

3745-104-35

Program three prevention program: contractors.

(A) Application. This rule applies to contractors performing maintenance or repair, turnaround, major renovation, or specialty work on or adjacent to a covered process. It does not apply to contractors providing incidental services that do not influence process safety, such as janitorial work, food and drink services, laundry, delivery or other supply services.

(B) Owner or operator responsibilities. The owner or operator shall:

- (1) ~~The owner or operator, prior~~Prior to selecting a contractor, ~~shall~~ obtain and evaluate information regarding the contractor's safety performance and programs.
- (2) ~~The owner or operator shall inform~~Inform the contractor of the known potential fire, explosion, or toxic release hazards related to the contractor's work and the process.
- (3) ~~The owner or operator shall explain~~Explain to the contractor the applicable provisions of rules 3745-104-36 and 3745-104-37 of the Administrative Code.
- (4) ~~The owner or operator shall develop~~Develop and implement safe work practices consistent with paragraph (D) of rule 3745-104-26 of the Administrative Code, to control the entrance, presence, and exit of the contractor and contract employees in covered process areas.
- (5) ~~The owner or operator shall periodically~~Periodically evaluate the performance of the contractor in fulfilling his or her obligations as specified in paragraph (C) of this rule.

(C) Contractor responsibilities. The contractor shall:

- (1) ~~The contractor shall assure~~Assure that each contract employee is trained in the work practices necessary to safely perform his or her job.
- (2) ~~The contractor shall assure~~Assure that each contract employee is instructed in the known potential fire, explosion, or toxic release hazards related to his or her job and the process, and the applicable provisions of the emergency action plan.
- (3) ~~The contractor shall document~~Document that each contract employee has received and understood the training required by this section. The contractor shall prepare a record that contains the identity of the contract employee, the date of training, and the means used to verify that the employee understood the training.

- (4) ~~The contractor shall~~ Assure assure that each contract employee follows the safety rules of the stationary source including the safe work practices required by paragraph (D) of rule 3745-104-26 of the Administrative Code.
- (5) ~~The contractor shall advise~~ Advise the owner or operator of any unique hazards presented by the contractor's work, or of any hazards found by the contractor's work.

Effective:

Five Year Review (FYR) Dates: 4/9/2021

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 3753.02
Rule Amplifies: 3753
Prior Effective Dates: 08/13/1999