

CONFINED SPACE ENTRY PROGRAM

Refer to Cal/OSHA, Title 8, Subchapter 7, Article 108, Sections 5156 - 5159 for the complete Cal/OSHA regulations governing confined spaces.

GENERAL COMPANY POLICY

The purpose of this program is to inform interested persons, including employees, that Toro Enterprises, Inc. is complying with the Cal/OSHA Confined Space Standard, Title 8 Code of California Regulations 5156 - 5159. We have determined that there are work environments at our jobsites that require written procedures for the evaluation of confined spaces, and where permit spaces are identified, we have developed and implemented a confined space entry program.

This program applies to all work operations at Toro Enterprises, Inc. jobsites where employees must enter a confined space as part of their job duties.

The Company Safety Officer has overall responsibility for coordinating safety and health programs in this company. Sean Castillo, President and Safety Officer has overall responsibility for the Confined Space Program. The safety committee will review and update the program, as necessary.

Copies of the written program may be obtained from the Toro Enterprises, Inc. VPN site or you may obtain a copy through your direct supervision. Under this program, we identify permit spaces at Toro Enterprises, Inc. work sites, and provide training for our employees according to their responsibilities in the confined space. These employees receive instructions for safe entry into our specific type of confined spaces, including testing and monitoring and if needed appropriate personal protective equipment, rescue procedures, and entrant, attendant and supervisor responsibilities.

This program is designed to ensure that safe work practices are utilized during all activities regarding the permit space to prevent personal injuries and illnesses that could occur.

We strive for clear understanding, safe work practices, and involvement in the program from every level of the company.

PROGRAM HIGHLIGHTS AND SUMMARY

All confined spaces must be identified. Employees exposed to these spaces must be informed of the existence, location of, and the danger posed by the permit space. If employees will enter a confined space, a written permit specifying entry procedures must be developed and implemented. Employees will enter confined spaces ONLY when authorized to do so with a properly completed entry permit or ONLY when all acceptable entry conditions have been met under the alternate entry procedures (c)5 Permit Space); or upon proper reclassification of the permit space into a non-permit confined space (c)7 Permit Space). All confined space entrants, attendants, and entry supervisors must be trained on this program and their duties. Rescue will be by non-entry retrieval methods, or by non-company site rescue persons if the owner or general contractor has such a rescue team in place, or by a non-company rescue service (fire department, EMT, etc).

HAZARD EVALUATION FOR PERMIT SPACES

To determine if there are confined spaces at Toro Enterprises, Inc. jobsites, a hazard evaluation of your jobsite will be conducted by the site general foreman or site foreman. This evaluation will provide the information necessary to identify the existence and location of permit required confined spaces and confined spaces that can be covered by a (c)5 permit or what steps are needed to reclassify a confined space to (c)7 status. This written hazard evaluation will be kept at the jobsite.

PREVENTING UNAUTHORIZED ENTRY

To provide a safe work environment and to prevent exposed employees from accidentally entering a permit space, we have implemented the following procedures to inform all employees of the existence, location, and danger posed by permit spaces at Toro Enterprises, Inc. jobsites. To inform employees of the existence of a permit space, we use onsite weekly safety meetings and posted permits at the entrance of confined spaces. To ensure that unauthorized employees do not enter and work in permit spaces, we train our employees about the hazards they may encounter at a jobsite.

SAFE PERMIT SPACE ENTRY PROCEDURES

The jobsite general foreman and/or site foreman is the Entry Supervisor responsible for authorizing entry and issuing entry permits for work in our permit spaces. The file of permits and related documents are kept in the jobsite trailer. The procedures we follow for preparing, issuing, and canceling entry permits includes the following elements:

- Entrants and Attendants complete the permit
- Entry Supervisor reviews the permit and precautions taken
- Entry supervisor is satisfied that entry conditions have been met, signs off on the permit which allows work in the confined space to begin
- Once work is complete the Entry Supervisor inspects the area and if satisfied cancels the permit.

These are the employees who have current authorization to work in or near our permit spaces. This list also includes the work activities they are expected to perform (please see list of qualified employees attached here on Page 3).

PRE-ENTRY EVALUATION

To ensure the safety and health of our employees, before allowing authorized workers to enter a permit space, we evaluate conditions in that space to determine if the conditions are safe for entry. Any employee who enters the space, or that employee's authorized representative, has the opportunity to observe the pre-entry and any subsequent testing. The authorized entrant or that employee's representative also has the option of requesting a reevaluation of the space if they feel that the evaluation was not adequate.

TRAINED PERSONNEL

CONFINED SPACE SUPERVISORS

Jean Castillo
Trent Royle
Sergio Ruiz

CONFINED SPACE ATTENDANTS AND ENTRANTS

Samuel Barajas
Carlos Carillo
Castro Juan
Gill Magaña
Juan Luis Magaña
Javier Meza
Jesus Meza
Sergio Morales
Chris Parmenter
Hipolito Quijas
Manuel Ramirez
Jose Rodriguez
Sergio Ruiz
Noe Torres
Pedro Torres
Jean Castillo
Billy Adams
Fritz Chupp
Ed Marr
Steve Rodriguez
Trent Royle
Dann White

ALTERNATE ENTRY EVALUATION

Our company follows the procedures to evaluate each permit space before entry according to 5156 - 5159. This includes testing the internal atmosphere with a calibrated direct-reading instrument for oxygen content, flammable gases and vapors, and potential toxic air contaminants (CO and H₂S). We also continuously test the atmosphere of the space to ensure that ventilation is preventing the accumulation of a hazardous atmosphere.

CERTIFICATION

Alternate Entry Procedure Certification: According to 5157(c)(5), our company must verify that the space is safe for entry and that the pre-entry measures required by 5157(c)(5) have been taken, through a written certification that contains the date, location of the space, and signature of the person providing the certification. The jobsite general foreman and/or site foreman is responsible for verifying the procedures. The certification is made before entry and is available to each employee entering the space. At the end of this document is a form for documenting (c)5 or (c)7 conditions.

RECLASSIFICATION AS NON-PERMIT SPACE CERTIFICATION

According to 5157(c)(7), our company must document the basis for determining that all hazards in a permit space have been eliminated, through a certification that contains the date, location of the space, and signature of the person making the determination. Jobsite general foreman and/or site foreman is responsible for documenting this information. The certification is available to each employee entering the space. At the end of this document is a form for documenting (c)5 or (c)7 conditions.

EQUIPMENT

To ensure the safety and health of our employees, Toro Enterprises, Inc. provides appropriate equipment to all employees who work in or near permit spaces. According to 5157(k)(3), each authorized entrant of a permit required confined space will use a chest or full body harness, with a retrieval line attached at the center of the entrant's back near shoulder level, above the entrant's head, or at another point which Toro Enterprises, Inc. can establish presents a profile small enough for the successful removal of the entrant.

Wristlets may be used instead of the chest or full body harness if Toro Enterprises, Inc. can demonstrate that the use of a chest or full body harness is infeasible or creates a greater hazard and that the use of wristlets is the safest and most effective alternative. The use of rescue equipment will be determined as part of the confined space evaluation.

Toro Enterprises, Inc. will maintain all equipment in excellent working condition, train the entrants in the correct use of this equipment, and ensure that all equipment, including that used for personal protection, is used properly.

DUTIES: AUTHORIZED ENTRANTS

Those persons who have completed the training and are authorized to enter confined spaces are assigned specific duties and responsibilities that they must perform when they work in the permit space. Their duties and responsibilities include:

- Knowing the hazards they may face during entry, knowing the mode, signs or symptoms, and consequences of exposure
- Properly using equipment as required by subsection
- Communicating with the attendant (if any) as necessary to enable the attendant to monitor entrant status and to enable the attendant to alert entrants of the need to evacuate the space
- Alert the attendant (if any) whenever:
 - The entrant recognizes any warning sign or symptom of exposure to a dangerous situation
 - The entrant detects a prohibited condition
- Exit from the permit space as quickly as possible whenever:
 - An order to evacuate is given by the attendant (if any) or the entry supervisor
 - The entrant recognizes any warning sign or symptom of exposure to a dangerous situation
 - The entrant detects a prohibited condition
 - An evacuation alarm is activated.

The elements covered in the training program for authorized entrants will include the safety information associated with the listed duties and responsibilities and reviewing the:

- Job Safety Analyses for defining a confined space
- Job Safety Analyses for working within a confined space

DUTIES: ATTENDANTS

Those persons who have completed the training and have been designated as permit space attendants are assigned specific duties and responsibilities that they must perform in permit space job duties. Their duties and responsibilities include:

- Knowing the hazards that may be faced during entry, including information on the mode, signs or symptoms, and consequences of the exposure
- Being aware of possible behavioral effects of hazard exposure in authorized entrants
- Continuously maintaining an accurate count of authorized entrants in the permit space
- Remaining outside the permit space during entry operations until relieved by another attendant
- Communicating with authorized entrants as necessary to monitor entrant status and to alert entrants of the need to evacuate the space
- Monitoring activities inside and outside the space to determine if it is safe for entrants to remain in the space and ordering the authorized entrants to evacuate the permit space immediately under any of the following conditions
 - If the attendant detects a prohibited condition
 - If the attendant detects the behavioral effects of hazards exposure in an authorized entrant
 - If the attendant detects a situation outside the space that could endanger the authorized entrants
 - If the attendant cannot effectively and safely perform all their duties
- Taking the following actions when unauthorized persons approach or enter a permit space while entry is underway:
 - Warn the unauthorized persons that they must stay away from the permit space
 - Advise the unauthorized persons that they must exit immediately if they have entered the permit space
 - Inform the authorized entrants and the entry supervisor if unauthorized persons have entered the permit space
- Performing non-entry rescues or other rescue services
 - Initiating on-site rescue procedures and, if necessary, summoning additional rescue and other emergency services as soon as the attendant determines that authorized entrants may need assistance to escape from permit space hazards
- Performing no duties that might interfere with the attendant's primary duty to monitor and protect the authorized entrants

The elements covered in the training program for authorized attendants will include the safety information associated with the listed duties and responsibilities and reviewing the:

- Job Safety Analyses for defining a confined space
- Job Safety Analyses for working within a confined space

DUTIES: ENTRY SUPERVISORS

Those persons who have completed the training and have been designated as permit space entry supervisors are assigned specific duties and responsibilities that they must perform in permit space job duties. Their duties and responsibilities include:

- Knowing the hazards that may be faced during entry, including information on the mode, signs or symptoms, and consequences of the exposure
- Verifying, by checking that the appropriate entries have been made on the permit, that all tests specified by the permit have been conducted and that all procedures and equipment specified by the permit are in place before endorsing the permit and allowing entry to begin
- Terminating the entry and canceling the permit
- Verifying that rescue services are available and that the means for summoning additional services are operable
- Removing unauthorized individuals who enter or who attempt to enter the permit space during entry operations
- Determining, whenever responsibility for a permit space entry operation is transferred and at intervals dictated by the hazards and operations performed within the space, that entry operations remain consistent with terms of the entry permit and that acceptable entry conditions are maintained

The elements covered in the training program for supervisors will include the safety information associated with the listed duties and responsibilities and reviewing the:

- Job Safety Analyses for defining a confined space
- Job Safety Analyses for working within a confined space

TRAINING PROGRAM

Every employee at Toro Enterprises, Inc. who faces the risk of confined space entry is provided with training so that each designated employee acquires the understanding, knowledge and skills necessary for the safe performance of the duties assigned to them. All training related materials, documents, and signed certificates are kept the main office.

When we conduct the training, we use power point/discussion, examples of how to fill out permits, demonstrations of how to properly zero, bump-test and use gas meters, and pictures and discussion on ventilation. New employees are always trained before their initial assignment of duties.

We follow these procedures when training entrants, attendants and supervisors. When changes occur in confined space areas of our company, we re-train as needed and adjust the written Confined Space Program.

If we have reason to believe that an employee has deviated from a previously trained upon procedure or that their knowledge seems inadequate, we coach the employee or provide re-training.

Upon successful completion of Toro Enterprises, Inc. confined space training program, each participant receives a certificate which they sign verifying that they understand the material presented, and that they will follow all company policies and procedures regarding confined space entry.

RESCUE AND EMERGENCY SERVICES

Toro Enterprises, Inc. utilizes its own employees to perform non-entry rescue services in the event of an emergency. This group of employees has been trained, at a minimum, to:

- Perform the assigned rescue duties
- Correctly use personal protective equipment (PPE) required for the job
- Established proficiency as an attendant and/or supervisor

Toro Enterprises, Inc. also ensures that at least two members of the onsite work crew holds a current certification in first-aid and CPR, and that affected employees practice making permit space rescues at least once every 12 months, by means of simulated rescue operations in which they remove dummies, manikins, or actual persons from actual confined spaces or from representative permit spaces. Representative confined spaces will, with respect to opening size, configuration, and accessibility, simulate the types of confined spaces from which rescue is to be performed.

All authorized attendants and supervisors currently make up our confined space rescue team.

POST-OPERATIONS PROCEDURES

Upon completion of work in a permit space, we follow these procedures to close off the space and cancel the permit: The entry supervisor checks that work is complete and that all entrants have exited the space and all tools and materials have been removed from the space. The confined space is closed and the entry supervisor signs off that the permit is cancelled.

REVIEW-PROCEDURES

To ensure that all employees participating in entry operations are protected from confined space hazards, Toro Enterprises, Inc. reviews the Confined Space Entry Program on a regular basis. We use the retained canceled permits from the past 12 months and revise the program as necessary. Toro Enterprises, Inc. performs a

single annual review covering all entries performed during a 12-month period. If no entry is performed during a 12-month period, no review will be performed.

ENFORCEMENT

Constant awareness of and respect for confined space entry hazards, and compliance with all safety rules are considered conditions of employment. Supervisors and individuals in the Safety and Personnel Department reserve the right to issue disciplinary warnings to employees, up to and including termination, for failure to follow the guidelines of this permit entry program.

APPENDIX

WRITTEN PERMIT

The following information must be included in the written permit. The permit must be a standardized format for each entry.

1. The permit space to be entered.
2. The purpose of the entry.
3. The date and the authorized duration of the entry permit.
4. The authorized entrants within the permit space, by name or by such other means.
5. The personnel, by name, currently serving as attendants.
6. The individual, by name currently serving as entry supervisor, with space for signature or initials.
7. The hazards of the permit space to be entered.
8. The measure used to isolate the permit space and to eliminate or control permit space hazards before entry.
9. The acceptable entry conditions.
10. The results of initial and periodic tests, with the names or initials of the testers and when the test were done.
11. The rescue and emergency services that can be summoned and the means for summoning them.
12. The communications procedures used by authorized entrants and attendants to maintain contact during the entry.
13. Equipment (such as personal protective equipment, testing, communications, alarm system, and rescue equipment) to be provided for compliance with this section.
14. Any other information whose inclusion is necessary in order to ensure employee safety.
 - a. (Attached to permit) Any additional permits, such as for hot work, that have been issued for work in the permit space.