29 CFR 1926 Subpart J. Contractor shall have written hot work requirements and permit form which shall be referenced or appended in their site-specific HASP. Work on the Tronox leasehold will require the use of the Tronox hot work permit.

Welding, cutting, grinding or burning on empty drums is strictly prohibited. When welding, Contractor personnel shall use welding screens or curtains to protect persons from indirect exposure to welding flashes or sparks.

Contractor personnel must secure all oxygen and acetylene cylinders in a manner that will prevent them from falling or tipping over. Oxygen and acetylene cylinders must be stored separately. Oxygen cylinders in storage must be separated from fuel gas cylinders a distance of 20 feet or by a noncombustible barrier at least 5 feet high. Acetylene cylinders shall not be stored horizontally.

A Fire Watch is to be established for all welding, brazing, cutting or other hot work activity. The assigned worker for the fire watch has only one duty, which is to scan the hot work area looking for potential fires or hot spots. This person is to have a fire extinguisher and a means of communication to reach emergency service personnel if necessary. The fire extinguisher should be the correct type for the materials in the area and of a large enough size to be useful in the event of a flare-up only after the fire department has been notified. The fire-watch worker is to remain on-site for a minimum of 30 minutes after the hot work is completed.

3.11 HOUSEKEEPING

Contractor shall maintain the work area in a clean and safe condition. Contractor shall continuously clean up its respective work areas to maintain them free from slip, trip and fall hazards at all times.

Debris shall be cleared from work areas, passageways, stairs, and in and around buildings and other structures. The work area must be left free from accumulation of waste and rubbish at the end of each work shift.

Combustible scrap and debris shall be removed at regular intervals during the course of work performed by the Contractor. Safe means shall be provided to facilitate such removal.

At the end of each work day and at the conclusion of Site operations, Contractor shall restore the work area to the same degree of neatness as when work commenced. Contractor shall furnish necessary equipment and/or receptacles to remove waste and rubbish from the NERT site unless otherwise specified by NERT.

3.12 JOB SAFETY ANALYSIS (JSA)

The Contractor shall develop a Job Safety Analysis (JSA) for all Site operations with anticipated or potential health and safety hazards. The JSA shall list all safety-critical steps of the task or job, the potential or actual hazards associated with each job step, site conditions, and environmental factors, and the required protective measures to control the identified hazards. The JSA shall be developed by the subject matter experts (personnel performing the work) and reviewed by the Contractor Project Manager, Site Safety Officer, etc. The JSA will be updated/revised when there is a change in site conditions, personnel, equipment or procedures that may impact job safety and health. All JSAs will be maintained onsite by the Contractor and are to be used in employee training, daily tailgate safety briefings, behavior observations, jobsite inspections etc.

3.13 LOCKOUT/TAGOUT (Control of Hazardous Energy)

Contractors are required to establish a written program that meets the requirements under the OSHA Standard 29 CFR 1910.147. Contractors must develop and implement procedures for affixing lockout or tagout devices to energy isolating devices, and to otherwise disable machines or equipment to prevent unexpected energization, start-up or release of stored energy in order to prevent injury to an employee or affected person.

Energized systems include electrical, air lines, hydraulic lines, mechanical devise, pumps, pipelines, valves, and all other such energy and stored energy systems.

Contractor shall provide training to ensure that the purpose and function of the energy control program are understood by employees and that the knowledge and skills required for the safe application, usage and removal of the energy controls are acquired by the employees.

If the Contractor needs to service or maintain NERT or other Contractor-operated equipment, Contractor shall notify NERT and/or the onsite operator of the intended equipment service for any scheduled installation and maintenance. Upon completion of the job, Contractor is to notify NERT and/or the onsite operator so power can be resumed to the equipment after the lockouts and tags have been removed.

3.14 LONE WORKERS

Contractors shall assess the Site tasks for which it will permit its employees to work alone and shall establish communication requirements (check-in protocols) to ensure worker safety. The use of the buddy system is required for hazardous operations such as working at heights, confined space entry, electrical work, working over or near water, work in Level C PPE (respiratory protection) and under weather extremes (extreme heat stress hazard).

3.15 MINIMUM PPE REQUIREMENTS

Contractor shall conduct a PPE hazard assessment to identify required PPE for the work authorized by NERT. As a minimum, active construction zones will require the use of standard work clothing including hard hat, safety glasses, safety boots, reflective safety vest and hearing protection (as needed). All PPE must meet American Society for Testing and Materials (ASTM) or ANSI specifications for design and construction.

3.16 SAFE LIFTING PRACTICES

Musculoskeletal disorders in the workplace affect the muscles, nerves, blood vessels, ligaments and tendons. Employees may be exposed to risk factors at work such as lifting heavy items, bending, reaching overhead, pushing and pulling heavy loads, static tension from prolonged standing or sitting, working in awkward body postures and performing the same or similar tasks repetitively. Contractor shall train employees in safe lifting practices such as bending with the legs, and not at the waist; using mechanical aids or the buddy system for heavy (30 pounds or greater) and awkward loads, and changing positions every hour at a minimum.

3.17 WALKING AND WORKING SURFACES

Ladders

Contractor shall comply with the OSHA Standard 29 CFR 1910 Subpart D for Walking and Working Surfaces and 29 CFR 1926 Subpart X for Ladders.

Ladders must be inspected prior to use. The use of ladders with broken or missing rungs or steps, broken or split rails, or other defective construction or condition is prohibited. Ladders shall extend no less than 36 inches above the landing and be secured to prevent displacement. Portable ladders must be equipped with safety shoes. Fiberglass or metal ladders are to be used; wooden ladders are not permitted on the NERT Site. Metal ladders shall not be used for electrical work or near live electrical parts.

Contractor employees must maintain three points of contact with the ladder when climbing, descending or working from the ladder.

Scaffolds

Contractor shall meet all OSHA requirements for scaffolding under 29 CFR 1910.28 and 29 CFR 1926 Subpart L.

Scaffolds must be provided for all work that cannot be done safely by workers standing on solid construction at least 20 inches wide, except where such work can be done from ladders. Erection and dismantling of scaffolds shall be performed in accordance with good engineering

practice. Footings or anchorage for any scaffold shall be sound, rigid, and capable of carrying the maximum intended load without settling or displacement. No unstable objects such as concrete block shall be used to support scaffolds or planks. Any part of a scaffold weakened or damaged shall be immediately repaired or replaced.

3.18 WORKING AT HEIGHTS/FALL PROTECTION

Contractor shall comply with OSHA Standard 29 CFR Section 1926 Subpart M requirements for fall protection systems and devices. Contractors must provide fall protection whenever a worker is exposed to a fall of four feet or more (in construction the criteria is six feet). Guardrails are the most common forms of fall protection systems. If guardrails are not feasible, fall protection may be provided by personal fall arrest systems, positioning device systems, warning line systems, safety nets, or other effective means of fall protection. Fall protection measures, such as but not limited to, perimeter protection or harness with lifelines shall be used when an employee is within 6 feet of a leading edge and is exposed to a fall of 6 feet or greater. Only whole body harnesses with lanyards are permitted. Body belts are prohibited.

When using Personal Fall Arrest Equipment, the Contractor shall ensure that workers are using appropriate anchorage points, or properly installed horizontal or vertical life lines.

Contractors must provide training to each employee who may be exposed to fall hazards in accordance with 29 CFR 1926.503(a)(1). Inspections must be conducted prior to use; equipment that has been subject to fall forces must be removed from service.

The Contractor must assure that employees can be promptly rescued or can self-rescue should a fall occur. The rescue plan shall be identified in the Contractor HASP and Job Safety Analysis.

3.19 WORKING OVER OR NEAR WATER

Contractor shall comply with OSHA Standard 29 CFR Section 1926.106 for working over or near water. The use of personal flotation devices and ring buoys for rescue must be addressed in task planning.

The GW-11 groundwater basin averages 40 feet of water in depth and poses a drowning hazard to employees.

4.0 OCCUPATIONAL HEALTH REQUIREMENTS

4.1 HAZARDOUS WASTE OPERATIONS AND EMERGENCY RESPONSE

Contractors shall comply with the OSHA Standards 29 CFR 1910.120 and 29 CFR 1926.65 for hazardous waste operations and emergency response.

Contractors performing hazardous waste operations including preliminary assessments, site investigations, clean-up operations, and remedial actions are subject to the requirements under the OSHA Hazardous Waste Operations standard and applicable sections of 29 CFR Part 1910 (General Industry Standards) and Part 1926 (Construction Standards) as pertains to the Contractor's scope of work. Further, Contractors performing corrective actions involving clean-up operations covered by the Resource Conservation and Recovery Act of 1976 (RCRA) and operations involving hazardous waste that are conducted at treatment, storage, and disposal (TSD) facilities regulated by 40 CFR Parts 264 and 265 pursuant to RCRA; or by agencies under agreement with U.S. Environmental Protection Agency (EPA) to implement RCRA regulations are also subject to the HAZWOPER standard requirements under 29 CFR 1910(p). Contractors participating in emergency response operations for releases of, or substantial threats of releases of, hazardous substances without regard to the location of the hazard are also subject to requirements under 29 CFR 1910.120 (q).

Contractors shall provide a **site-specific health and safety plan (HASP)** at least two (2) weeks prior to field mobilization to the NERT Site. The Contractor HASP must be developed in accordance with 29 CFR 1910.120 (b)(4) to address the safety and health hazards of each task or phase of site operation and specify requirements and procedures for employee protection.

The minimum required elements of the Contractor HASP are:

- Job hazard analysis for each task/operation
- Employee training and assignments (project manager, site safety officer, etc.)
- Personal protective equipment (PPE) for each task/operation
- Medical surveillance requirements
- Air/personal/environmental monitoring
- Site control measures
- Decontamination requirements and procedures for personnel and equipment
- Emergency Response Plan
- Confined space entry procedures
- Spill containment program

The Contractor HASP shall also include the following details:

- Site Background
- Contractor Scope of Work
- Period of Performance
- Site maps and figures showing site location, planned work locations, site features (e.g., buildings, structures, etc.)

The HASP must be modified if the scope of work changes or if new information regarding site conditions, hazards, or contaminants of concern becomes available. The HASP must be current, enforced and effective. An annual review of the HASP must be conducted to ensure that it is up-to-date, as a minimum.

The HASP must be present at the site during the performance of all Site activities and will be available to all onsite personnel who may be exposed to hazardous onsite conditions, including Tetra Tech, Ramboll Environ, Envirogen Technologies Inc. and their subcontractor personnel participating in site operations, and all authorized site visitors, including regulatory agency representatives.

All Contractor personnel working on the NERT Site who may be exposed to health and safety hazards will be required to meet initial and annual refresher training requirements as specified under 29 CFR 1910.120(e). All general site workers must have completed the 40-hour initial HAZWOPER training and have current 8-hour annual refresher training. . Onsite project managers and field supervisors directly responsible for or who supervise employees engaged in hazardous waste operations will also have received 8-hour HAZWOPER Supervisor training in accordance with 29 CFR 1910.120 (e)(4).

Contractor personnel must be enrolled in a medical surveillance program prior to performing hazardous waste operations. Upon NERT's request, Contractor shall provide evidence of successful participation in a medical surveillance program.

The HASP section on emergency response planning must conform to the requirements of 29 CFR 1910.38(a), as allowed in 29 CFR 1910.120(l)(1)(ii). The Emergency Response Plan shall discuss pre-emergency planning, personnel roles and lines of authority, emergency recognition and prevention, evacuation routes and procedures, emergency contacts and notifications, hospital route directions, emergency medical treatment procedures, fire or explosion, spills or leaks, emergency equipment and facilities, and reporting.

Contractor shall perform periodic work area inspections to determine the effectiveness of the site-specific HASP and to identify and correct unsafe conditions in the Contractors; responsible work areas. These inspections shall be documented and available for review upon request by NERT.

4.2 HAZARD COMMUNICATION

Contractors shall establish a written comprehensive and updated Hazard Communication Program that meets the OSHA standard requirements under 29 CFR Section 1910.1200 (General Industry and Section 1926.59 (Construction)). The updated OSHA Hazard Communication/Globally Harmonized System (GHS) Standard specified in Title 29 CFR Part 1910.1200 applies to all workplaces where personnel are occupationally exposed to hazardous chemicals. However, the hazard communication program does not apply to hazardous waste.

However, NERT Contractors/Consultants and Subcontractors do procure and use hazardous chemicals onsite for various waste treatment, decontamination and maintenance tasks. Each

Contractor will prepare a project-specific hazard communication program that will include the following elements:

- Identification of work tasks (routine and non-routine) and performance of an associated hazard analysis;
- Completion of a chemical inventory for the project;
- Procurement of Safety Data Sheets (SDSs) for chemicals used exclusively for the project;
- Labeling of containers and piping used on site for hazardous materials; and
- Identification of any additional hazard communication training requirements.

Contractor personnel shall not bring any hazardous substances (as defined by OSHA) onto the NERT Site unless accompanied by an SDS and the containers are appropriately labeled, stored and managed. SDSs must be maintained at the job site. Contractor shall notify the NERT Site Manager prior to bringing onto the NERT Site any quantity of hazardous materials. Contractor shall ensure all containers of hazardous materials are labeled in accordance with the 2012 revised OSHA Hazard Communication/Globally Harmonized System Standard.

Contractor shall ensure its employees are trained in the safe handling and use of hazardous materials in accordance with the OSHA hazard communication standard.

Hazardous materials shall be stored in designated areas and all containers effectively closed. Spill equipment and supplies shall be readily available to contain and/or mitigate accidental spills of hazardous materials. Do not dump, drain, or discharge any hazardous materials or wastes into any sink, drain or sewer.

4.3 PERSONAL PROTECTIVE EQUIPMENT

The Contractor will meet all applicable Federal, state, local and NERT requirements for PPE, including OSHA Standards 29 CFR 1910 Subpart I and 1926 Subpart E. The Contractor must evaluate the worksite, assess the type, risk level, and severity of hazards for the project and certify that it has selected appropriate personal protective equipment for site personnel in accordance with 29 CFR 1910.132.

Contractor employees must be trained in the PPE donning and doffing procedures and in the selection, use, limitations, inspection, cleaning, storage, and disposal requirements of the assigned PPE. Contractor employees should also be informed that PPE provides a barrier between the hazard and the worker and does not eliminate the hazard, and that the best protection comes with the proper fit, use, and material.

Eye and face protection: Each affected employee shall use appropriate eye or face protection when exposed to eye or face hazards from flying particles, molten metal, liquid chemicals, acids or caustic liquids, chemical gases or vapors, or potentially injurious light radiation. Eye and face equipment must comply with the ANSI Z87.1-2003 standard. Where eye and face protection are required, the selected protection shall be adequate to protect against operations and equipment that create the risk of eye or face injuries due to physical, chemical and/or radiation agents.

Foot Protection: Each affected employee shall wear protective footwear when working in areas where there is a danger of foot injuries due to falling and rolling objects, or objects piercing the sole, and where the employee's feet are exposed to electrical hazards. All protective footwear purchased before January 2006 shall comply with ANSI Z41-1999. Footwear purchased in 2006 and after shall comply with the ASTM International Standards which replaced the ANSI Z41 standard. The new ASTM standards are F2412-05 Standard Test Methods for Foot Protection and F2413-05 Standard Specification for Performance Requirements for Foot Protection.

Hand Protection: Each affected employee shall wear protective gloves when working in areas where hands are exposed to hazards such as those from skin absorption of harmful substances; severe cuts or lacerations; severe abrasions; punctures; chemical burns; thermal burns; harmful temperature extremes; or other hazard identified during the hazard assessment. The use of properly fitted gloves is important to the wearer's comfort and protection. Tight-fitting gloves can cause fatigue while loose fitting gloves can be hazardous. A selection of different glove sizes should be provided to ensure proper fit and comfort for the wearer. Supervisors and employees must be cautious of allergic reactions to natural rubber latex in the workplace. Whenever necessary, supervisors should provide employees with non-latex rubber gloves.

Whole Body Protection: Protective clothing such as coveralls, aprons, laboratory coats, etc. shall be worn where there is a hazard to the body through dermal contact with chemicals, dusts, heat or other harmful agents or conditions. The clothing material must be evaluated for chemical resistance, permeation, degradation, flexibility, duration of use, etc., which is provided by the manufacturer.

Hearing Protection: Ear muffs and/or plugs must be worn in all areas posted to indicate high noise levels or where Contractor employees are exposed to sound levels above the OSHA action level of 85 decibels (as measured on the A-weighted network), over an 8-hour time-weighted average. Equipment such as construction vehicles, drill rigs, air compressors, generators, etc. often generate sound levels that exceed 85 dBA. Hearing protection with a Noise Reduction Rating (NRR) of at least 25 decibels should be provided to employees. The Contractor must have a written hearing conservation program that conforms to the OSHA Standard under 29 CFR 1910.95 and 1926.52.

Respiratory Protection: Where required to protect employees against chemical concentrations that may exceed Permissible Exposure Limits or where required by a chemical-specific OSHA Standard (e.g., lead, asbestos, etc.), the Contractor must have a written respiratory protection program that includes sections on respirator selection criteria, employee training, respirator fit testing, and medical clearance for respirator usage. The use of escape respirators on the NERT Site does not require a Contractor to participate in a respiratory protection program.

4.4 HAZARDOUS BUILDING MATERIALS

Many of the buildings on the Site are known or suspected to contain hazardous materials, including asbestos-containing materials, lead-based paint, PCBs, and mercury. In addition to

these materials, there may also be residual perchlorate, chlorate, volatile organic compounds (VOCs), and/or chromium impacts from former Site operations.

Contractor shall protect its workers, NERT and all other personnel from exposure to asbestos fibers, lead dust and fumes, crystalline silica, etc. in excess of the OSHA Permissible Exposure Limit resulting from its work on the NERT Site.

Contractor shall be responsible for clean-up of disturbed hazardous building materials and components and shall verify the work and nearby areas are free of contamination generated by its work.

4.5 HEAT-RELATED ILLNESS

The southern Nevada summer climate poses a risk of extreme heat, and the risk is increased with the use of personal protective clothing. Thus, a major concern is the risk of heat-related illnesses including heat exhaustion and heat stroke (a medical emergency). Contractor must develop and implement safe work practices to prevent and monitor heat stress illness, which should include employee training on the signs and symptoms of heat illness, and preventive measures (water, rest and shade). During summer months when the heat stress index is very high, the Contractor will also track consumption of food and drink (ounces or quarts per worker per day) to ensure sufficient hydration and nutrition, in addition to periodic screening of worker core temperature and pulse. Emergency planning should address heat illness response measures.

4.6 HYDROGEN SULFIDE

Hydrogen sulfide (H₂S) is a toxic gas with a characteristic rotten egg odor. It rapidly causes loss of sense of smell so do not rely on odor for hydrogen sulfide detection. It acts a chemical asphyxiant and can cause death by suffocation at high concentrations even in the presence of adequate oxygen. There may be releases of hydrogen sulfide at various concentrations including those considered immediately dangerous to life or health (IDLH). **Hydrogen sulfide is heavier than air and may accumulate in low-lying areas with little to no natural or mechanical ventilation.** The Tronox leach plant has an H₂S evacuation alarm. Don escape respirator and leave work area in cross-wind direction. CPR and administration of oxygen may be necessary to treat inhalation.

Contractor employees who must access the ETI treatment plant which may release hydrogen sulfide gas are required to don a personal hydrogen sulfide (H₂S) monitor in their breathing zone (clipped to clothing) to ensure prompt warning in the event of a gas release.

4.7 SANITARY AND WASHING FACILITIES

Contractor shall comply with the sanitation requirements for temporary workplaces under 29 CFR 1910.120(n). This includes provision of adequate potable water supplies, labeling of nonpotable water sources (not for drinking or washing), and toilets.

5.0 ENVIRONMENTAL REQUIREMENTS

Contractors shall comply with all applicable provisions of Federal, state, municipal, local and other environmental statutes, rules and regulations. Contractor shall take all necessary precautions to protect the environment. Contractor shall also store, transport, dispose, or otherwise handle hazardous wastes and non-hazardous wastes to prevent discharges of materials into the environment except in accordance with applicable governmental regulations.

5.1 MATERIALS AND WASTE MANAGEMENT

Contractor shall develop a Waste Management Plan which shall be approved by NERT prior to work commencement. The plan shall address the anticipated types and volumes of wastes to be generated, container labeling, performance and documentation of weekly inspections, waste characterization, minimization, and management, documentation/recordkeeping, transportation, and employee training.

Contractor must segregate hazardous from non-hazardous waste; all hazardous waste generated by its operations must be labeled in accordance with all applicable regulations. To properly manage waste at the Site and to ensure proper transport and disposal, all solid wastes must be characterized to determine if it is hazardous waste. Waste characterization will be based on one or a combination of the following criteria:

- Laboratory analysis of a representative sample of the waste for those contaminants reasonably expected to be present; and
- Generator knowledge about the process or waste (for example, SDSs).

When hazardous waste is generated at the Site, it will be managed properly in accordance with all applicable Nevada hazardous waste regulatory requirements and in consideration of the environmental and safety hazards the waste presents. Included in management are the requirements for specific marking and labeling of containers, container selection and use, storage and accumulation requirements, routine inspections, and recordkeeping. Hazardous waste generated at the Site is managed only in containers. Some hazardous construction and demolition (C&D) waste may be placed directly into truck trailers as it is removed from demolition areas, without being managed in a less-than-90-day container accumulation area (CAA).

Contractor shall dispose of all hazardous waste within the time frame stipulated by local, state or Federal regulations. Contractor shall not leave behind on the NERT Site any containers of hazardous materials or waste (including drums, roll-offs, maintenance chemicals, etc.), empty or not, after the termination of its operations.

Nevada regulations under Nevada Administrative Code (NAC) 444.8632 and 40 CFR 262.34(a)(4) and 265.16 require that personnel involved in managing hazardous waste, preparing hazardous waste for transportation to the disposal facility, and implementing the RCRA Contingency Plan receive initial and annual training to perform their hazardous waste duties.

NERT has registered the Site with the Nevada Division of Environmental Protection (NDEP) as a Nevada large quantity generator (LQG). The NDEP has assigned EPA ID Number NVR 000 091 819 to the Site. All hazardous waste generated from such investigation and remediation activities will be manifested to a disposal facility using the NERT's hazardous waste identification number for the Site.

NERT will maintain an updated waste tracking log, which documents the following:

- Container Identification Number
- Accumulation Start Date (ASD) for waste in each new container (date the waste is first placed into the roll off or container)
- Date by which waste must be shipped to the disposal facility (less than 90 days from ASD)
- Manifest number
- Manifest date (date the waste is picked up)
- Final copy of manifest received date
- Final weight of waste per manifest (weight determined at treatment/disposal facility).

NERT has approved two hazardous waste disposal facilities: US Ecology in Beatty, Nevada and Clean Harbors in Aragonite, Utah. The Apex Regional Landfill operated by Republic Services in Las Vegas, Nevada is approved for municipal non-hazardous waste disposal.

All RCRA-regulated hazardous wastes are considered to be Department of Transportation (DOT) Hazardous Materials and must be shipped in accordance with applicable DOT requirements. Hazardous material transported on U.S. land, water, or air must be properly classified, described, packaged, marked, and labeled for shipment as required by applicable DOT regulations. A DOT-trained person will review 49 CFR 172.101 to verify the packaging, shipping description, marking, and labeling, and manifest prior to shipment.

5.2 SPILL PREVENTION, REPORTING AND RESPONSE

Contractor shall establish spill prevention measures for chemicals and wastes used on the NERT Site. This shall include proper storage, labeling, transport, and handling of chemical containers, and periodic inspections for leaks and spills. The Contractor site-specific HASP addresses spill prevention and response for chemicals used and stored on the NERT Site. The Contractor must determine if other spill prevention, control and countermeasure plans (SPCC) are required under other Federal, state and local regulations for their operations.

In case of a spill or release of hazardous materials or waste, Contractor shall immediately notify NERT and if the severity of the spill warrants, notify the local fire department (Call 9-1-1). The Contractor shall be liable for the costs of any spill resulting from Contractor's actions including, but not limited to, costs of containment, clean-up and disposal. Contractor shall take all necessary steps to control the spread of the release and to provide site control to prevent unauthorized personnel from entering the affected area.

5.3 WATER USAGE AND GROUNDWATER PROTECTION

At no time is an unauthorized, unpermitted release allowed. Contractor shall notify NERT in the event of a release and obtain the approval of NERT before discharging any material into storm drains or sewers.

Contractor shall work with the NERT Site Manager to identify applicable National Pollutant Discharge Elimination System (NPDES), Stormwater Pollution Prevention Plans (SWPPP), and Publicly Owned Treatment Works (POTW) requirements associated with the Contractor's planned operations.

Contractor shall submit permit applications and/or Notice of Intent forms to NERT for review prior to submittal to the applicable regulatory agency.

Contractor shall abide by the requirements of the discharge permit(s) and maintain discharge monitoring information and inspection data to document compliance. This documentation shall be electronically provided to NERT.

Contractor shall immediately contact NERT in the event permit conditions are not met. Contractor shall ensure that discharge permits and/or SWPPP plans (as applicable) are available at the job site.

5.4 WORK INVOLVING AIR EMISSIONS

Contractor shall work with NERT to identify applicable Federal, state, and/or local permit application requirements for air emission sources (i.e., stationary point sources, fugitive emissions, etc.) associated with the Contractor's planned operations.

Contractor shall submit permit applications and/or notifications to NERT for review prior to submittal to the applicable regulatory agency. Contractor shall abide by the requirements of the permit(s) and gather emissions data (as applicable) to document compliance. This data shall be electronically submitted to NERT. Contractor shall ensure that permits are posted on permitted equipment (or in close proximity) as required.

Contractor shall immediately contact NERT in the event permit conditions are not met.

6.0 CONTRACTOR HSE MANUAL COMPLIANCE AGREEMENT

The Contractor Program Manager has read and understands the contents of the NERT Contractor Health Safety Environment (HSE) Manual. Contractor agrees while performing work at the NERT Site that the Contractor shall require its employees and subcontractors at any tier to comply with the contents of the NERT Contractor HSE Manual and the Contractor site-specific Health and Safety Plan (HASP). A copy of the HASP shall be maintained at the NERT Site and made available to Contractor employees and subcontractor for their information. All Contractor employees and subcontractors shall read and certify that they have read and understand the site-specific HASP. The certification forms shall be electronically sent to the NERT Site Manager.

I further understand that the NERT Contractor HSE Manual and the rules and regulations it references and describes do not in any way relieve the Contractor (employer) of its responsibility to comply with the applicable health, safety and environmental regulations and its obligation to implement and enforce its own written HSE programs while working on the NERT Site.

Company: _____

Name: _____

Signature: _____

Title: _____

Date: _____

COMPLETE, SIGN AND RETURN THIS CERTIFICATE TO THE NERT SITE MANAGER.