SUPPLIER/CONTRACTOR HEALTH AND SAFETYGENERAL TERMS AND CONDITIONS

Hoosier Energy strives to provide an environment for our employees, contractors, suppliers, visitors and vendors that is free from recognized hazards and meets or exceeds governmental regulations regarding occupational health and safety. Hoosier Energy considers occupational health and safety a fundamental value of the organization and a key performance indicator of the overall success of the company. Hoosier Energy expects that contractors working at Hoosier Energy facilities or on Hoosier Energy controlled projects will share this value.

The programs, rules, procedures and warnings contained within the Supplier Health and Safety General Terms and Conditions document are not an attempt to replace a contractor's existing safety and health program(s) provided that the contractor's safety program meets or exceeds the minimum requirements set forth in the document. Employees working under the control of the contractor are expected to comply with the contractor's safety rules and the rules contained herein. Contractor employees who fail to comply with these rules will be reported to the Hoosier Energy Contractor Representative and will be subject to discipline up to and including removal from the job site.
Contracted suppliers or their employees who are found to be in violation of the guidelines established in the Supplier Health and Safety General Terms and Conditions, the Substance Abuse Program for Contractors or the Hoosier Energy Site Specific Rules for Contractors or fail to establish and maintain a safe and healthful workplace may be banned from future Hoosier Energy projects/contracts.
These Supplier Health and Safety General Terms and Conditions apply to both Suppliers and Contractors, as defined herein.

Defined Terminology:
Supplier: The term Supplier is a person or business who supplies and delivers goods or that provide a service that does not involve working on Sites.

Contractor: The term Contractor is a person or business that is physically present and working Sites as an independently operating entity. Subcontractors working for a Contractor at Sites must also comply with all applicable programs, rules, procedures and warnings contained within the Supplier Health and Safety General Terms and Conditions document.

Sites: Sites are defined as Hoosier Energy facilities and/or property or Hoosier Energy controlled projects that are considered in the pre-development or development stage of construction or a Hoosier Energy facility that is considered in a controlled environment. Controlled environments are physical locations in which entry into these locations is based on prior approval or training.

Hoosier Energy Contractor Representative: The Hoosier Energy Contractor Representative is a trained and qualified person designated by Hoosier Energy to oversee all aspects of a defined scope of construction activity. This may include but is not limited to, planning, site prep, excavation, land surveying, tower and line construction, replacement, and repair, as well as any activity associated with building construction.

Hoosier Energy Safety Representative: The Hoosier Energy Safety Representative is a trained and qualified person designated by Hoosier Energy to lead compliance efforts through the administration of the Hoosier Energy Supplier Health and Safety General Terms and Conditions document. This representative is in no way to be considered safety oversite for Contractors or subcontractors performing work on Hoosier Energy property or Hoosier Energy lead projects.

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1. Compliance

Contractors will comply with all applicable Federal and State OSHA regulations (including section 5 (a)(1) and 5(a)(2) of the Occupational Health and Safety General Duty Clause), IDEM/EPA regulations, DOT Regulations, ANSI standards, NFPA fire codes and any and all manufacturers' instructions relevant to the work being performed. Additionally, Contractors are expected to comply with all Hoosier Energy programs, rules and procedures contained in the Supplier Health and Safety General Terms and Conditions that are relevant to the work being performed. Hoosier Energy has the right to go above and beyond the recommended Compliance Standards.

2. Informed

It is the Contractor's responsibility to ensure its employees are knowledgeable of current OSHA 1910 and OSHA 1926 standards, including the general duty clause, as well as EPA regulations, DOT regulations, ANSI standards, NFPA fire codes, and all manufacturers' instructions as well as Hoosier Energy programs, rules and procedures that apply to the scope of work being performed at a Hoosier Energy work site. Hoosier Energy is under no obligation to provide a copy of any OSHA regulations (including the general duty clause), EPA, DOT regulations, ANSI standards, NFPA fire codes or manufacturers' instructions for bidding purposes or compliance requirements. The Contractor may not charge or back charge for any means they deem necessary to inform themselves and their employees of current OSHA standards (including the general duty clause), EPA regulations, DOT requirements, ANSI standards, NFPA codes or manufacturers' instructions. Hoosier Energy will provide any additional site-specific safety requirements the Contractor must follow while at Hoosier Energy site in order to protect Hoosier Energy employees, Contractors, visitors, the public or Hoosier Energy assets. Verbal safety information exchanged between the Hoosier Energy Contractor Representative and the Contractor(s) regarding the scope of work to be performed will not be binding on either party.

3. Preliminary General Contractor Review (Checklist) -support Appendix J

In conjunction with Contractor Safety Orientation and contract planned work, a Hoosier Energy representative will perform a "Preliminary General Contractor Checklist" to evaluate that all contract employees are in compliance with annual safety orientation and to preliminarily review proposed work. The Checklist is a tool to assist the Safety Department in identifying areas that may require additional safety planning. Reference Appendix J for a sample of the Preliminary General Contractor Checklist.

4. On-Site Safety Coordinators

Dependent on the scope of work, Hoosier Energy has the right to require the Contractor to provide a full-time On-Site Safety Coordinator(s) to ensure adequate project safety and health oversight. The On-Site Safety Coordinator must meet the minimum qualifications set forth by Hoosier Energy; Qualifications as appropriate for the scope of the project SHALL, at a minimum, include:

a. A recognized degree, certificate, or professional standing in a safety-related field; or extensive knowledge, training and experience in the field of safety.
    i. **NOTE:** An OSHA 10 and/or 30-hour card does not qualify as extensive knowledge or training.

b. A Competent Person – Defined by (OSHA 1926) – as a person who must be capable of identifying existing and predictable hazards in the surroundings or working conditions which are unsanitary, hazardous, or dangerous to employees, and have the authorization to take prompt corrective measures to eliminate them.

c. Having the authority to remove from the work site any worker who violates the Hoosier Energy Substance Abuse Program for Contractors and/or any Contractor management person who is not

enforcing the Hoosier Energy project specific Contractor rules.

The Contractor must submit the name(s) and credentials of its proposed On-Site Safety Coordinator(s) to the designated Hoosier Energy Safety Representative for approval prior to beginning the work on-site. Hoosier Energy reserves the right, in its sole discretion, to reject any person the Contractor has submitted for approval as the On-Site Safety Coordinator.

The On-Site Safety Coordinators' sole responsibility may be limited to safety and training functions, inspections and overall safety and health compliance; but they must be on-site whenever employees under their control are performing work activities.

The Contractor's On-Site Safety Coordinator may be required to conduct audits utilizing the format supplied by the Hoosier Energy Safety Department. Such documentation is to be submitted electronically on a daily basis at the end of each shift to the Hoosier Energy Safety office or the Hoosier Energy facility where the work is being conducted. This audit form does not replace any documentation required by the Contractor's management. Any deficiencies (safety issues, concerns, or violations) shall be documented, addressed and abated immediately by the Contractor.

5. Enforcement of Safety Rules

The Contractor is responsible for the health and safety of employees under its control. Enforcement of these rules as well as other recognized safety rules is the responsibility of the Contractor. Hoosier Energy reserves the right to evaluate the safety of the Contractor's work practices to determine if they meet Hoosier Energy requirements, federal/state regulations and any other applicable regulations or standards. The evaluation does not constitute acceptance of the Contractor's safety program or work practices nor does it in any way relieve a Contractor of full responsibility for meeting all appropriate regulations to ensure the safety of their employees and others in their vicinity at the worksite.

6. Site Specific Rules

"Site Specific Rules" are Hoosier Energy rules that, if violated, have a high probability of resulting in a serious, adverse outcome. Contractors SHALL ensure the employees working under their control do not violate these site-specific rules. Failure to comply with site specific safety rules will result in immediate corrective action for the employee and, if Hoosier Energy determines it appropriate, the Contractor, up to and including termination from the current Hoosier Energy project and removal from consideration for future Hoosier Energy projects. The Hoosier Energy Site Specific Rules are:

a. Never operate an energy isolation device that is locked and/or tagged out. Energy shall be isolated. The Contractor is responsible to fully understand how each energy source is isolated.

b. Never remove a lock and/or tag from an energy isolation device under any circumstances.

c. Never work within minimum safe electrical clearances without following all live line procedures. If a line is not grounded, it must be considered energized and treated as such when working in its proximity.

d. Prior to entering a confined or enclosed space, ensure the Hoosier Energy Confined Space Permit has been reviewed and signed by a Hoosier Energy representative. Never enter a confined or enclosed space without conducting a hazard assessment for atmospheric and physical hazards.

e. Never work at an elevated work position in an aerial device (bucket trucks and articulating boom lifts) without using an approved personal fall protection system.

f. Never enter trenches and/or excavations four feet or more in depth without the authorization of the on-site Competent Person as defined by OSHA and ensure proper safeguards are in place.

g. Never work under or near suspended loads. Contractor shall ensure beyond the dimensions of the suspended load the "Ten (10) Feet of Safety Rule" is enforced.

    a. Exceptions to this rule are allowed with approval from a Hoosier Energy Safety Representative.

        i. Per OSHA Standard 1926.1425 "Only employees needed to receive a load are permitted to be within the fall zone when a load is being landed. No employee must be directly under the load. Only employees essential to the operation are permitted in the fall zone."

h. Hoosier Energy requires all equipment engaged in maintenance or construction of energized electrical infrastructure to be grounded.

If a Contractor violates any site-specific safety rule during the course of work, the Contractor's principal owner(s) and on-site management will be required to attend a meeting with Hoosier Energy personnel to rectify its performance. The Hoosier Energy Safety Representative will determine the date, time and location of the meeting. The Contractor may not charge or back charge Hoosier Energy for expenses incurred by it or its representatives for attendance at this meeting.

7. Imminent Danger

Contractors must ensure that they do not create an imminent danger situation, as defined by OSHA. An imminent danger is any condition where there is reasonable certainty that a danger exists that can be expected to cause death or serious physical harm.

If imminent danger issues occur, the work activity must be halted, and employees removed from the hazard immediately. Measures must then be taken to correct the situation before work can be resumed.

The corrective measures must be satisfactory to Hoosier Energy management personnel. If there is a dispute, regarding mitigation of the hazard, Hoosier Energy reserves the right to make the final decision, as to whether an imminent danger exists and has been rectified.

The Contractor may not charge or back charge Hoosier Energy for delays, work stoppages, or scheduling issues resulting from enforcement of the Hoosier Energy's Safety Rules.

8. Exposure Assessments

Depending on the scope of work, Contractors may be required to conduct personal and/or area monitoring to ensure that employees under their control are not exposed above the OSHA-permissible exposure limit for any given substance or physical agent. The Contractor is responsible for ensuring that exposure assessments are conducted utilizing accepted industrial hygiene practices and analytical methods. The Contractor must notify the Hoosier Energy Contractor Representative when exposure assessments are conducted at Hoosier Energy controlled facilities. The Contractor must promptly provide Hoosier Energy with a copy of all exposure assessment results for exposure assessments conducted on Hoosier Energy - controlled facilities.

9. Safety Orientation

All Contractors and their employees and subcontractors will be required to attend a safety orientation before starting any work on Hoosier Energy property. Location of the orientation will be determined by the Hoosier Energy Representative. The safety orientation will be conducted in English. It will be the responsibility of the Contractor to ensure the content of the safety orientation is conveyed in a manner that all aspects of the safety orientation are clearly understood. Interpretation is the responsibility of the Contractor. All Contractor employees and subcontractors will be required to sign an attendance sheet and will receive a safety briefing orientation sticker for their hardhat.

At a minimum, employees and subcontractors working at Hoosier Energy job Sites will be required to attend Contractor safety orientation on an **annual basis**. The Contractor will also ensure that there is a means throughout the duration of the project to effectively communicate project-specific safety and health information to all non-English speaking employees and subcontractors under their control.

10. Information and Training

Contractors are responsible for providing their employees and any subcontracted employees with all safety information provided to them by Hoosier Energy including, but not limited to:

a. Project-specific occupational health and safety expectations.

b. Exposure to atmospheric health, serious physical or chemical hazards.

c. Precautionary measures and procedures for performing the work.

Contractors are responsible for ensuring employees under their control are properly trained for the equipment, tools and machinery they will be using (such as fall protection, power tools, mobile equipment) and the safe work procedures they are to follow. The Contractor shall ensure employees have received all appropriate training as required by applicable standards.

11. Substance Abuse support Appendix G

Hoosier Energy is a drug-free workplace and expects that all Hoosier Energy Contractors will share in preventing substance use or abuse from having an adverse effect on all individuals.

Hoosier Energy prohibits the unlawful use, possession, consumption, manufacture or distribution (by sale or otherwise) of controlled substances in the workplace. The Hoosier Energy Substance Abuse Program prohibits:

a. Consuming or possessing alcohol, illegal drugs, or controlled substances (other than medications prescribed and used under the supervision of a duly-licensed physician) that may impair judgment and/or motor skills while on Hoosier Energy property.

b. Reporting to work on Hoosier Energy property with unauthorized drugs on his/her person or while under the influence of drugs or alcohol.

c. Allowing employees to perform work that involves operating heavy equipment or working at elevations when using alcohol, illegal drugs or prescribed medication that can cause drowsiness or otherwise impair the employee's ability to perform work in a safe manner.

Hoosier Energy Contractor companies that employ individuals are required to have in their employment program a Substance Abuse Program. The Hoosier Energy's Substance Abuse Program is provided in Appendix G as a reference.

Drug Screening

Hoosier Energy has the right to request a copy of the Contractors Substance Abuse Program. Hoosier Energy reserves the right to request and or solicit all Contractor employees and subcontractor employees working on or visiting Hoosier Energy job Sites or facilities to provide verification of testing, as well as require testing for reasonable suspicion, post-accident testing as defined below:

1. "Reasonable suspicion" is defined as the objective evidence associated with the worker's conduct which would cause a reasonable person to believe that the worker demonstrates signs of impairment due to alcohol or other drugs. Examples of "objective evidence" include but are not limited to difficulty in maintaining balance, slurred speech, odor and erratic or atypical behavior. The Contractor shall make arrangements to transport the employee under reasonable suspicion to the testing facility and then to the employee's local residence. Any employee sent for testing shall not return to work until their status has been updated with the reasonable suspicion test results and the status is "available". Hoosier Energy is not responsible for the costs of reasonable suspicion testing.
2. "Post-accident" drug and alcohol testing is required for any Contractor or subcontractor employee whose actions contributed to the occurrence of an on-the job accident-causing injury to himself or others and/or substantial property damage (estimated by Hoosier Energy at $500.00 or more.) All employees involved in such accident will be subject to an alcohol and drug screen, provided that:
    a. The preliminary on-site investigation reveals that the negligence or carelessness of the employee could have contributed to the cause of the accident, i.e., violation of a safety rule or practice; and
    b. The condition of the employee allows such an examination to be performed without interference with prescribed medical treatment. The Contractor's or subcontractor's Competent Person is responsible for conducting the on-site investigation immediately after the accident and for ordering the drug and alcohol test when applicable. Alcohol testing should be administered within two hours after the accident. Unless there is a positive alcohol test result or reasonable suspicion as defined above, employees subject to post-accident testing may not return to work until confirmation laboratory results are received and results are acceptable. Hoosier Energy is not responsible for costs associated with the post-accident drug and alcohol testing.

Contractor or subcontractor employees violating this prohibition or failing to comply with the program will result in removal from the site and banishment from all Hoosier Energy job Sites and facilities as well as projects and contracts.

12. Unsafe and/or Inappropriate Behavior

Any Contractor employee who appears unable to perform his/her job in a safe manner or exhibits any type of behavior inappropriate for the workplace will be reported to the Contractor's on-site supervisor for evaluation and possible removal from the job site. Hoosier Energy will not tolerate at any time any conduct that threatens, intimidates or coerces a Hoosier Energy employee, another Contractor or any member of the public.

13. Weapons

Firearms, weapons and other dangerous or hazardous devices or substances are strictly prohibited on the premises of Hoosier Energy without proper authorization by appropriate Hoosier Energy staff.

14. Incident Reporting

The Contractor will immediately report all Contractor-related incidents, including but not limited to accidents requiring medical attention, property damage and near misses, to the Hoosier Energy Contractor Representative. The Contractor will be responsible for OSHA Reporting for their employees with copies of the reporting provided to Hoosier Energy. The Contractor must also provide a copy of the Report of Injury to Hoosier Energy within 24 hours following the incident. A copy of the Contractor's incident investigation report of serious injuries and near misses shall be submitted to the Hoosier Energy Contractor Representative no later than 3 days following the incident. A serious injury is defined as any injury and/or illness that is an OSHA recordable. A near – miss is defined as an unintended, unplanned and unexpected event that could have, but did not result in personal injury or property damage.

15. Pre-Job Briefings

Contractors shall conduct and document (listing the employees' names) pre-job briefings with employees under their control prior to each workday. Additional job briefings shall be held if significant changes occur during the course of the work that might affect the safety of the employees. Contractors shall make available copies of these pre-job briefings to the Hoosier Energy Contractor Representative.

16. Safety Meetings

At least one representative of the Contractor is required to attend Hoosier Energy job site meetings scheduled by the Hoosier Energy Contractor Representative.

17. Control Measures

Contractors are responsible for establishing control measures to protect employees under their control from exposure to hazards, including but not limited to; chemical, atmospheric, health and physical hazards present at the work location.

18. Work Apparel

All PPE (Personal Protective Equipment) to be applied as regulated by Federal, State Regulations and Laws. Contractor's employees will work in long pants and shirts. Shorts shall not be allowed. Hoosier Energy reserves the right to address inappropriate attire and require PPE above and beyond stated regulations if deemed necessary. Hoosier Energy reserves the right to make the final decision.

19. Ground Fault Protection

The Contractor must provide electrical ground fault protection for employees using construction power or permanent facility power. This includes extension cords and portable power hand tools.

20. Emergency Notification Procedure

Contractors will have Emergency Procedure Plans in place for uncontrollable events such as weather relevant events.

21. Medical Services and Emergency Response

The Contractor shall establish an emergency response plan for Hoosier Energy work site activities. The Contractor shall ensure adherence to OSHA standards and ANSI standards in regard to first aid supplies, medical attention and training.

22. Sanitation

The Contractor shall ensure that provisions for potable water and toilet facilities are provided for

employees under their control. The toilet facilities shall be provided with hand washing facilities. These facilities shall be maintained in a sanitary condition.

23. Asbestos & Lead

The Contractor is responsible for notifying Hoosier Energy personnel if any suspect material contains asbestos or lead prior to the work being performed. The presence of either is determined by OSHA standards. Only state licensed and approved Contractors can remove ACM or lead when identified. It is the responsibility of the Contractor to ensure all identified asbestos or lead materials have been properly removed prior to the start of any work requiring demolition and or renovation.

24. Aerial Lifts

Contractors are responsible for providing their own aerial lifts. Fall protection equipment, including a full body harness and a self-retracting lifeline (SRL), are required when an aerial lift is in operation. Contractors are to ensure that inspections and maintenance (per manufacturers' instructions) are conducted on aerial lifts under their control. Training on said equipment is the responsibility of the Contractor. Hoosier Energy reserves the right to audit inspection and maintenance records.

25. Barricades and Covers

Contractors must adhere to federal, state and OSHA Standards and shall provide adequate barricades to protect exposed wall and floor openings, excavations, trenches, pits, obstructions in passageways and other locations that present an encroachment hazard. Such barricades may include caution tape, danger tape and portable/fixed barricades. Hoosier Energy reserves the right to require more stringent applications if deemed necessary.

26. Blasting and the Use of Explosives

Contractors must adhere to all State, Federal and OSHA Standards. The Contractor must submit in writing and obtain approval from a Hoosier Energy representative, a plan of action detailing all aspects, prior to blasting and or use of explosives. In addition, details must include proper use, storage and securement of such materials.

27. Hazard Communication - support Appendix A

Contractors who bring OSHA-defined hazardous chemicals onto Hoosier Energy property must follow the Hoosier Energy Chemical Procurement Policy (Appendix A)

Unused hazardous chemicals approved by Hoosier Energy to come onto Hoosier Energy property and brought on by the Contractor will be the responsibility of the Contractor to remove as stated in Appendix A - Content Item 6.

28. Concrete and Masonry Construction - support Appendix C

Contractors performing concrete and masonry construction shall follow the applicable federal, state, OSHA Regulation and ANSI Standards. Reference Appendix C for further compliance requirements.

29. Demolition

The Contractor shall ensure the applicable OSHA regulations for demolition are strictly adhered to when performing demolition work. Prior to permitting its employees to start demolition operation, the Contractor shall engage an OSHA-defined Competent Person, at the Contractor's expense, to perform an engineering survey of the structure to determine the condition of the framing, floors and walls and the possibility of the unplanned collapse of any portion of the structure. The Contractor shall provide a copy of the survey to the Hoosier Energy Contractor Representative prior to performing the demolition work.

During the demolition phase of the project, the Competent Person must conduct ongoing inspections of the project to detect hazards from weakened or deteriorated floors, walls or loosened materials. No employee shall be permitted to work where such hazards exist until they are corrected by shoring, bracing or other effective means satisfactory to the Hoosier Energy Contractor Representative. The Contractor must ensure that any demolition work involving the presence of asbestos-containing materials (ACM), presumed asbestos-containing materials (PACM) and/or lead (Pb)-based surface coatings must be conducted in accordance with all federal, state, and local regulations.

30. Diving Operations

The Contractor must comply with all applicable OSHA regulations for diving operations (29 CFR 1910 Subpart T), including but not limited to:

a. The Contractor shall provide proof of certification for all individuals diving.
    i. Each diving team member must have the experience and training necessary to perform assigned tasks in a safe and healthy manner.
    ii. All dive team members shall be trained in CPR and first aid.

b. The Contractor shall have a designated person-in-charge at the dive site during diving operations.
c. A Rescue Plan, a safe work plan which includes:
    i. The Contractor shall develop and maintain a “safe practice” manual that must be made available at the dive location.
d. The Contractor shall follow requirements in OSHA standards (1910.422 during diving operations) for welding and burning.

Contractors performing commercial diving operations at Hoosier Energy controlled Sites must also comply with all facility safety requirements, including the facility energy isolation program and confined space entry program.

31. Electrical Devices

Hoosier Energy has several different types of electrical devices, including but not limited to: 4160-volt breakers; 480-volt breakers; disconnect switches; metering equipment; multiple types of transformers and relays. Contractors are not allowed in restricted areas without the prior authorization of the Hoosier Energy Contractor Representative.

Contractor’s servicing or providing maintenance on electrical devices (such as breakers) where employees will be working on or near exposed energized electrical conductors or circuit parts operating at 50 volts or more, or where an electrical hazard exists, shall comply with the provisions of the current NESC regulations, in addition to any related OSHA regulations. Contractor employees shall be qualified persons trained in accordance with the training requirements outlined in NESC and shall establish an electrically safe work condition utilizing the safe work permit unless work on energized components can be justified.

Contractors must demonstrate the deenergizing introduces additional or increased hazards or is infeasible due to equipment design or operational limits. When an electrically safe work condition cannot be established, work to be performed shall be considered energized electrical work.

Any energized work shall be completed by qualified personnel utilizing proper PPE and proper work practices. The Contractor and the Hoosier Energy Contractor Representative shall inform each other of existing hazards. PPE requirements, Safe Work Practice Procedures and Emergency Evacuations Procedures will be applicable to the hazards.

This coordination shall include meetings and documentation as necessary to ensure effective communications among all parties. Hoosier Energy is under no obligation to provide the Contractor with any PPE or clothing necessary to perform this work.

32. Electrical Switchyards and Overhead Power Lines

Contractors will remain outside of all fenced electrical switchyards unless authorized by the Hoosier Energy Contractor Representative to enter. If it becomes necessary to enter these areas, the Contractor must notify the Hoosier Energy Contractor Representative so that arrangements can be made to secure a safe work area. Prior to entering these restricted areas, the Contractor must complete Hoosier Energy substation awareness training and/or be escorted by a Hoosier Energy qualified person. A Hoosier Energy qualified person can make the determination of entry method. Hoosier energy has high-voltage overhead power lines and components located throughout the facility. Contractors must ensure that they do not encroach into the minimum approach distance. Minimum approach distances are established based on line voltage. Contractors must pre-plan their work activities, equipment movement and use of aerial devices to ensure that approach boundaries are not violated. When Contractors are working, or plan to work, they must adhere to all applicable M.A.D.(Minimal Approachable Distance) for unqualified individuals and they shall consult with the Hoosier Energy Contractor Representative. Hoosier Energy reserves the right to require a utilization of the safe work permit.

33. Excavation and Trenching

An excavation means any man-made cut, cavity, trench or depression in an earth surface formed by earth removal. Trench (trench excavation) means a narrow excavation (in relation to its length) made below the surface of the ground. For the purpose of trenching and excavations as regulated by OSHA. Contractors must provide a Competent Person when performing excavations and/or trenching operations as required by Federal and State OSHA Standards and Hoosier Energy. The following measures must be adhered to:

a. Must mark excavations and trenches with flashing warning lights and orange barricade fencing at the end of each day and any time during the day when work is not being performed in them for an extended period.
b. Must tag each barricade with an information tag listing the date the barricade was erected, the Contractor and Contractor's personnel responsible for the placement of the barricade along with a contact phone number and the purpose of the barricade.

34. Fall Management – support Appendix E

Contractors will implement a written project-specific fall management plan that ensures 100% fall protection for employees working at elevations of four (4) feet or greater for unguarded walking/working surfaces as defined by OSHA Standards and for four (4) feet or greater for employees working on unguarded scaffolding, steel erection or any other unguarded work location. Refer to Appendix E for additional information.

35. Hazardous Waste & Chemical Release

Hazardous waste and special waste generated by the Contractor while on Hoosier Energy property shall NOT be removed and/or disposed of by the Contractor until directed to do so by the Hoosier Energy Contractor Representative. Hoosier Energy procedures and DOT requirements shall be followed at all times. Hoosier Energy reserves the right to review and approve procedures used by the Contractor to remove and dispose of hazardous and/or special waste. The Contractor shall immediately report to the Hoosier Energy Contractor Representative any spill or release of a hazardous chemical, substance or waste on a Hoosier Energy facility or work site.

36. Hot Work – support Appendix I

Contractors who perform hot work activities, including but not limited to the cutting, welding, arc gouging and spark-producing grinding shall conduct those activities in accordance with applicable OSHA regulation, and Hoosier Energy procedures. Reference Appendix I for example of Hot Work Permit.

Specifically, Contractors must comply with the following requirements:

a. The Contractor must coordinate hot work activities with the Hoosier Energy Contractor Representative, implement Hoosier Energy Hot Work procedures and obtain a Hoosier Energy Hot Work Permit.

b. All Contractors performing hot work SHALL ensure fire watches. Hoosier Energy requires a minimum of 30 minutes of watch. A designated fire watch must:

   i. Know how to summon assistance.

   ii. Be properly trained on the use of handheld fire extinguishers; and

   iii. Be able to recognize incipient stage fires.

c. The Contractor shall ensure that the fire watch is not tasked with any other duties which may affect his/her ability to perform the responsibilities of the fire watch.

d. The Contractor shall ensure that adequate guards and barriers are used to ensure sparks and hot slag are confined to the immediate area and do not contact flammable or combustible materials. All open areas and floor grating/wall openings shall be protected so that sparks or slag cannot reach flammable or combustible materials at any lower level.

e. Hot work areas must be barricaded to prevent people from coming into contact with sparks and slag from hot work activities.

f. The Contractor must coordinate hot work activities with both the Hoosier Energy Contractor Representative and other Contractors when working on any tanks, vessels or lines containing acids, ammonia, chlorine or hydrogen, or when working on any lined tanks, vessels or lines.

g. Per OSHA Regulations, Pipelines containing gasses or flammable liquids, or conduits containing electrical circuits, shall not be used as a ground return. For welding on natural gas pipelines, the technical portions of regulations issued by the Department of Transportation, Office of Pipeline Safety, Minimum Federal Safety Standards for Gas Pipelines, shall apply.

h. The Contractor must store flammable and combustible chemicals where they are not subject to hot work or other sources of ignition. The Hoosier Energy Contractor Representative must approve Contractors' proposed storage location of flammable and combustible chemicals.

37. Compressed Gas Cylinders

All compressed gas cylinders must be stored in an upright secured position with protective valve caps in place. Compressed fuels and oxidizers, when not in use, may NOT be stored together. An acceptable barrier must meet a minimum separation of 20 feet between cylinders or separation by noncombustible material at least five feet in height and having a fire resistance rating of 30 minutes. Hoosier Energy considers a cylinder to be in storage when it is reasonably anticipated that gas will not be drawn from

the cylinder within 24 hours (overnight hours included.)

38. Housekeeping

Contractors will maintain their work areas in a clean, neat and orderly condition. Waste material debris shall not be allowed to accumulate. To help facilitate proper housekeeping, Contractors shall implement the following work practices:

a. Contractors will run hoses and electrical cords in a manner to prevent tripping hazards.

b. Electrical cords shall not be suspended by nail, staples or secured with wire.

c. Dirty or oily rags shall be placed into approved metal containers.

d. Grease or oil on the floor shall be immediately cleaned up.

e. Stairways, walkways, and all marked exits shall be maintained free of all obstructions at all times.

f. Leaking water from equipment, roof or any other means shall be diverted to drains through drip pans, water hoses and other means to eliminate slipping hazards. The Contractor may not run drain lines out windows or doorways. Standing water shall be squeegeed to help remove slipping hazards. Warning signs and/or warning tape shall be posted and placed to warn others of such hazards.

g. Under no circumstances may a Contractor utilize compressed air for cleaning themselves or others.

39. Hydrogen Gas System

Contractors shall ensure the following:

a. The Contractor shall use intrinsically safe equipment, including flashlights and non-sparking tools, when working on or around hydrogen systems.

b. The Contractor shall strictly adhere to the facility procedures when working on or near hydrogen systems.

c. Hydrogen lines shall not be used for welding ground.

d. The Contractor shall follow Hoosier Energy cutting and welding procedures when working in Hydrogen areas.

e. The Contractor shall ensure employees under their control are informed of the above requirements. This notification shall be in writing as a documented pre-job briefing.

f. Contractor must ensure that the welding environment is free from potentially explosive vapors prior to and during welding in a Hydrogen location.

40. Ladders

Contractors shall ensure the following:

a. Employees under their control are properly trained in ladder safety.

b. All ladders used by the Contractor shall meet OSHA requirements for ladder construction and working loads and shall only be used for the purpose for which they were designed. Ladders shall also maintain clean and legible markings indicating their load ratings and usage.

c. All ladders under their control are inspected for safe, clean and proper working parts before they

are used. Defective ladders shall not be used, but instead shall be tagged and made inaccessible for use.

d. Ladders are to be placed upon a level, firm, solid and safe base. When it is necessary to place a ladder on a non-level, smooth or slick surface, the base of the ladder shall be tied, or held by another worker.

e. The base of a straight or extension ladder shall be placed back from the wall at a distance equal to one-fourth of the ladder's working length.

f. The top of an extension ladder shall be tied off when possible.

g. No one shall go up or down a ladder without the free use of both hands.

h. If material must be lifted, a hand line must be used.

i. Three points of contact must be maintained at all times.

j. Employees shall face the ladders while ascending or descending.

k. An all-metal ladder shall not be used on Hoosier Energy property or projects.

l. A ladder used to transfer to a landing must have side rails that extend at least 3 feet above the landing.

m. When work requiring the use of a ladder is idle (waiting parts, materials, etc..) or the job has been completed, the ladder shall be properly stored.

41. Fall Protection When Working From Ladders

When an employee is working from a stepladder or extension ladder, no fall protection is required unless working outside of the ladder rails. When an employee can fall from one elevation to another while working from a ladder, the following is required.

a. When work on a ladder is being performed near an exposed edge without guardrail protection, the ladder must be located back from the edge a minimum of the working height of the ladder plus an additional four (4) feet.

b. When working from a ladder near an exposed edge with guardrail protection, the ladder must be located back from the edge to a minimum of the working height of the ladder.

c. When the precautions listed in options a and b above are not reasonably possible and there is not an approved anchorage point to facilitate the use of a personal fall arrest device, one of the following options must be utilized:

   i. Use of appropriate Man Lift (manual or electric);

   ii. Building scaffolding with handrail; or

   iii. Install barriers to protect from falling to the below elevation. Barrier must be capable of withstanding 200 pounds of force in any direction and must be secured to allow for no more than 2 inches of movement.

42. Control of Energy Sources (Lock Out/Tag Out) – support Appendix B

a. The Contractor will abide by the Hoosier Electrical Safe Work Permit which will identify electrical hazards. Prior to the start of work activity, the Work Permit Applicant will identify electrical hazards with a qualified person. Under the guidance of a Work Permit Holder, the

Work Permit Holder will confirm awareness of electrical hazards with the Contractor. Reference Appendix B for example of Hoosier Energy Safe Work Permit.

b. Contractors shall follow each specified aspect of the Lock Out/Tag Out Program, which addresses exposure to electrical, mechanical and other types of energy. Prior to the start of the work activity requiring equipment isolation, the Contractor must request a clearance from the Hoosier Energy Qualified Person. The Contractor's superintendent/foreman will be required to sign the Hoosier Energy Safe Work Permit and verify that the equipment is isolated before allowing employees under their control to start work.

c. Only Hoosier Energy qualified personnel may place or remove the hold cards on the Hoosier Energy equipment. Contractors may not remove a "hold card(s)" or locks and may NEVER operate a device that has a "hold card(s)" on it.

    i. VIOLATION OF THIS RULE WILL RESULT IN IMMEDIATE ESCORT FROM HOOSIER ENERGY PROPERTY AND A LIFETIME BAN FROM ALL HOOSIER ENERGY FACILITIES AND PROJECTS.

43. Equipment Use – support Appendix F

The Hoosier Energy Contractor Representative, at his/her discretion, may periodically authorize Contractor use of Hoosier Energy-owned equipment (e.g., cranes, mobile man lifts, fork trucks, power tools, etc.) provided that the Contractor is qualified and trained in their safe operation. The Hoosier Energy Contractor Representative and the Contractor superintendent/foreman for the employee(s) using this equipment shall sign an Equipment Liability Waiver Form before allowing Contractor employees to use the equipment. See Appendix F for the Equipment Liability Waiver Form.

The Contractor agrees to use this equipment according to its designed use and return it to Hoosier Energy in the same safe and proper operating condition in which it was lent. The Contractor is solely liable to Hoosier Energy for any costs associated with damage to or repair of the loaned equipment resulting from the Contractor's use.

The Contractor understands that by signing this waiver, it is accepting and assuming full responsibility for properly training its employees to use this equipment in a safe manner and for maintaining the equipment in a safe working condition. The Contractor shall not allow the use of the equipment by anyone other than its own properly trained employees.
The Contractor is solely liable for any property damage, personal injury or death resulting from Contractor's or any other person's use of this Equipment while it is under the control of the Contractor.

The Contractor shall indemnify, defend and save harmless Hoosier Energy, and their respective directors, officers, employees, agents and representatives against all suits, actions and claims of any character, name and description brought for or on account of any injuries or damages received or sustained by any person, persons or property resulting from any act, omission, neglect or misconduct of the Contractor, a sub–Contractor, anyone directly or indirectly employed by either of them or anyone using the equipment while it is under the control of Contractor, and from any claims arising or recovered under Indiana Worker's Compensation or any other applicable law, ordinance, order or decree. Hoosier Energy reserves the right, in its sole discretion, to retain all or any portion of sums due to Contractor's for the work that it deems necessary until any such suit, action or claim for injury or damages has been settled and satisfactory evidence to that effect has been furnished to Hoosier Energy.

44. Forklift Operations

Contractors shall follow applicable OSHA regulations and manufacturers' instructions when operating forklifts on Hoosier Energy property. Such regulation includes but are not limited to:

a. Only trained and authorized employees may operate a forklift on Hoosier Energy properties.

b. Seat belts must be worn at all times when operating a forklift (if equipped).

c. All forklifts must be inspected daily.

d. Prior to each use, all slings, tie downs, and other devices used to secure and/or transport loads shall be inspected for damage or defects by the Contractor's Competent Person.

45. Cranes

Contractors shall follow applicable OSHA regulations and manufacturers' instructions for safe crane operations, including but not limited to:

a. Only trained and authorized employees shall be permitted to operate cranes.

b. All cranes must be inspected and maintained per manufacturers' instructions.

c. Upon request, the Contractor must make available to the Hoosier Energy Contractor Representative all training, inspection and maintenance records.

d. Critical lift plans must be developed by a qualified person then submitted to the Hoosier Energy Contractor Representative and the Hoosier Energy safety department for review and approval.

e. All parties involved must conduct a meeting to discuss scope of work prior to any critical lift. At a minimum, the following personnel shall be involved:

   i. Facility Safety Representative.

   ii. Contractor Supervisor/Foreman; and

   iii. Hoosier Energy Contractor Representative.

f. All rigging must be inspected for damage and defects by the Contractor's qualified person.

g. Rated load capacities, recommended operating speed, special hazard warnings or instruction shall be conspicuously posted on all cranes. A Contractor shall designate a person to observe clearance of the equipment and give timely warning for all operations where it is difficult for the operator to maintain the desired clearance by visual means.

h. All employees shall be kept clear of loads as they are lifted and/or suspended.

i. Tag lines shall be used unless their use creates an unsafe condition.

46. Mobile Equipment – support Appendix H

Operators of mobile equipment must comply with all personal protective equipment requirements such as hard hats and safety glasses unless the equipment has a fully-enclosed cab. Seat belts must be worn when operating equipment. No Contractor shall permit earthmoving or compacting equipment that has an obstructed view to the rear to be used in reverse gear unless the equipment has in operation a reverse signal alarm distinguishable from the surrounding noise level or unless a Contractor-designated employee signals that it is safe to do so. Refer to Appendix H for detailed Contractor vehicle

requirements.

47. Personal Protective Equipment (PPE)

All PPE worn on Hoosier Energy job Sites must have ANSI and/or ASTM approval ratings. Contractors must ensure that the following rules/requirements are enforced for employees working under their control:

a. Hoosier Energy WILL NOT provide PPE for Contractor's employees.

b. The Contractor is responsible for ensuring the PPE is used and maintained in accordance with the manufacturer's specification, and all applicable regulations.

c. The Contractor will ensure that employees under its control are properly equipped with the PPE necessary to comply with Contractor requirements, Hoosier Energy requirements and federal and state regulations.

d. All PPE must be appropriate for the hazards present.

e. The Employer shall ensure their employees are utilizing appropriate foot protection based on potential hazards included in the scope of work and shall be ANSI/ASTM approved footwear with an impact and compression rating.

48. Restricted Areas

Contractors shall install warning tape for areas that require additional warning because of the work being performed there. Yellow "Caution" tape shall be used as an early warning or reminder. Red tape shall be used for areas where only authorized personnel are allowed. Restrictions in areas marked with wording such as, but not limited to, "Danger", "High Voltage – Keep Out" or "Danger Asbestos" shall be strictly enforced. Signs shall be mounted on or near the tape stating the date of installation, the Contractor and Contractor's personnel responsible for the placement of the barricade along with a contact phone number and the purpose of the tape. Tape shall be removed upon completion of the work to give notice the area is safe to occupy.

49. Scaffolding

All Scaffolding must be erected and dismantled under the supervision of an OSHA-defined Competent Person. Each Contractor performing scaffolding erection or dismantling must have a Competent Person on-site during these activities.

Contractors must ensure that all scaffolds are erected, dismantled and accessed per the applicable OSHA standards and the manufacturers' instructions. Contractor's erecting, dismantling or using scaffolding must comply, and must ensure employees under their control comply, with the following requirements:

a. The Contractor must provide written documentation outlining its 100% fall protection plan to be used during erection and dismantling of supported scaffolding.

b. Scaffolds must be constructed to meet any additional Hoosier Energy requirements.

c. Access ladders shall be installed.

d. Access ladders shall extend 3' above the handrail.

e. Access gates shall be installed at all working platforms.

f. Cross braces shall not be used as a means of access.

g. Cross-bracing shall not be utilized as a mid-rail or top rail. Mid-rails and top rails shall have their own separate horizontal scaffolding component.

h. Toe boards shall be installed.

i. Scaffolding four feet or higher without handrails will require fall protection.

j. Scaffolding must have handrails when the opening from the scaffolding working surface to a wall is more than 4 inches.

k. The Hoosier Energy three tag (red, yellow, green) scaffolding tagging system must be used on all scaffolds.

   i. The Hoosier Energy Red Tag is required when erecting or dismantling the scaffolding and when the scaffolding has a defective or damaged scaffolding component.

   ii. The Hoosier Energy Yellow Tag is required when guardrails (mid rail or top rail) cannot be installed and/or there is incomplete planking. The Contractor's Competent Person shall list on the Yellow Tag the required precautions for safe access of the scaffold. If the anchorage point for fall protection is a scaffolding component, the scaffolding Contractor shall have a Qualified Person in fall protection and scaffolding approved the specific scaffolding component to be used.

   iii. The Hoosier Energy Green Tag is required when the scaffold (working level) is fully planked and top rails and mid rails are installed. All scaffolds shall be erected to a Green Tag status if possible.

l. Fall protection is required when erecting (until it meets Green Tag status) or dismantling scaffolding. Fall protection is required at heights of four (4) feet or higher. NOTE: the Contractors Competent Person erecting the scaffolding shall ensure the fall protection equipment meets Hoosier Energy standards and all required fall protection standards (OSHA, ANSI, and manufacturer's instructions) and that the most stringent standard amongst these takes precedence. Consideration must be given to the anchorage point strength, compatibility of fall protection equipment, swing hazards and clearances.

m. All scaffolds shall be inspected daily prior to allowing access to the scaffold, and these inspections shall be documented. The Contractor's Competent Person erecting the scaffold shall identify to the Hoosier Energy on-site Safety Representative the person(s) responsible for conducting these daily inspections.

n. The Contractor's Competent Person erecting the scaffold shall notify the Hoosier Energy Contractor Representative of any low clearances or obstructions (head knockers) at the working levels and place a caution tag identifying the hazard with the Hoosier Energy scaffold tag.

50. Steel Erection

The Contractor performing steel erection work activity shall follow applicable OSHA regulations and must submit a written fall management plan when working four (4) feet or higher above another elevation. The Contractor must comply with the following conditions regarding steel erection:

a. Site Plan: The Contractor must develop a site-specific erection and construction plan and a construction sequence plan. Before authorizing the commencement of a steel erection, the "Controlling Contractor" shall ensure that the steel erector is provided with the following:

   i. Certification of proper curing of concrete in footings, piers, etc. for steel columns;

   ii. A safe site layout, including prepared routes for hoisting loads; and

   iii. A site plan developed by a qualified person and available for review at the work site.

b. Hoisting and Rigging: Cranes used in steel erection activities shall be visually inspected by the

Contractor's Competent Person prior to each shift. The inspection shall include an observation for deficiencies during operation. The crane inspection reports shall be made available upon request. If a deficiency is identified, the Contractor's Competent Person will make an immediate determination whether the equipment should be removed from service. Additionally, a qualified rigger (a rigger who is also considered a qualified person) shall inspect the rigging prior to each shift. The Contractor must minimize exposures to overhead loads through planning and work practice requirements. The Contractor must also prepare written procedures for proper multi component lifts (Christmas-treeing) and ensure employees under its control are informed of these procedures.

c. Structural Steel Assembly: The Contractor must eliminate tripping and slipping hazards on walking/working surfaces. The Contractor shall prepare written work practice requirements regarding safely landing deck bundles and addressing prompt protection from fall hazards and shall ensure employees under its control are informed of these practices.

d. Column Anchorages: The Contractor shall ensure that four anchor bolts per column are used along with any other column stability requirements.

e. Beams and Columns: A Contractor's Competent Person shall determine if more than two bolts are necessary to ensure the stability of cantilevered members and the Contractor shall install such additional bolts.

f. Open Web Steel Joists Steel Joists and steel joists girders shall not be used as anchorage points for fall arrest systems unless written approval to do so is obtained in advance from a Qualified Person.

g. Systems-Engineered Metal Buildings: Purlins and girts shall not be used as anchorage points for fall arrest system unless written approval is obtained in advance from a Qualified Person. Purlins may only be used as a walking/working surface when installing safety systems or after all permanent bridging has been installed, and only when fall protection is provided.

h. Fall Protection: Hoosier Energy requires fall protection for work performed at heights of four (4) feet or more. The Contractor shall not allow a wire sling, wire rope extender lanyard or any similar device to be placed at the worker's feet for fall protection. A beam glider or similar device is acceptable only when used with a shock-absorbing lanyard (such as DBI Sala, ShockWave 2) that is designed for a fall greater than six (6) feet. Before performing steel erection at a Hoosier Energy work site, the Contractor shall submit to the Hoosier Energy Contractor Representative for review and comment a written site-specific Fall Protection Plan developed at the Contractor's cost and direction by a Competent or Qualified Person in the field of fall protection. This plan must list the fall protection equipment and anchorage points the Contractor intends to use, and must address the installation of fall protection systems (such as horizontal lifelines) before steel is lifted into place. The Hoosier Energy Contractor Representative will forward a copy of the plan to the designated Hoosier Energy Safety Representative for review and comment. Hoosier Energy reserves the right to accept or reject, at no cost to Hoosier Energy, any or all parts of the Contractor's Fall Protection Plan. Contractors must ensure that employees under their control are properly trained on the Fall Protection Plan and the fall protection equipment they will be required to wear. Hoosier Energy reserves the right to audit these training records as it deems necessary.

i. Controlled Decking Zone: Contractors working at an elevation of four (4) feet or higher on a leading edge in a controlled decking zone will be required to wear fall protection equipment.

51. Traffic Control

The Contractor shall use control devices to address traffic control. The installation and specifications of those devices shall adhere to the requirements defined in the Federal Highway Administration's Manual on Uniform Traffic Control Devices (MUTCD) and all applicable OSHA and DOT regulations.

The Contractor providing traffic control shall be adequately trained in these activities.

The Contractor is responsible for the cost to provide all Flagging/Protection Equipment applicable to Industrial Standards necessary to maintain a safe work zone.

The Contractor shall coordinate such activities with their Hoosier Energy Representative. Contractor's shall coordinate with Hoosier Energy Representative's to ensure all applicable permits are in place prior to work beginning.

52. Confined or Enclosed Space General Warnings

a. Biological Hazards

Hoosier Energy facilities and associated equipment and structures may harbor host species that have the potential to produce biological hazards. Examples of these host species include, but are not limited to, bird and rodent contamination and bacterium cultures of various types. Caution should be taken to avoid contact with bird and rodent droppings. The bacterium Legionella Pneumophila is found in Indiana waters and has been shown to thrive in environments such as cooling towers and turbine condensers. Caution in the form of proper PPE and personal hygiene should be taken when exposed to airborne water droplets from these environments.

b. Confined and Enclosed Spaces – support Appendix D

Hoosier Energy facilities and associated equipment and structures may contain spaces that are classified as a "confined space" per applicable OSHA standards. Contractors may not enter into confined spaces without the authorization of the Hoosier Energy Contractor Representative. During the course of the work, Contractors may create a previously unidentified (new) confined space. Contractors who create new confined spaces during the course of work are required to promptly notify the Hoosier Energy Contractor Representative. Contractors are expected to comply with all applicable OSHA regulations regarding confined spaces and Appendix D of the Contractor Health and Safety Terms and Conditions.

c. Electrical Hazards

Hoosier Energy facilities and associated equipment and structures may contain electrical hazards associated with the generation and transmission of electricity. Contractors are prohibited from entering substations and electrical switchgear rooms without authorization from the Hoosier Energy Contractor Representative. Contractors are to maintain a safe working clearance from overhead power lines and energized conductors at all times. Questions regarding voltages and safe electrical clearances should be directed to the Hoosier Energy Contractor Representative or designated Hoosier Energy subject matter expert.

APPENDIX A - Hoosier Energy CHEMICAL SAFETY & HAZARD COMMUNICATION

Chemical Procurement Policy

Purpose:

To purchase/utilize the least hazardous chemical available when performing jobs at all Hoosier Energy facilities while minimizing the amount of hazardous chemicals being brought on to Hoosier Energy property.

References:

1. OSHA 29 CFR 1910.1200 "Hazard Communication"
2. HE-HAZ-06-12 "Hazard Communication" – Hoosier Energy REC, Inc. *(This Policy)*

Scope:

It is the policy of Hoosier Energy REC, Inc. to purchase/utilize the least hazardous products possible and where possible, substitute non-hazardous products in place of currently used hazardous chemicals. This chemical procurement policy will be adopted in order to minimize chemicals being brought into Hoosier Energy facilities which are hazardous or have hazardous components.

Content:

1. No new chemical or chemical product of any type which is not on the "Hoosier Energy – Approved Product List" is allowed on Hoosier Energy property. This includes samples from a vendor, cleaning products, or other materials obtained from a hardware store.
2. Prior to ordering chemical products or accepting any samples, a completed "Chemical Clearance Form" and a copy of the SDS for the chemical shall be sent to the Safety & Training Department. This department, along with the Environmental Services Department, will review the SDS and gather whatever other information is needed to ensure that the chemical meets Hoosier Energy's policy of using non-hazardous materials whenever possible.

   *__Note__: The Environmental Services Department will review all hazardous chemicals which present a HMIS hazard category rating of greater than 2.

3. Prior to accepting a sample from a vendor, the Hoosier Energy employee will obtain an agreement from the vendor that the material/container will be accepted back by the vendor in the event that Hoosier Energy does not use the entire sample or determines the product is unsuitable.
4. Contractors used by Hoosier Energy at Hoosier Energy facilities will provide SDS sheets for every chemical they plan to use on a project. Copies of the SDS's shall be forwarded to the Safety & Training Department. This department along with the Environmental Services Department will review the SDS and gather whatever other information is needed to ensure that the chemical meets Hoosier Energy's policy of using non-hazardous materials whenever possible. In addition, a copy of the SDS's will be available to Hoosier Energy employees.
5. Contractors are responsible for the proper storage of chemicals and materials brought into Hoosier Energy facilities. Chemicals provided and used by Contractors will not be stored in Hoosier Energy buildings and Contractors are responsible for providing adequate storage facilities to be sited with the approval of Hoosier Energy personnel.

6. Contractors are responsible for any regulatory notification, clean-up and disposal of hazardous materials or objectionable substances spilled on Hoosier Energy property. At the completion of the Contractor's work, any remaining chemicals brought on site will be removed by the Contractor. Contractors are responsible for the wastes and residues that they produce on Hoosier Energy property.
7. The Safety & Training Department, with the aid of the Environmental Services Department, will approve or reject the purchase of a new chemical within a reasonable amount of time after receiving a request.

Training:

a. Initial hazard communication training shall be conducted during new employee orientation. This training shall include the Chemical Procurement Policy for anyone who may be in a position where they would themselves purchase any hazardous chemical or where they may oversee a Contractor who intends to purchase or bring hazard chemicals onto Hoosier Energy property.

b. Refresher training shall be conducted every 3 years and shall be conducted along with Hazard Communication training.

Audits:

The Safety & Training Department shall conduct an annual review of the Chemical Procurement Policy and associated SDS documents to ensure the procedure and its contents are up-to-date.

Attachments:

1. HE-CHP-5-13. Chemical Procurement Policy -Policy Sign-off Form
2. HE-CHP-5-13-A, *"Flow Chart Chemical Procurement Policy Approval Process for New Chemicals"*
3. HE-CHP-5-13-B, *"Chemical Procurement Form"*

Hoosier Energy REC, Inc.

SECTION: **Safety**

EFFECTIVE DATE: **5/20/2013**

Title	Signature	Date

Revision History:

Revision Number	Issue Date	Changes Made	Responsible Party
Rev 1	May 20, 2013	Program Responsibilities	Eric Wilson

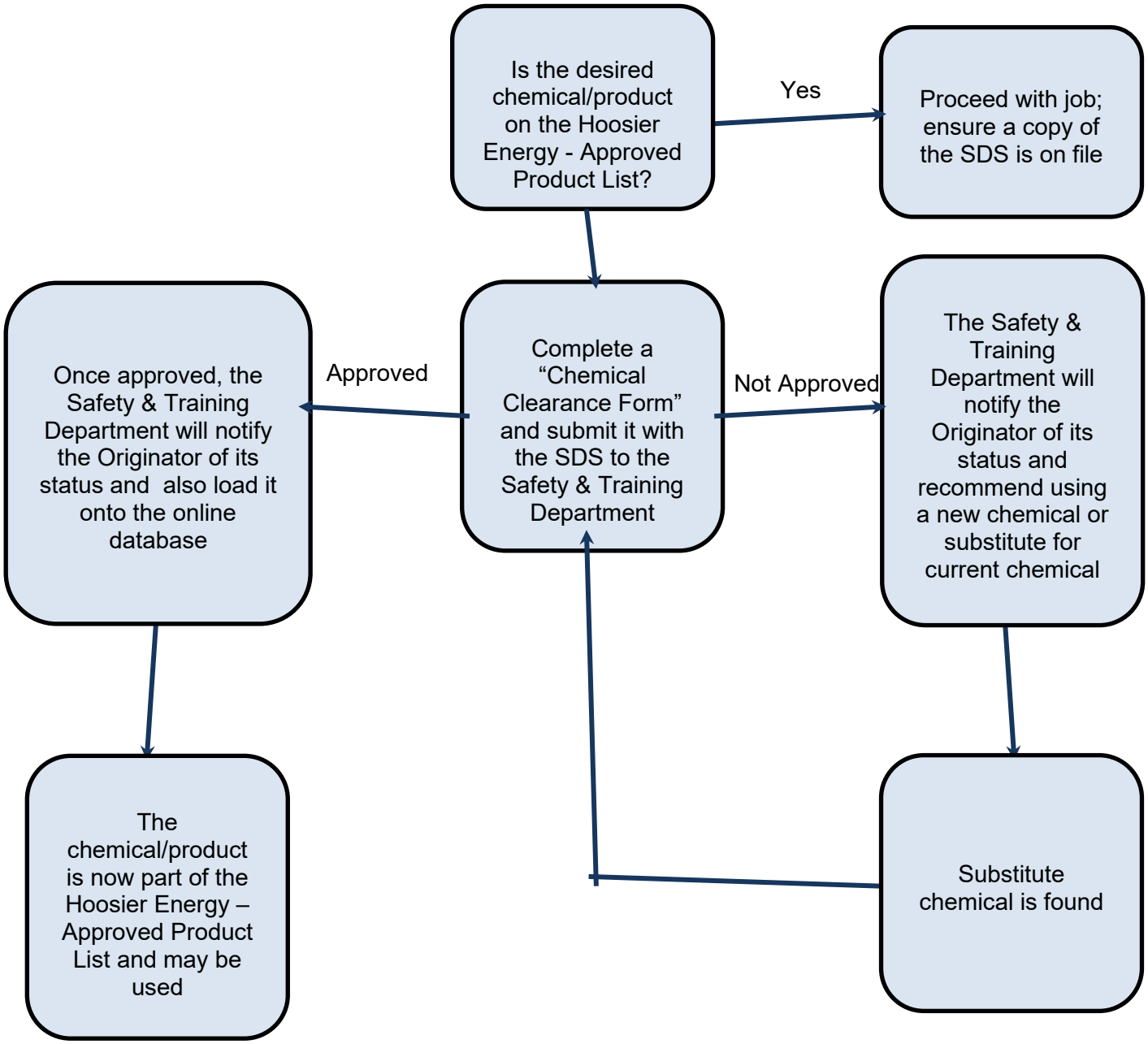
SUPPLIER/CONTRACTOR HEALTH AND SAFETY GENERAL TERMS AND CONDITIONS

FLOW CHART

CHEMICAL PROCUREMENT POLICY

APPROVAL PROCESS FOR NEW CHEMICALS

HE-CHP-5-13-A



Hoosier Energy Chemical/Lubricant Procurement Form

☐ *Chemical* ☐ *Lubricant*

Name of Requestor: _____ **Date:** _____

Requestor's Company: _____ **Span of Use (Dates):**_____

Name of Chemical/Lubricant & Manufacturer: _____
_____

Quantity: _____ **Facility:** _____

Location of Use: _____ **Storage Location:** _____

Proposed Use: _____
_____
_____

What is being used now? Possible Alternatives? : _____
_____
_____

Any Additional Information (ex. Cost)
_____
_____
_____

Approvals

***For Chemical Use Only*:**

Environmental Services Department: _____

Date: _____

Safety & Training Department: _____

Date: _____

Please include a copy of the SDS with this form

For Lubricants, use other side for approvals

HOOSIER ENERGY
A Touchstone Energy® Cooperative

Approvals

***For Lubrication Use Only*:**

Lubrication Department: _____

Date: _____

Environmental Services Department: _____

Date: _____

Safety & Training Department: _____

Date: _____

APPENDIX B – HOOSIER ELECTRICAL SAFE WORK PERMIT

HOOSIER ELECTRICAL SAFE WORK PERMIT

Part 1 TO BE COMPLETED BY WORK PERMIT APPLICANT

1. Description of circuit/equipment/ job location: .....

.....

2. Description of work to be done: .....

.....

Part 2 REVIEWED VERIFICATION to be Completed by Hoosier Energy Qualified Person (HEQP) & Clearance Holder

The following has been established (Check Box of items verified)

All tags are in place per LOTO (LockOut TagOut) Policy ☐
Test for the Presence of Voltage with approved DVI ☐
Visual Openings ☐

Identify Visual Openings

1	5	9 .....
2	6	10 .....
3	7	11 .....
4	8	12 .....

Identify Ground Locations

1	4 .....
2	5 .....
3	6 .....

Part 3 HEQP to Identify all electrical hazards associated with this clearance within the area of work

Description of Hazards

1 .....
2 .....
3 .....
4 .....

Part 4 HEQP has walked with Work Permit Applicant the job and provided visual conformation of the clearance points and grounding points.

Confirmed by Work Permit Applicant		Confirmed by HEQP	
Printed Name:	.....	Printed Name:	.....
Signature:	.....	Signature:	.....

Part 5 HEQP agrees to one of the following conditions

Choose One (Check Box) below --- All scenarios below require Signatures

☐ **A: No HEQP Oversight Required, Job Site has been made Safe.**

☐ **B: Job Site has been made safe, however, Hazards require HEQP oversight for Portions of the Job**

Identify Hazard Portions .....

.....

.....

☐ **C: Job Site has been made safe, however, Hazards require HEQP oversight for ENTIRE Job**

Signatures

Signatures	HEQP	Manager of Operations	
Printed Name	.....	Printed Name:	.....
Signature	.....	Signature:	.....

Notice: Both Pages of this Permit must be completed 1 of 2

HOOSIER ELECTRICAL SAFE WORK PERMIT

Part 6 Release

Official Release Date & Time .....

Applicant Holder Signature: ..... Date & Time: .....

HEQP Signature: ..... Date & Time: .....

Official Release (Including System Control Notification): Date & Time: .....

Notice: Both Pages of this Permit must be completed 2 of 2

APPENDIX C – CONCRETE AND MASONRY CONSTRUCTION

The Contractor must comply with the following requirements for concrete and masonry construction operations at construction, demolition, alteration or repair Sites. These requirements include, but are not limited to:

1. Construction Loads

Contractors must not place construction loads on a concrete structure or portion of a concrete structure unless the Contractor has received a determination from a person qualified in structural design that the structure or portion of the structure is capable of supporting the intended loads.

2. Reinforcing Steel

All protruding reinforcing steel located where employees could fall onto or into it must be guarded to eliminate the hazard of impalement.

3. Post-Tensioning Operations

Employees (except those essential to the post-tensioning operations) must not be permitted to be behind the jack during tensioning operations. Signs and barriers must be erected to limit employee access to the post-tensioning area during tensioning operations. The Contractor shall ensure employees under its control are informed of this restricted area. The Contractor shall coordinate tensioning operations with other parties performing work in the area.

4. Concrete Buckets

Employees are not permitted to ride concrete buckets at any time.

5. Working Under Loads

Employees must not be permitted to work under suspended loads while loads are being elevated or lowered into position. Elevated suspended loads must be routed to ensure that no employees are exposed to the hazards associated with falling objects.

6. Personal Protective Equipment (PPE)

All PPE (Personal Protective Equipment) to be applied as regulated by Federal, State Regulations and Laws in the application process of concrete and masonry construction.

7. Equipment and Tools

Contractors shall ensure that equipment and tools, including but not limited to mixers, power trowels, buggies, pumping systems, concrete buckets, tremies, bull floats and masonry saws, are in good working order. The Contractor shall ensure that all safety switches, guards and fail-safe joint connectors are in place and in proper working order before allowing employees to use this type of equipment.

8. Cast-in-Place Concrete

Formwork must be designed, fabricated, erected, supported, braced and maintained so that it is capable of supporting without failure all vertical and lateral loads applied to the formwork.

9. Drawings or Plans

The Contractor shall have on site all drawings and plans (including all revisions for the jack layout), formwork (including shoring equipment), working decks and scaffolds.

10. Shoring and Reshoring

All shoring equipment (including equipment used in reshoring operations) must be inspected prior to erection to ensure that the equipment meets the requirements specified in the formwork drawings. Damaged shoring equipment must not be used for shoring. Erected shoring equipment must be inspected immediately prior to, during and immediately after concrete placement. Shoring equipment that is found to be damaged or weakened after erection must be immediately reinforced.

If single-post shores are used one on top of another (tiered,) then additional shoring requirements must be met:

a. Design of the shores by a qualified designer and inspection after erection by an Engineer qualified in structural design.

b. Vertical alignment.

c. Spliced to prevent misalignment.

d. Adequately braced in two mutually perpendicular directions at the spliced level.

e. Each tier also must be diagonally braced in the same two directions.

f. Adjustments of single-post shores to raise formwork must not be made after the placement of concrete.

g. Reshoring must be erected as the original forms and shores are removed whenever the concrete is required to support loads in excess of its capacity.

11. Vertical Slip Forms

Vertical Slip Forms must meet the following requirements:

a. The steel rods or pipes on which jacks climb or by which the forms are lifted must be specifically designed for that purpose.

b. Forms must be adequately braced where not encased in concrete.

c. Forms must be designed to prevent excessive distortion of the structure during the jacking operation. Jacks and vertical supports must be positioned in such a manner that the loads do not exceed the rated capacity of the jacks.

d. The jacks or other lifting devices must be provided with mechanical dogs or other automatic holding devices to support the slip forms in the event of failure of the power supply or lifting mechanisms.

e. The form structure must be maintained within all design tolerances specified for plumpness during the jacking operation.

f. The predetermined safe rate of the lift must not be exceeded.

g. All vertical slip forms must have scaffolds or work platforms at points where employees are required to work or pass.

12. Reinforcing Steel

Reinforcing steel for walls, piers, columns and similar vertical structures must be adequately supported to prevent overturning and collapse. Contractors must take measures to prevent unrolled wire mesh from recoiling. Such measures may include, but are not limited to, securing each end of the roll or turning over the roll.

In the event of rebar spacing is greater than 10” (inch) on centers, wire mesh must be provided and secured

to reduce the chances of a tripping hazard and to provide a safe work environment.

13. Fall Protection for Formwork and Reinforcing Steel

a. Each employee working on or crossing over the face of formwork or reinforcing steel shall be protected from falling four (4) feet or more to lower levels by personal fall arrest systems, safety net systems or positioning device systems.

b. Snap hooks shall be appropriately sized for the member to which they are connected in order to prevent unintentional disengagement of the snap hook by depression of the snap hook keeper by the connected member.

c. Large throat-opening snap hooks shall not be connected to standard size D-rings or similar objects where the result is a load on the gate if the hook or D-ring twists or rotates. Large throat snap hooks may only be used on fixed structural elements, such as rebar or cross members that are not shaped in a way that can capture the gate of the hook.

d. Contractors shall ensure employees under their control are properly trained and informed about the proper connection for large throat snap hooks.

14. Removal of Formwork

Forms and shores (except those used for slabs on grade and slip forms) must not be removed until the Contractor determines that the concrete has gained sufficient strength to support its weight and superimposed loads. Such determination must be made in accordance with one of the following:

a. Plans and specifications which stipulate conditions for removal of forms and shores or

b. Proper testing of the concrete with an appropriate American Society for Testing and Materials (ASTM) standard test method designed to indicate the concrete compressive strength.

Reshoring must not be removed until the concrete being supported has attained adequate strength to support its weight and all loads in place upon it.

15. Precast Concrete

a. Precast concrete wall units, structural framing and tilt-up wall panels must be adequately supported until permanent connections are completed in order to prevent overturning and collapse.

b. Lifting inserts that are embedded or otherwise attached to tilt-up wall panels must be capable of supporting at least two times the maximum intended load applied or transmitted to them; lifting inserts for other precast members must be capable of supporting four times the load.

c. No employees are permitted under precast concrete that is being lifted or tilted into position.

16. Fall Protection for Precast Concrete Erection

a. Each employee engaged in the erection of precast concrete members (including, but not limited to, the erection of wall panels, columns, beams and floor and roof "tees") and related operations, including but not limited to grouting of precast concrete members, who is four (4) feet or more above lower levels shall be protected from falling by guardrail systems, safety net systems or personal fall arrest systems.

b. Snap hooks shall be appropriately sized for the member to which they are connected in order to prevent unintentional disengagement of the snap hook by depression of the snap hook keeper by the connected member.

c. Large throat-opening snap hooks shall not be connected to standard size D-rings or similar objects where the result is a load on the gate if the hook or D-ring twists or rotates. Large throat snap hooks may only be used on fixed structural elements, such as rebar or cross members that are not shaped in a way that can capture the gate of the hook.

d. Contractors shall ensure employees under their control are properly trained and informed about the proper connection for large throat snap hooks.

17. Lift-Slab Operations

a. Lift-slab operations must be designed and planned by a Registered Professional Engineer who has experience in lift-slab construction. Such plans and designs must be implemented by the Contractor and must include detailed instructions and sketches indicating the prescribed method of erection. The plans and designs must also include provisions for ensuring lateral stability of the building/structure during construction.

b. Jacking equipment must be capable of supporting at least two and one-half times the load being lifted during jacking operations and the equipment must not be overloaded. For the purposes of this provision, jacking equipment includes any load-bearing component that is used to carry out the lifting operation(s). Such equipment includes, but is not limited to, threaded rods, lifting attachments, lifting nuts, hook-up collars, T-caps, shear heads, columns and footings.

c. No employee, except those essential to the jacking operation, may be permitted in the building/structure while any jacking operation is taking place, unless the building/structure has been reinforced sufficiently to ensure its integrity during erection. The phrase "reinforced sufficiently to ensure its integrity" used in this paragraph means that a Registered Professional Engineer, independent of the Engineer who designed and planned the lifting operation, has determined from the plans that if there is a loss of support at any jack location, that loss will be confined to that location and the structure as a whole will remain stable.

d. Under no circumstances may any employee be permitted beneath a slab while it is being lifted.

18. Masonry Construction

Prior to the start of construction of a masonry wall, Contractors must establish a limited access zone as follows:

a. Equal to the height of the wall to be constructed plus four feet and running the entire length of the wall.

b. On the side of the wall that will be unscaffolded.

c. Restricted to entry only by employees actively engaged in constructing the wall.

d. Kept in place until the wall is adequately supported to prevent overturning and collapse; except that if the height of the wall is more than eight feet and unsupported, it must be braced and the bracing must remain in place until permanent supporting elements of the structure are in place.

Contractors shall inform the employees under their control about the limited access zone. Further, Contractors shall inform the Hoosier Energy Contractor Representative and other Contractors working in the area about the limited access zone. This information must be exchanged in a documented meeting.

APPENDIX D – CONFINED and ENCLOSED SPACE ENTRY

The Hoosier Energy facilities contain many OSHA-defined confined and enclosed spaces. All confined or enclosed spaces on Hoosier Energy property require a permit for entry. Contractors who enter permit-required confined or enclosed spaces (performing either construction or maintenance work) must follow a confined and enclosed space entry program that meets the requirements of Federal, State and OSHA Standards.

Prior to work being performed the Contractor shall ensure scope of work is reviewed by a Hoosier Energy representative. The Contractor is responsible for ensuring that its employees and its subcontractor's employees are properly trained before performing confined space entry duties. Additionally, the Contractor must meet the following requirements for all confined space entry operations.÷

1. Perform Air Monitoring

Contractors must perform their own air monitoring prior to initial entry; upon re-entry when the space has been left unattended; and continuously for Hoosier Energy-defined high hazard confined space work activity. All readings must be logged on the permit. Hoosier Energy will not be responsible for supplying air monitoring equipment or parts.

2. Post a Written Permit

Contractors must post a written permit available for review outside the entrance to the space. The Contractor must maintain and update the permit for the duration of the entry operation, including signing in and out of the confined space. Each permit must contain the names of the Contractor's company and the Hoosier Energy Contractor Representative.

3. Coordinate Work Entry Operations

The Contractor must develop and implement procedures to coordinate entry operations with Hoosier Energy and other Contractor employees on site to ensure that the Contractor's activities do not endanger people. The controlling Contractor of these activities shall request a safety meeting with the Hoosier Energy Contractor Representative, other Contractors and any other parties that could be affected by this work activity. All parties shall receive a copy of the procedures and must provide to Hoosier Energy written documentation that they have informed the employees under their control of these procedures.

4. Use of Full Body Harness

All entrants must wear a full body harness during confined space operations, Operations must utilize all applicable monitoring and rescue equipment as per Federal, State and OSHA Standards of confined spaces specifically exempted in the Hoosier Energy Confined Space Entry Program. For additional information on these exceptions, contact Hoosier Energy Corporate Safety.

APPENDIX E- FALL MANAGEMENT

Contractors will implement a written project-specific Fall Management Plan that ensures 100% fall protection for employees working at elevations of four (4) feet or greater for unguarded walking/working surfaces per Federal, State and OSHA Standards and four (4) feet or greater for employees working on unguarded scaffolding, steel erection or any unguarded work location. The Fall Management Plan must either eliminate fall hazards or provide for employee protection and must be provided to the Hoosier Energy Contractor Representative before any such work is performed. The Contractor may also be required to submit its site specific Fall Management Plan to Hoosier Energy Safety for review and comment before the start of the project. Hoosier Energy reserves the right, at no cost to it, to accept or reject any or all parts of the Contractor Fall Management Plan and to suspend the Contractor's work with no liability to the Contractor until an acceptable Fall Management Plan is implemented.

Fall protection systems shall comply with all applicable OSHA regulations, ANSI standards and Hoosier Energy rules. All required fall protection systems shall be provided and installed before any worker begins the work that necessitates the fall protection. The Contractor must maintain documentation demonstrating implementation of the Fall Management Plan for the duration of the project. In addition to the requirements specified above, the Contractor shall follow all applicable manufacturers' instructions, OSHA regulations and ANSI standards regarding fall management for the project. The Contractor will also ensure that employees under its control comply with the following requirements:

1. Personal Fall Arrest System (PFAS)

Only approved personal fall arrest system (PFAS) components meeting the requirements of the applicable OSHA Standards may be used. The use of body belts as a component of a PFAS **is prohibited** on Hoosier Energy work Sites. A full-body harness with an applicable shock-absorbing lanyard not more than six (6) feet long or a self-retractable lifeline is acceptable.

2. PFAS Compatibility

Contractors shall ensure compatibility of personal fall protection system components. Compatibility of different manufacturers' fall protection equipment must meet the applicable OSHA Standards. Snap hooks shall be appropriately sized for the member to which they are connected in order to prevent unintentional disengagement of the snap hook by depression of the snap hook keeper by the connected member. Large throat opening snap hooks shall not be connected to standard size D-rings or similar objects where the result is a load on the gate if the hook or D-ring twists or rotates. Large throat snap hooks may only be used on fixed structural elements that are rated to support the load subjected.

3. Anchorages

Only approved anchorages meeting the requirements of applicable OSHA Standards may be used. A Qualified Person in fall protection shall supervise the design, installation, selection, inspection or certification of any fall arrest anchorage point. A Qualified Person must be a person with a recognized degree or professional certificate who has extensive knowledge, training and experience in the fall protection and rescue field and who is capable of designing, analyzing, evaluating and specifying fall protection and rescue systems.

4. Hazards Identification, Evaluation & Control

Prior to allowing employees to perform work which requires the use of Personal Fall Arrest Equipment, the Contractor shall conduct a workplace assessment to identify and evaluate the presence of hazards and conditions. This assessment shall, at a minimum, identify if any of the following conditions are present: hot objects, chemicals, abrasive surfaces, climatic factors, sparks, electrical hazards, moving equipment,

weather factors, flames, environmental contaminants, moving materials, unstable/uneven surfaces, heat producing operations, sharp objects, unguarded opening, slippery surfaces or confined space hazards.

Contractor supervisors and foremen MUST have a Pre-Job Briefing with employees under their control to address these concerns.

5. Planning the Use of Systems

After performing the hazard identification and evaluation, the Contractor must determine what type of equipment or system is required to safely perform the scope of work. Consideration for employee movement and all factors that could affect employee safety before, during and after a fall (if one occurs) MUST be considered and addressed.

6. Anchorage & Anchorage Connection Selection

The Contractor must use anchorage that is stable and meets proper strength requirements for the work. Anchorage for shock-absorbing lanyards is 5,000 lbs.; for self-retracting lifelines, 3,000 lbs.; and for engineered systems, a ratio of 2:1.

The Contractor must determine the necessary location of anchorage to ensure that the employee will be continuously connected when exposed to falling hazards. Selection of the location of the anchorage must address:

a. Free fall distance
b. Swing fall hazards
c. Clear space in fall path
d. User Movement
e. Rescue and Evacuation

7. In-House (Field-Built) Horizontal Lifelines

Contractors using in-house (field built) horizontal lifelines shall meet, at a minimum, the following requirements:

a. Anchorages for horizontal lifelines shall be designed, prior to use, by a Qualified Person with experience in designing horizontal lifeline systems.
b. Horizontal lifelines shall be installed and used under the supervision of a Qualified Person as part of a complete personal fall arrest system which maintains a safety factor of at least two.
c. When supervising the design, installation or selection of a fall arrest anchorage, the Qualified Person shall calculate the forces generated by an arrested fall, total existing and anticipated loading, load path, structural member strengths, connection and support strengths, stability, clearance requirements, swing fall, rescue deflection of the system and impact on the structural members to which the system is attached.
d. All engineering test data, including the engineering test data for all components used in its horizontal lifeline, shall be provided to Hoosier Energy. All drawings and documentation must be approved and signed by a professional engineer and stamped.
e. An in-line shock pack on all wire rope systems.
f. Means to adjust the lifeline for proper sag, such as a turnbuckle.
g. A written rescue plan and the means to implement the plan in the event of a fall.

h. Clear written instructions that include identification of acceptable fall arrest anchorages, the clearance requirements, sag requirements, complete setup procedures for access, use and egress from the fall arrest system and the limitations on the use of the system, including the maximum free fall, acceptable connectors (type of lanyard or self-retracting lifeline), maximum arrest force and number of authorized persons who can be on the system at any given time.

8. Pre-Engineered Horizontal Lifelines

Pre-engineered horizontal lifelines must meet the requirements of applicable OSHA Standards. The Qualified Person must ensure that pre-engineered horizontal lifelines are installed, used and inspected according to the manufacturer's instructions. These instructions must be on-site and provided to the Hoosier Energy Contractor Representative for review upon request.

9. Competent Person

A fall management "Competent Person" who has training and experience in the field of fall protection must be designated for the project by the Contractor.

10. Qualified Person

The Contractor must designate for the project a Fall Management Qualified Person who is knowledgeable in applicable fall protection regulations, standards, equipment and systems, physical sciences, engineering prints and mandatory requirements for equipment and systems used by the Contractor.

11. Training

The Contractor shall ensure that employees under its control are properly trained in the use of fall protection equipment.

SUPPLIER/CONTRACTOR HEALTH AND SAFETY GENERAL TERMS AND CONDITIONS

APPENDIX F – EQUIPMENT LIABILITY WAIVER

Hoosier Energy Rural Electric Cooperative, Inc., at _____facility ("Hoosier Energy"), agrees to loan:

_____ ("Contractor"),

_____("Equipment") to

_____("Work"),

scheduled to start on_____ and end on _____.

The Contractor agrees to use this equipment according to its designed use and return it to Hoosier Energy in the same safe and proper operating condition in which it was lent. The Contractor is solely liable to Hoosier Energy for any costs associated with damage to or repair of the loaned equipment resulting from the Contractor's use.

The Contractor understands that by signing this waiver, it is accepting and assuming full responsibility for properly training its employees to use this equipment in a safe manner and for maintaining the Equipment in a safe working condition. The Contractor shall not allow the use of the equipment by anyone other than its own properly-trained employees.

The Contractor is solely liable for any property damage, personal injury or death resulting from Contractor's or any other person's use of this equipment while it is under the control of the Contractor.

The Contractor shall indemnify, defend and save harmless Hoosier Energy, and their respective directors, officers, employees, agents and representatives against all suits, actions and claims of any character, name and description brought for or on account of any injuries or damages received or sustained by any person, persons or property resulting from any act, omission, neglect or misconduct of the Contractor, a sub–Contractor, anyone directly or indirectly employed by either of them or anyone using the equipment while it is under the control of Contractor, and from any claims arising or recovered under Indiana Worker's Compensation or any other applicable law, ordinance, order or decree. Hoosier Energy reserves the right, in its sole discretion, to retain all or any portion of sums due to Contractor's for the work that it deems necessary until any such suit, action or claim for injury or damages has been settled and satisfactory evidence to that effect has been furnished to Hoosier Energy.

I, an authorized representative of the Contractor, do hereby bind the Contractor to the terms of this Equipment Liability Waiver.

Signature: _____

Printed: _____

Title: _____

Date: _____

APPENDIX G – HOOSIER ENERGY SUBSTANCE ABUSE PROGRAM

Hoosier Energy

Drug and Alcohol Testing Program and Compliance

STATEMENT OF PURPOSE AND PROCEDURE

Employees are an extremely valuable resource for Hoosier Energy's business. Their health and safety is a serious concern of Hoosier Energy. Drug and alcohol use may pose a serious threat to employee health and safety. It is therefore, the policy of Hoosier Energy (hereafter referred to as "Company") to prevent substance use or abuse from having an adverse effect on our employees. The Company maintains that the work environment is safer and more productive without the presence of illegal or inappropriate drugs in the body or on company property. Furthermore, employees have a right to work in an alcohol and drug-free environment and to work with employees free from the effects of drugs and alcohol. Employees who abuse or use drugs are a danger to themselves, their coworkers and Hoosier Energy's assets.

The adverse impact of substance abuse by employees has been recognized by the federal government. The Federal Motor Carrier Safety Administration ("FMCSA") has issued regulations which require the Company to implement a controlled substance testing program. The FMCSA requires drug and alcohol testing, therefore all drivers, subject to drug and alcohol testing shall be tested under the circumstances outlined in 49 CFR Part 382 Subpart C. All employees are advised that remaining drug-free and medically qualified to drive are conditions of continued employment with the Company.

Specifically, it is the policy of the Company that the use, sale, purchase, transfer, possession or presence in one's system of any controlled substance (except medically prescribed drugs) by any employee while on company premises, engaged in company business, while operating company equipment, or while under the authority of the Company is strictly prohibited. FMCSA states that mandatory testing must apply to every person who operates a commercial motor vehicle in interstate or intrastate commerce and is subject to the CDL licensing requirement. This procedure also applies to all non-bargaining unit personnel regardless of their status as a CDL license holder.

The execution and enforcement of this procedure will follow set procedures to screen body fluids (urinalysis), and/or search all covered employees, including applicants, for drug use. These procedures are designed not only to detect violations of Hoosier Energy's policy, but to ensure fairness to each employee. Every effort will be made to maintain the dignity of employees or applicants involved. Disciplinary action will, however, be taken as necessary.

Neither this procedure nor any of its terms are intended to create a contract of employment or to contain the terms of any contract of employment. The Company retains the sole right to change, amend or modify any term or provision of this procedure without notice. This procedure is effective January 6, 2020, and will supersede all prior procedures and statements relating to drugs or alcohol.

Administrative Guide to Hoosier Energy's Substance Abuse Testing Procedures and Compliance

I. Purpose

The purpose of this administrative guide is to set forth the procedures for the implementation of controlled substance testing of employee applicants, current employees and employees pursuant to the Company's Substance Abuse Policy. These procedures are intended as a guide only, and are in no way intended to alter any existing relationship between the Company and any employee.

II. Provisions

A. Applicability

This procedure applies to all Hoosier Energy employees that utilize a Commercial Drivers License (CDL) in the course of their employment and all non-bargain unit employees regardless of their status as a CDL license holder. A valid CDL is required to operate the type of equipment listed below:

1. A vehicle having a Gross Vehicle Weight Rating (GVWR) as assigned by the manufacturer of 26,001 pounds or more; or
2. A combination vehicle having a Gross Combination Weight Rating of 26,001 pounds or more.
3. A vehicle that is designed to transport 16 or more passengers, including the driver; or
4. A vehicle requiring a placard to transport hazardous materials.

B. Prohibited Conduct

The following shall be considered "prohibited conduct" for purposes of this procedure.

1. No employee shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcoholic concentration of .04 or greater. An employee is considered to be performing a safety-sensitive function if he/she is actually performing, ready to perform, or immediately available to perform any of the following on-duty functions:
    a. All time spent at a facility waiting to be dispatched;
    b. All time inspecting, servicing, or conditioning any commercial motor vehicle at any time;
    c. All driving time or time spent at the driving controls of a commercial vehicle in operation;
    d. All time spent loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, including completion of any related paperwork; and remaining in readiness to operate the vehicle;
    e. All time performing those duties required of an employee involved in a vehicle accident; or
    f. All time spent repairing, assisting, or attending to a disabled motor vehicle;

2. No employee shall be on duty or operate a commercial vehicle while the employee possesses alcohol.
3. No employee shall use alcohol while performing safety-sensitive functions.
4. No employee shall perform safety-sensitive functions within four (4) hours after using alcohol.
5. No employee required to take a post-accident test shall use alcohol for eight (8) hours following the accident or until he or she undergoes a post-accident test, whichever occurs first.
6. No employee shall refuse to submit to a post-accident, random, reasonable suspicion, return-to- duty, or follow-up alcohol or drug test.

C. Prescription Medication and/or Other Medication Use

1. An employee is prohibited from reporting for duty or remaining on duty when the employee uses any controlled substance, except when the use is pursuant to the written instruction of a physician who has advised the employee that the substance will not adversely affect their ability to safely perform their duties. The employee must provide the Company with proof of such medical advice. The Company can decide if the employee can remain at work or on the Company premises and what work restrictions, if any, are deemed necessary.
2. Any employee who is using a prescribed drug or other medication, which is known or advertised as possibly affecting or impairing judgment, coordination or other senses, (including dizziness or drowsiness), or which may adversely affect the employee's ability to perform work in a safe and productive manner, must notify the Company prior to starting work or entering any Company premises. The Company will decide if the employee can remain at work or on the Company premises and what work restrictions, if any, are deemed necessary.
3. Ingestion of products that contain hemp will not be an acceptable explanation for testing positive for marijuana.

D. Refusal to Test

Refusal to submit to the types of drug and alcohol tests employed by the Company will be grounds for refusal to hire employee/applicant(s) and to discipline existing CDL employee(s) or other non-CDL employees as defined in this procedure. A refusal to test would include any of the following situations:

1. Failing to appear for any test within a reasonable time after being directed to do so.
2. Failing to remain at the testing site until the testing process is completed.
3. Failure to provide a breath sample, saliva sample or urine sample as directed.
4. Failure to permit, if the situation requires, the observation or monitoring of providing a urine specimen.
5. Failure to provide a urine, breath or saliva specimen within required time frames may be considered a refusal. If an employee cannot provide a sufficient quantity of urine or breath, he/she will be directed to be evaluated by a physician of employer's choice. If the

physician cannot find a legitimate medical explanation for the inability to provide a specimen (either breath or urine), it will be considered a refusal to test. In that circumstance the employee has violated one of the prohibitions of the regulations.

6. Failure or decline to take an additional drug test the employer or collector has directed you to take.
7. Failure to undergo a medical examination or evaluation, as directed by the Medical Release Officer ("MRO") as part of the verification process, or as directed by the Designated Employer Representative ("DER") as part of a "shy bladder" or "insufficient breath" situation.
8. Failure to cooperate with any part of the testing process and/or conduct that would obstruct the proper administration of a test. (e.g., refusing to empty pockets when so directed by the collector, behave in a confrontational way that disrupts the collection process)
9. For an observed collection, failure to follow the observer's instruction to raise your clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if you have any type of prosthetic or other device that could be used to interfere with the collection process.
10. Possess or wear a prosthetic or other device that could be used to interfere with the collection process.
11. Admission to the collector or MRO by the employee that they adulterated or substituted their specimen.
12. A report from the MRO of a verified adulterated or substituted test result.
13. Refusing to sign step two (2) of the alcohol testing form.

E. Types of Tests

Pursuant to regulations promulgated by the Department of Transportation (DOT), the Company has implemented six circumstances for drug and alcohol testing: pre-employment (drug testing only), post-accident, random, reasonable suspicion, return-to-duty, and follow-up testing.

1. Pre-employment

As a condition of employment, the employee applicant (CDL only) shall provide the company with a written authorization for all previous employers within the past three (3) years to release drug and alcohol testing records as the DOT and FMCSA regulations require. Within thirty (30) days of performing a safety-sensitive function, DOT regulations require that the Company obtain, to the extent available, certain drug and alcohol testing records from the employee's previous employers for the previous three (3) years. A full query in the FMCSA Clearinghouse must be ran. All applicants who are required to have or obtain a CDL must submit to a urine drug test unless a qualifying pre-employment exemption can be documented. Non-CDL applicants shall submit to a pre-employment drug screen.

2. Random Testing

The Company has hired JJ Keller to conduct random drug and alcohol testing for CDL

drivers. The Company will submit all employees' names to JJ Keller for a random selection system in pursuant to requirements found in 49 CFR 382.305. The random selection system provides an equal chance for each employee to be selected each time random selection occurs. Random selections will be reasonably spread throughout the year. JJ Keller will drug test, at a minimum, fifty (50) percent of the average number of CDL employee positions in each calendar year or at a rate established by the DOT for the given year. JJ Keller will select, at a minimum, ten (10) percent of the average number of CDL employee positions in each calendar year for random alcohol testing, or at the rate established by the DOT for the given year. Random selection by its very nature may result in employees being selected in successive selections more than once a calendar year.

If an employee is selected at random, for either drug or alcohol testing, a Company official will notify the employee. Once notified, the employee must proceed to the designated collection site immediately. If the employee does not go to the collection site as soon as possible after notification, such conduct may be considered a refusal to test.

3. Post-Accident Testing

Following any accident, the employee must contact Hoosier Energy as soon as possible. CDL employees must submit to a Federal DOT drug and alcohol test any time he or she is involved in an accident where 1) a fatality is involved; or 2) the employee receives a citation for a moving violation arising from the accident that involved:

a. injury requiring medical treatment away from the scene, or

b. one or more vehicles having to be towed from the scene.

The employee shall follow the instructions from the Company or its representative to complete required testing.

For other accidents not covered by the DOT definition above, the Company may require a non-regulated drug and alcohol test when:

a. The employee's actions may have contributed or cannot be completely discounted as a contributing factor to an accident.

b. An incident results in a restricted or lost time injury.

c. An incident results in an employee seeking off-site medical treatment.

Any time a post-accident drug or alcohol test is required, it must be performed as soon as practical. If no alcohol test can be made within eight (8) hours, attempts to perform an alcohol test shall cease. If no urine collection can be obtained for the purpose of post-accident drug testing within thirty-two hours, attempts to make such collection shall cease. An employee is prohibited from consuming alcohol between the time of the accident and the test.

In the event that federal, state, or local officials conduct breath or blood test for the use of alcohol and/or urine tests for the use of controlled substances following an accident, employees must comply with law enforcement personnel requests. The Company may request testing documentation from such agencies, and may ask the employee to sign a release allowing the Company to obtain such test results.

In the event an employee is so seriously injured that the employee cannot provide a sample of urine, breath or saliva at the time of the accident, the employee must provide necessary authorization for the Company to obtain hospital records or other documents that would indicate the presence of controlled substances or alcohol in the employee's system at the time of the accident.

4. Reasonable Suspicion Testing

Reasonable suspicion for requiring an employee to submit to drug and/or alcohol testing shall be deemed to exist when an employee manifests physical, behavioral, speech or performance symptoms or reactions commonly attributed to the use of controlled substances or alcohol. Such employee conduct must be witnessed by a supervisor who is trained in compliance with Part 382.603 of the Federal Motor Carrier Safety Regulations.

A supervisor observing such conditions will take the following actions immediately:

1. Confront the employee involved, and keep under direct observation until the situation is resolved.

2. Secure the Designated Employer Representative's (DER) concurrence to observations. After discussing the circumstances with the DER, arrangements will be made to observe or talk with the employee. If he/she believes, after observing or talking to the employee, that the conduct or performance problem could be due to substance abuse, the employee will be immediately required to submit to a breath test or urinalysis. If the employee refuses to submit to testing for any reason, the employee will be informed that continued refusal would result in a refusal to test violation and disqualification from performing any safety-sensitive function.

3. Employees will be asked to release any evidence relating to the observation for further testing. Failure to comply may subject the employee to subsequent discipline or suspension from driving duties. All confiscated evidence will be receipted for with signatures of both the receiving supervisor, as well as the provider.

4. The DER shall, within 24 hours or before the results of the controlled substance test are released, document in writing the particular facts related to the behavior or performance problems that led to the reasonable suspicion test and maintain this documentation in appropriate files.

5. The DER shall remove or cause the removal of the employee from the Company-owned vehicle and ensure that the employee is transported to an appropriate collection site and thereafter to the employee's residence or, where appropriate, to a place of lodging. Under no circumstances will that employee be allowed to continue to drive a Company vehicle or perform safety sensitive functions until a confirmed negative test result is received.

5. Return to Duty Testing

A return to duty test will be required for all employees who have violated this procedure (test positive, have an adulterated or substituted specimen or refuse to test). The employee may not return to duty until he or she passes (tests negative) a drug test and/or tests below a .02 for breath alcohol and the MRO or Substance Abuse Professional (SAP) and the company have determined that the employee may return to duty. The company will also

report to the Clearinghouse the successful completion of a driver's return-to-duty (RTD) test results. This must be done by the close of the business day following the date of the initial assessment.

6. Follow-up Testing

Any employee who has returned to work following a violation of this procedure will be subject to follow-up testing. At a minimum six follow-up tests will be required within the first twelve months following an employee's return to work, and less frequently during the next 4 years. Employees covered by a DOT agency will be tested in accordance with DOT regulations and the recommendations of the substance abuse professional. The company will also report the successful completion of a driver's follow-up testing plan to the Clearinghouse.

F. Controlled Substance Testing Protocol

1. Urine Collection Procedures

1. The testing procedure starts with the collection of a urine specimen.
2. Collection procedures will follow the specific guidelines set forth by the U.S. Department of Transportation as outlined in the published collection procedures guidelines.
3. Employees will be directed to empty their pockets and display the contents to the collector.
4. Employees will be allowed privacy during the collection process except as noted in number 5 below.
5. Observed collections are required by DOT if:
    a. The previous specimen provided by the employee is determined to be invalid and the MRO has ordered a re-test.
    b. The previous specimen provided by the employee is determined to be negative- dilute with a creatinine value >2 mg/dl but <5 mg/dl.
    c. The collector observes evidence of an employee's attempt to tamper with the specimen.
    d. The temperature of the specimen is out of range.
    e. The specimen appears to have been tampered with.
6. Observed collections are required on return-to-duty and follow-up tests.
7. As part of the collection process, the specimen provided will be split into two portions; a primary specimen and a secondary (split) specimen.
8. If the employee is unable to provide 45 ml of urine, the DOT "shy bladder" rule will apply. The employee will have up to 3 hours to provide the required 45 ml, and may consume up to 40 ounces of fluids during this time period. The employee will be required to be monitored during the waiting period.
9. After collection, the specimen will be submitted to a SAMHSA certified laboratory for testing.

2. Laboratory Procedures

Drug testing will be performed through urinalysis. Urinalysis will test, at a minimum, for the presence of drugs or substances identified in 21 CFR 1308.11 Schedule I, an amphetamine, a narcotic, or other habit-forming drug. Schedule II substances including hydrocodone, hydromorphone, oxycodone, and oxymorphone must be tested to maintain compliance to 49 CFR Part 40. The Company reserves the right to test covered employees for additional substances of abuse under their own authority including but not limited to substances listed on Schedule I through V of section 202 of the Controlled Substance Act.

The SAMHSA certified laboratory will perform initial screenings on all primary specimens. In the event that the primary specimen tests positive, a confirmation test of that specimen will automatically be performed. If the confirmatory test is positive it will be reported to the Medical Review Officer (MRO) as a positive.

3. Validity Testing

The laboratory must also perform validity testing on each specimen received. The purpose of validity testing is to determine whether certain adulterants or foreign substances were added to the urine, if the urine was diluted, or if the specimen was substituted. The following will be measured: creatinine level, specific gravity, and pH. In addition, all specimens will be tested for known adulterants. An initial validity test is performed first, followed by a confirmation test if required.

All laboratory results will be reported by the laboratory to a MRO designated by the Company or its agents.

4. MRO Procedures

1. All test results will undergo a review process by the MRO.

2. Negative test results will be reported directly to the Company by the MRO.

3. Positive, adulterated or substituted results will be handled in the following manner by the MRO:

a. MRO's are required to report verified positive, adulterated, or substituted controlled substances test results, as well as refusals to take a drug test to the Clearinghouse within two business days of the verification or determination.

b. Before reporting a positive, adulterated or substituted test result to the Company, the MRO will attempt to contact the employee to discuss the test result.

c. The employee is required to discuss the result with the MRO. The employee will be allowed to explain and present medical documentation to explain any permissible use of a drug.

d. For adulterated or substituted results, the employee must demonstrate that he or she did produce or could have produced urine, through physiological means, meeting the creatinine and specific gravity criteria of a substituted or adulterated specimen.

e. If the MRO is unable to contact the employee directly, the MRO will contact the

DER designated in advance by the Company, who shall, in turn, contact the employee and direct the employee to contact the MRO. Upon being so directed, the employee shall contact the MRO immediately or, if the MRO is unavailable, at the start of the MRO's next business day.

f. If, after failing to contact the MRO within 72 hours after being instructed to do so by the DER, or if the employee cannot be contacted at all within ten (10) days, or if the employee expressly declines the opportunity to discuss the test, the MRO may verify the test as positive or a refusal.

g. In the MRO's sole discretion, a determination will be made as to whether a result is verified as positive, negative or considered a refusal.

h. After any verified positive or refusal to test determination, the employee may petition the MRO to reopen the case for reconsideration.

5. Diluted Specimens

If a test is reported as negative and diluted, it will be the procedure of the Company to require an immediate recollect for another test. The employee will be given the minimum possible advance notice to report for another test. The result of this second test will become the test of record. If the second test is also negative and diluted, the test will be accepted as a valid test and no additional testing will be required. If the employee is directed to take another test and declines to do so, this will be considered a refusal to test and have the consequences of a refusal to test.

6. Medical Information Disclosure

Pursuant to DOT regulations, if, in the MRO's opinion, any information provided may mean a medical disqualification or represent a safety hazard, such as the use of certain prescription drugs, the MRO must disclose this to the DER (Designated Employer Representative) within 2 days of verification by the MRO. The MRO must also report to the FMSCA Clearinghouse a verified positive, adulterated, or substituted drug test result. Driver admissions to the MRO of adulterated and substituted specimens must be reported. As well as refusals to test (drugs), including shy bladder situations without a valid medical explanation. Individual test results for employee applicants and employees will be released to the Company and will be kept strictly confidential unless consent for the release of the test result has been obtained. Any individual who has submitted to drug testing in compliance with this procedure is entitled to receive the results of such testing upon written request.

7. Safeguards for the integrity of the drug testing process

1. The collector must obtain photo identification from the employee or identification by supervisor prior to administering the test.
2. The employee will be asked to wash their hands.
3. The employee signs the chain of custody form signifying the correctness of data for test reporting.
4. Electronic communication of test results from the laboratory into the MRO reporting system with no external human intervention.

5. The specimen container and specimen bottles are individually wrapped and unwrapped in the employee's presence.
6. After the specimen is provided in a reasonable time, the collector inspects it for sufficient volume, temperature and signs of tampering. If a specimen is not provided, the employee will be referred to a MRO to determine whether there is a valid medical reason. If there is, the employee must still attempt to provide a specimen each time the employee is required to test under this program.
7. After the specimen is given to the collector, the remaining collection procedures are conducted in employee's view.
8. The specimen bottles and shipping container are sealed with tamper evident seals.
9. The employee will be asked to initial the seals covering the specimen bottles identifying they were sealed in their presence.
10. The specimen number on the bottle seals match the specimen number on the chain of custody form.
11. The laboratory will check the specimen bottles upon receipt to ensure the seal has not been broken. If the seal has been broken the laboratory will report the test as canceled.
12. Blind sample submission through the laboratory for quality control.
13. A collector who has completed the qualification training as mandated in CFR Part 40 as amended will perform the collection.

G. Split Specimen Testing Protocol

An employee may request that the "split" portion of his/her specimen be tested at a different SAMHSA laboratory if he/she was notified by the MRO that his/her test result was positive, adulterated or substituted. The request must be made to the MRO within 72 hours of being notified of a verified positive, adulterated or substituted result. The MRO will arrange for all procedures to be done in accordance with split specimen testing procedures.

The cost of a split specimen test will be the responsibility of the employee. The company will withhold the amount of the cost of testing the split from the employee's pay unless other arrangements are acceptable to both the employee and the Company. If the employee makes a timely request (within 72 hours) to the MRO for the split portion to be tested, the MRO shall immediately make arrangements with the laboratory to initiate the process.

H. Alcohol Testing Protocol For CDL Employees

Alcohol tests will be conducted by a trained Breath Alcohol Technician (BAT) or Screening Test Technician (STT). Screening tests may be done using an evidential breath testing device (EBT) or non- evidential screening device approved by the National Highway Traffic Safety Administration. Confirmatory tests will be done by a trained BAT using an evidential breath testing device. The employee shall report to the alcohol testing site as notified by the Company. The employee shall follow all instructions given by the alcohol technician.

If the result of a screening test is a breath alcohol concentration (BAC) of less than 0.02, no further testing is authorized. Any initial test indicating a BAC of .02 or greater will be confirmed

on an EBT operated by a BAT. The confirmation test will be performed no sooner than fifteen (15) minutes and no later than thirty (30) minutes following the completion of the initial test. In the event the confirmation test indicates a BAC of .020 to .039, the employee shall be removed from duty for twenty-four (24) hours. Employees with tests indicating a BAC of .04 or greater are considered to have engaged in prohibited conduct, which may result in disciplinary action up to and including termination. All alcohol tests shall be performed just prior to, during, or just after performing a safety sensitive function. All alcohol violations will be reported to the Clearinghouse.

Alcohol Testing Safeguards for Employee's Protection

1. The BAT must obtain employee's photo identification prior to administering the test.
2. An individually wrapped mouthpiece will be opened and inserted into the EBT for the employee's test.
3. The National Highway Traffic Safety Administration approves the EBT that is used.
4. Calibration checks are frequently performed to ensure the EBT is working efficiently.
5. If the screening test indicates a 0.02 or greater, a confirmation test will be administered.
6. An air blank will be administered prior to the confirmation test with a 0.000 reading.
7. An individually wrapped mouthpiece will be inserted for the confirmation test.
8. The BAT has completed the required training course in the correct operation of the EBT.

Educational Materials

The Company shall provide educational materials that explain the requirements of Part 382.601 of the Federal Motor Carrier Safety Regulations, consequences of violating the regulations, and the Company's policies and procedures with respect to meeting these requirements. The materials supplied to the employees may include information on additional Company policies with respect to the use or possession of alcohol or controlled substances. Materials will also be provided concerning the effects of alcohol and controlled substances use on an individual's health, work and personal life.

Employees are required to attend an educational meeting(s) to discuss the Company's policies and procedures and to review all materials covered by this procedure. Each employee is required to sign a statement (certificate of receipt) certifying that he or she has received a copy of these materials described in Part 382.601 of the Federal Motor Carrier Regulations. The company shall provide these materials to each employee prior to the start of alcohol and controlled substance testing and to each employee subsequently hired or transferred into a position requiring driving a commercial vehicle.

III. Disciplinary Procedures

Any employee who has a positive test for controlled substances or alcohol or has refused to test is considered in violation of this procedure. This employee is not qualified to drive a commercial motor vehicle and will be immediately removed from safety-sensitive duty. The consequences of testing positive or refusing to test are outlined below.

1. An employee who tests positive for drugs or alcohol will be suspended without pay for a minimum of five workdays (40 hours), if it is his/her first offense; and will remain on suspension until he/she:
    i. undergoes an evaluation by a Substance Abuse Professional; completes or is continuing to participate in any required rehabilitation or treatment program as directed and confirmed by the Substance Abuse Professional.
    ii. is released by the Substance Abuse Professional as being ready to return to work; and
    iii. undergoes a return-to-duty test for drugs or alcohol with a verified negative test result.
2. Upon returning to work, the employee will be subject to follow-up testing as provided for in this procedure.
3. An employee found in violation of this procedure again, during the three-year period following his/her first offense or, if longer, the follow-up testing period, will be discharged, unless the Company permits and the employee undergoes in-patient rehabilitation. The employee would be suspended without pay for a minimum of five workdays (40 hours), and would be subject to the return-to-duty and follow-up testing provisions of this procedure following rehabilitation. If the employee were to continue employment as a result, and was found in violation of this procedure within the next three years or, if longer, the follow-up testing period, he/she would be discharged.
4. Use or possession of illegal drugs while on the job on or off Company property, including break and meal periods, is just cause for discharge, as is the manufacture, sale, or distribution of drugs on Company premises or while performing Company business.
5. An employee who fails a return-to-duty test, fails to report for evaluation by a Substance Abuse Professional, or fails to complete or participate in any recommended rehabilitation or treatment program, will be discharged.
6. Notwithstanding the Company's desire to provide employees, through progressive discipline and the opportunity for treatment, with a chance to resolve any problem they may have with drugs or alcohol, the first-time violation of this procedure may be of such grievous nature as to warrant discharge. That could be the case, for example, if an employee's intoxication were determined to be the proximate cause of severe injury or major loss or damage.

IV. Substance Abuse Evaluation, Return to Duty, and Follow up Testing

Any employee who is removed from service is not qualified to perform safety-sensitive duties or perform duties requiring a commercial driver's license. Such employee shall be provided with the names, addresses, and telephone numbers of qualified substance abuse professionals (SAPs) who are approved by the Company. To be able to be returned to a CDL position or any safety sensitive position for non-CDL employees, the following steps must be completed:

1. Complete an initial evaluation with a SAP.
2. Complete any rehabilitation and/or education required by the SAP.
3. Complete a second evaluation with the SAP and obtain written confirmation of satisfactory progress and/or completion of all recommendations.
4. Complete a return-to-duty test that is issued with a negative result.
5. As a condition of continued employment, the employee will be required to submit to a minimum of 6 unannounced follow up tests in the next 12 months after returning to work.

Follow-up testing is separate from and in addition to Hoosier Energy's reasonable suspicion, post-accident, and random testing procedures. The schedule for follow-up testing shall be unannounced and in accordance with the instructions of the SAP. Follow-up testing may continue for a period of up to sixty (60) months following the employee's return to duty. No fewer than six (6) tests shall be performed in the first twelve (12) months of the follow-up testing. The cost of any SAP evaluation, prescribed treatment and follow-up testing shall be borne by the employee.

V. Voluntary Disclosure

The Company encourages personnel to seek help if they feel they have a problem with drug or alcohol misuse before it becomes a matter of discipline with the company. If an employee voluntarily discloses to the Company that he/she believes that he/she has a drug or alcohol problem, the Company will assist them in seeking professional help to address their problem. This voluntary step of self- identification is the responsibility of the individual, and with the exception of certain conditions, will alleviate the requirement for disciplinary action if brought to the Company's attention prior to any testing conducted by the Company. Upon disclosure of a problem to Company personnel, the employee will be removed from all safety-sensitive duties until completion of all steps outlined in Section IV of this procedure. The employee will be responsible for all costs associated with this process. If the employee makes no commitment to overcoming the problem and achieving a satisfactory level of performance, attendance, or behavior, then termination of employment will result.

VI. Confidentiality and Release of Information

Under no circumstances, unless required or authorized by law, will alcohol or drug testing information or results for any employee or applicant be released without written request from the applicable employee.

The Company may release information as follows:

1. Copies of the results of alcohol or drug testing to an identified person provided the employee has provided written consent.
2. Copies of information requested by the Secretary of Transportation, any DOT agency, or any State or local official with regulatory control over the Company or any of its employees.

3. The results of post-accident testing when requested by the National Transportation Safety Board as part of an accident investigation.
4. Legal proceedings to include:
    a. Lawsuits (e.g., wrongful discharge action).
    b. Grievances (e.g., an arbitration concerning disciplinary action taken by the employer).
    c. Administrative proceedings (e.g., an unemployment compensation hearing) brought on by, or on behalf of, an employee and resulting from a positive DOT drug test or alcohol test or a refusal to test (including, but not limited to, adulterated or substituted test results).
    d. Criminal or civil actions – to the decision maker in the proceeding (e.g., the court in the lawsuit)

Employees are entitled, upon written request, to obtain copies of any records pertaining to their use of alcohol or controlled substances, including any records pertaining to his or her alcohol or controlled substance tests.

VII. Responsibility

A. Employee - All Company employees that hold a valid CDL or are otherwise covered by this procedure are responsible for abiding by this procedure as a condition of their employment.

B. Management Officials and Supervisors

All supervisors and Company officials are responsible for being alert to employee conduct that raises a reasonable suspicion that an employee is using or is under the influence of alcohol or controlled substances while on duty or otherwise performing Company business.

This procedure is not intended nor should it be construed as a contract between the Company and the employee. This procedure may change at any time at the sole discretion of the Company and/or to comply with changes in Federal DOT regulations or the Safety Improvement Plan.

VIII. Designated Employer Representative

(Example)

Employer Representative's Name	John Smith
Representative's address	123 Apple Lane Bloomington, IN 12345
Office Contact Number	812-123-4567
Cell Contact Number	812-987-6543
Email Address:	JSmith@abc.com

Abbreviations:

BAT Breath Alcohol Technician

CDL Commercial Drivers' License

CMV Commercial Motor Vehicle

DER Designated Employer Representative

DHHS Dept. of Health and Human Services

DOT Department of Transportation

EBT Evidential Breath Testing Device

MRO Medical Review Officer

SAMHSA Substance Abuse and Mental Health Services Administration

SAP Substance Abuse Professional

Definitions:

Adulterated Specimen
A specimen that contains a substance that is not expected to be present in human urine, or contains a substance expected to be present but is at a concentration so high that it is not consistent with human urine.

Alcohol
Intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohol including methyl and isopropyl alcohol.

Alcohol Concentration (or content)
Alcohol in a volume of breath (shown as grams of alcohol/210 liters of breath) as indicated by an evidential breath test.

Alcohol Use
Consumption of any beverage, mixture, or preparation, including medications, containing alcohol.

Breath Alcohol Technician (BAT)
An individual who instructs and assists individuals in the alcohol testing process and operates an evidential breath measurement (EBT) device.

Confirmation Test

In alcohol testing: a second test, following a screening test with a result of 0.02 or greater that provides quantitative data of alcohol concentration.
In controlled substances testing: a second test to identify the presence of a specific drug or metabolite. In order to ensure reliability and accuracy, this test is separate from and uses a different technique and chemical principle from that of the screening test.

Controlled Substances
In this regulation, the term 'drugs' and 'controlled substances' are interchangeable and have the same meaning. Unless otherwise provided, these terms refer to: marijuana, cocaine, opioids (including morphine, codeine, & heroin), phencyclidine (PCP), amphetamines (including methamphetamines and ecstasy).

Designated Employer Representative (DER)
An employee authorized by the employer to take immediate action(s) to remove employees from safety-sensitive duties and to make required decisions in the testing and evaluation processes. The DER also receives test results and other communications for the employer.

Dilute Specimen
A specimen with creatinine and specific gravity values that are lower than expected for human urine.

EBT (or evidential breath testing device)
A device approved by the National Highway Traffic Safety Association (NHTSA) for the evidential testing of breath and placed on NHTSA's "Conforming Products List" (CPL) of Evidential Breath Measurement Devices.

Employee
Any person who operates a commercial vehicle (CMV), including: full time, regularly employed employees, casual, intermittent or occasional employees, leased employees, independent, owner-operated Contractors who are either directly employed by or under lease to an employer or who operates a commercial motor vehicle at the direction of or with the consent of an employer.

Initial Drug Test
The test used to differentiate a negative specimen from one that requires further testing for drugs or drug metabolites.

Medical Review Officer (MRO)
A licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by an employer's drug testing program. The MRO must have knowledge of substance abuse disorders and appropriate medical training to interpret and evaluate an individual's confirmed positive test, medical history and other relevant biomedical information.

Primary specimen
The urine specimen bottle that is opened and tested first by the laboratory to determine whether the employee has a drug or drug metabolite in his or her system; and for the purpose of validity testing. The primary specimen is distinguished from the split specimen, defined in this section.

Screening Test (initial test)
In alcohol testing: a procedure to determine if an employee has a prohibited concentration of alcohol in his or her system.
In controlled substance testing: a screen to eliminate 'negative' urine specimens from further consideration.

Split Specimen
Means a part of the urine specimen that is sent to a first laboratory and retained unopened, and which is transported to a second laboratory in the event that the employee requests that it be tested following a verified positive test of the primary specimen or a verified adulterated or substituted test result.

Substituted Specimen
A specimen with creatinine and specific gravity values that are so diminished that they are not consistent with human urine.

Substance Abuse Professional (SAP)
A person who evaluates employees who have violated a DOT drug and alcohol regulation or Company substance abuse testing policy and make recommendations concerning education, treatment, follow up testing, and aftercare. A person qualified to be a SAP must have one of the following credentials: a licensed physician (Doctor of Medicine or Osteopathy); a licensed or certified social worker; a licensed or certified psychologist; a licensed or certified employee assistance professional; a state-licensed or certified marriage and family therapist; or a drug and alcohol counselor certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission (NAADAC); or by the International Certification Reciprocity Consortium/Alcohol and Other Drug Abuse (ICRC); or by the National Board for Certified Counselors, Inc. and Affiliates/Master Addictions Counselor (NBCC).

FORM C - For CDL Employees
Certificate of Receipt

(Acknowledgement of receiving materials required by 49 CFR Part 382.601)

Employee:_____ SSN or ID#:_____

Company: Hoosier Energy

This is to certify that I have been provided educational materials that explain the requirements of 382.601 and my employer's policies and procedures with respect to meeting the requirements. This includes all items checked.

☐ The designated person to answer questions about the material.

☐ The categories of drivers subject to Part 382.

☐ Sufficient information about the safety-sensitive functions and periods of the workday that compliance is required.

☐ Specific information concerning prohibited driver conduct.

☐ Circumstances under which a driver will be tested.

☐ Test procedures, driver protection and integrity of the testing processes, and safeguarding the validity of the test.

☐ The requirements that tests are administered in accordance with Part 382.

☐ An explanation of what will be considered a refusal to submit to a test and the ensuing consequences.

☐ The consequences for Part 382 Subpart B violations including removal from safety- sensitive functions and 382.605 procedures.

☐ The consequences for drivers found to have an alcohol concentration of 0.02 or greater but less than 0.04.

☐ Information on the effects of alcohol and controlled substances use on an individual's health/work/personal life, signs and symptoms of a problem, and available methods of intervening when a problem is suspected.

☐ A copy of my employer's substance abuse policy.

☐ The requirements for reporting information, and what is reported to the Clearinghouse.

Employee Signature:_____ Date: _____

Authorized Employer Representative:

(AER) Signature:_____ Date: _____

APPENDIX H – VEHICLE POLICY FOR CONTRACTORS, VISITORS & VENDORS

1. GENERAL

The Hoosier Energy Vehicle Policy has been written to establish guidelines and procedures to be followed to protect the safety of all individuals who may be reasonably expected to operate any motorized vehicle on or off company grounds or while on company business. This policy includes, but is not limited to, motorized vehicles of contracted service providers and those owned/operated by visitors and vendors.

These rules and regulations contained within this policy shall be adhered to by all operators of licensed and non-licensed vehicles.

The commitment of Hoosier Energy (HE) management and all Contractors, visitors and vendors is critical to the success of this policy. Clear communication and strict adherence to the policy's guidelines and procedures is essential to its effectiveness.

2. SCOPE

The scope of this policy is to establish expectations of all Contractors, visitors and vendors who may be reasonably expected to operate motorized vehicles when representing Hoosier Energy, working for Hoosier Energy, or visiting Hoosier Energy properties/facilities.

Driving on any Hoosier Energy site is a **privilege, not a right. The privilege may be withheld at any time if unsafe or inappropriate conduct is observed.*

**The Hoosier Energy Safety Department reserves the right to grant or deny any special requests and/or privileges outlined by this policy regarding the use of vehicles owned by Hoosier Energy Contractors, visitors and vendors.*

3. DEFINITIONS (for Purposes of this Policy)

Contractor- Any person, person(s) or company hired by Hoosier Energy to conduct business on Hoosier Energy property. This includes all sub-contracted services hired by Hoosier Energy primary Contractors.

Designated Parking Area- Is any area(s) identified as such by Hoosier Energy Safety personnel, or areas containing clearly marked signs, parking spaces and/or curbs.

Equipment - Is considered any motorized vehicle that does not require a state issued license or registration number such as forklifts, JLG's, scissor lift, or any type of industrial heavy equipment.

Licensed Vehicle- Defined as any motorized vehicle that is used to transport passengers and/or goods from one destination to another. For the purpose of this policy, in reference to licensed vehicles, all must be approved by the Department of Motor Vehicles for travel on all state roads, highways, and interstates.

Non-Licensed Vehicle- Defined as any four (4) wheeled motor vehicles such as golf carts, Kawasaki Mules, John Deere Gators, Kubota's, Polaris ATV's, etc. Non-licensed vehicles excluded from use on Hoosier Energy properties are three (3) wheeled ATV's and four (4) wheeled ATV's that are basically designed for riders to ride front to back and that do not have seat belt restraints. Hoosier Energy reserves the right to approve or deny any Non-Licensed Vehicle prior to use.

Vendor(s) - Any person, person(s) or company, selling, delivering or providing supplies to Hoosier Energy.

Visitor(s) - Any person or person(s) not associated with or affiliated with Hoosier Energy or their operations in any manner as an employee, Contractor or vendor.

4. POLICY REQUIREMENTS

a. Valid Drivers' License – It shall be the requirement of this policy, that anyone operating a licensed or non-licensed vehicle while on Hoosier Energy property must have a valid state issued driver's license.

b. Licensed and/or Registered Vehicle – Vehicles entering Hoosier Energy property shall be properly licensed and/or registered through the state from which the owner/company of that vehicle resides. Each vehicle shall have the appropriate tag, license plate or registration numbers displayed in a clearly visible and obvious location on that vehicle.

c. Proof of Vehicle Insurance – Vehicles entering Hoosier Energy property must have valid proof of insurance upon request.

d. Safe Vehicle Operation – All vehicle operators shall be responsible for the safe operation of vehicles. This includes but is not limited to; strictly obeying all posted speed limits, only driving on designated roadways, keeping all hands, arms, legs and feet in the confines of the vehicle, and also using headlights, windshield wipers, and emergency flashers when appropriate.

e. Riding Procedures/Passengers – For every vehicle, the maximum passenger occupancy shall not be exceeded for any reason. The vehicle may not carry more passengers than is provided by the vehicle seating.

Note: UNDER NO CIRCUMSTANCES ARE PASSENGERS ALLOWED TO RIDE ON TAILGATES OR IN THE BED OF PICKUP TRUCKS.

f. Required Vehicle Equipment – All vehicles entering Hoosier Energy property shall be equipped with necessary safety equipment to ensure safety of all who operate such equipment and to ensure a timely response in the event of an emergency.

All Contractor service vehicles, licensed and non-licensed, entering Hoosier property shall be equipped with a first aid kit and a fire extinguisher.

g. PPE Requirements – While operating or riding as a passenger in a non-licensed vehicle, all standard PPE is required to be worn. This includes but is not limited to, a hard hat, safety glasses, and steel toe shoes.

h. Proper Vehicle Maintenance – All vehicles shall be properly cared for and maintained to ensure the safety of all operators and pedestrians. Headlights, brake lights, turn signals, backup lights, backup alarms, brakes, mirrors and gauges, shall be inspected regularly and in good working order.

i. Seatbelt Use – Seat belts are to be worn at all times when on Hoosier property or while on business as a representative of Hoosier Energy. This requirement includes non-licensed vehicles used by any Hoosier employee, Contractor, visitor or vendor.

j. Use of Handheld Communication Equipment – During vehicle operation, under no circumstances is the driver of the vehicle allowed to use headphones, cell phones, or engage in texting. If the need to use such devices arises while the vehicle is in operation, the operator shall find a safe place to exit the roadway, bringing the vehicle to a complete stop and placing it in park before engaging in such activity.

k. Accident Procedure/Reporting – All reports of accidents, unsafe, inappropriate or destructive operation of vehicles shall be made timely to the Hoosier Energy Safety Department. This statement applies to all vehicles owned by Hoosier Energy, Hoosier Energy employees, all Contractors, visitors and/or vendors. All accidents not reported/and or documented to the Hoosier Energy Safety Department will be reported to the local authorities and addressed as deemed appropriate by that particular agency.

APPENDIX I – HOT WORK PERMIT

HOOSIER ENERGY | SAFE BY CHOICE.

HOT WORK PERMIT

DATE: _____ EQUIPMENT/ OBJECT: _____

PROJECT: _____ LOCATION: _____

DEPT/CONTRACTOR: _____ SUPERVISOR: _____

WORK TO BE PERFORMED:

_____

_____

SPECIAL PRECAUTIONS: _____

_____

THE LOCATION WHERE THE WORK IS TO BE PERFORMED HAS BEEN EXAMINED, NECESSARY PRECAUTIONS TAKEN AND PERMISSION IS GRANTED FOR WORK (*SEE CHECKLIST ON BACK*).

APPROVED: PERMIT AUTHORIZING INDIVIDUAL (PAI) HOOSIER ENERGY REPRESENTATIVE

SIGNATURE: _____ SIGNATURE: _____

CONTACT #: _____ CONTACT #: _____

PROJECT MANAGER SIGNATURE: _____

PERMIT EXPIRES: _____

TIME STARTED: _____ TIME COMPLETED: _____

HOT WORK GENERAL REQUIREMENTS

1. This permit shall be required for all such work performed in areas so designated for Hot Work activity.
2. A Fire Watch shall be required for all permitted Hot Work activity (excludes Hot Work in designated Hot Work areas).
3. H.E. Approved apparatus may be used.
4. Ensure all employees have been trained in the safe operation of their equipment, safe use of the process and emergency procedures in the event of a fire.
5. Advise H.E. Employees and contractor personnel of flammable materials or hazardous conditions.
   (such as, dry tender from brush, crops, pasture lands, etc.)
6. The H.E or Contractor Representative shall inspect the work area and confirm that precautions have been taken to prevent fire in accordance with OSHA 1910.252.

Return Original Hot Work Permit to Hoosier Energy Construction Safety Coordinator upon Completion of Work

HOOSIER ENERGY | SAFE BY CHOICE.

HOT WORK CHECKLIST

PRECAUTIONS

- ☐ Sprinklers in use;
- ☐ All equipment in good repair;
- ☐ Fire protection and extinguishing equipment properly located at the site; and
- ☐ Ensure Hot Work does not have the potential to ignite unobserved combustibles from heat transmitted from radiation or conduction through components (steel members, pipes, etc.).

WITHIN 35 FT OF WORK

- ☐ Floors swept clean of combustibles;
- ☐ Floors constructed of combustible materials wet down, covered with wet sand, metal or other shields;
- ☐ No combustible material or flammable liquids;
- ☐ Combustibles and flammable liquids protected with covers, guards or metal shields;
- ☐ All openings, cracks and holes where sparks may drop to combustible materials below have been covered;
- ☐ Covers suspended beneath work to collect sparks; and
- ☐ Conveyors that might carry sparks to distant combustibles shall be suitably protected.

WORK ON WALLS, CEILINGS, TANKS, CONTAINERS, DUCTS, DUST COLLECTORS, ETC.

- ☐ Equipment thoroughly cleaned of all combustibles; and
- ☐ Containers or lines purged of flammable vapors.

FIRE WATCH

- ☐ Extinguisher is available and the fire watch is trained in its' use; and
- ☐ Fire watch is familiar with his/her surroundings and has knowledge of how to summons help.

Signature of Permit Authorizing Individual (PAI) is indication that the above items have been completed and understood before work can begin and that the same shall be observed during the period while the work is in progress.

PAI Signature: _____

FINAL CHECK-UP

WORK AREA AND ALL ADJACENT AREAS TO WHICH SPARKS AND HEAT MIGHT HAVE SPREAD (INCLUDING FLOORS ABOVE AND BELOW AND ON OPPOSITE SIDES OF WALLS) WERE INSPECTED 60 MINUTES AFTER THE WORK WAS COMPLETED AND WERE FOUND TO BE FIRE SAFE.

INSPECTED BY: _____

Return Original Hot Work Permit to Issuing Authority upon Completion of Work

APPENDIX J – GENERAL CONTRACTOR CHECKLIST

Preliminary General Contractor Checklist

Detailed Description of Work being Performed

Date of Planned Work _____ Today's Date: _____

Location of Work _____

Company _____

Hoosier Energy Department Requesting Work _____

Hoosier Energy Lead Contact _____ Phone: _____

Contractor Lead Contact Name _____ Phone: _____

List of Contractor Employees	Date of General Safety Orientation Confirmed by Safety Department (General Orientation must be reviewed each calendar year)
1 _____	Date: _____
2 _____	Date: _____
3 _____	Date: _____
4 _____	Date: _____
5 _____	Date: _____
6 _____	Date: _____
7 _____	Date: _____
8 _____	Date: _____
9 _____	Date: _____

* For additional personnel signage, use this form multiple times.

Yes	No	
☐	☐	The work being performed considered recurring, such as general maintenance (grounds maintenance, catering, interior routine maintenance, etc),
☐	☐	If so, have all contractor employees been confirmed to have successfully completed the General Orientation
☐	☐	The work being performed is contracted one time occurence

Determination of Safety Plan Review Checklist:
Addition Safety Planning and Safety Orientation Review

A Safety Plan will need to be implemented as well as signing of the Contractor Safety Rules and Orientation

Yes	No		
☐	☐	1a.	Facility is located in a energized location, such as a Primary, or Substation If Yes, person designated to escort: _____
☐	☐	1b.	Contractor will be working above 6 feet from surface
☐	☐	1c.	Contractor will be using chemicals that unused portions will be left at facility
☐	☐	1d.	Are Barricades or Covers needed for the Contractor to perform contractual duties
☐	☐	1e.	Will there be Demolition or Debris as an byproduct of contracted duties
☐	☐	1f.	Will the Contractor need to access electrical panels or run electrical cords.
☐	☐	1g.	Will the Contractor be Excavating or Trenching
☐	☐	1h.	Will the Contractor be performing Hot Work, such as cutting or welding
☐	☐	1i.	Will the Contractor be using compressed gas
☐	☐	1j.	Will the Contractor be using any motorized equipment, such as Forklifts, Cranes
☐	☐	1k	Will the Contractor request use of Hoosier Energy Equipment
☐	☐	1l	Will the Contractor be entering in a Restricted Area, such as System Control
☐	☐	1m	Will the Contractor be using control devices to address Traffic Control

If "Yes" is answered to any of the questions above, The Safety Department will need to review Planned Work for compliance and safety planning prior to the any work being performed.

Safety Department Representative Sign-off : _____ Date: _____

Safety Department Representative Printed Name: _____