

JOHN HART GENERATING STATION REPLACEMENT PROJECT

Schedule 12

Safety and Security

Schedule 12 Safety and Security

1. Submittals	- 1 -
1.1 Submittal Summary	- 1 -
2. Occupational Health and Safety	- 4 -
2.1 Safety of Project Work	- 4 -
2.2 Prime Contractor	- 4 -
2.3 Obligations When Not Prime Contractor	- 5 -
3. Occupational Health and Safety Management Program	- 5 -
3.1 Preparation and Submission	- 5 -
3.2 Compliance with OHSMP	- 6 -
3.3 Review and Amendment of OHSMP	- 6 -
3.4 Emergency Response Planning	- 6 -
3.5 Compliance with Emergency Response Plan	- 7 -
3.6 Review and Amendment of Emergency Response Plan	- 7 -
4. Requirements Before Commencing Construction	- 7 -
4.1 WCB Requirements	- 7 -
4.2 Indemnity for WCB Non-Compliance	- 7 -
4.3 Failure to Comply with WorkSafe BC Requirements	- 7 -
4.4 Safety Management Plan	- 8 -
4.5 Compliance with SMP	- 8 -
4.6 Review and Amendment of SMP	- 8 -
4.7 Safe Work Procedures – Project Co as “Prime Contractor”	- 8 -
4.8 Safe Work Procedures – BC Hydro as “Prime Contractor”	- 9 -
4.9 Work within Boundaries of the Power System	- 10 -
4.10 Compliance with Safe Work Procedures (SWP)	- 10 -
4.11 Review and Amendment of SWP	- 10 -
4.12 Workplace Safety Audits	- 10 -
5. Safety Personnel	- 11 -
5.1 Organization Chart	- 11 -
5.2 Safety Manager	- 11 -
5.3 Safety Manager's Responsibilities	- 12 -
5.4 Occupational Health and Safety Specialists	- 12 -
5.5 Site Safety Coordinators	- 13 -
5.6 Attendance At Meetings	- 13 -
6. Training	- 13 -
7. First Aid	- 14 -
8. Accidents and Incidents	- 15 -
8.1 Accident and Incident Reporting	- 15 -
8.2 Cooperation	- 16 -
8.3 Orders	- 16 -
9. Self-Evaluation and Annual Audit	- 16 -
9.1 Annual Audit	- 16 -
9.2 Corrective Action	- 16 -
9.3 Self-Reporting	- 16 -

10.	Security	- 17 -
10.1	General.....	- 17 -
10.2	Security Program.....	- 17 -
10.3	Compliance with Security Program	- 19 -
10.4	Reporting.....	- 19 -
11.	Security Sensitive Work	- 19 -
11.1	Security Sensitive Work	- 19 -
11.1A	Periodic Background Checks	- 20 -
11.2	Referral to BC Hydro	- 20 -
11.3	Escorts	- 21 -
11.4	Responsibility for Escorted Persons	- 21 -
11.5	Background Check Provider	- 21 -
11.6	Documentation	- 21 -

Appendix 12A - Prime Contractor Designation

SCHEDULE 12

SAFETY AND SECURITY

1. SUBMITTALS

1.1 Submittal Summary

Project Co shall prepare and submit all documents and deliverables as and when required pursuant to this Schedule, including the following:

	Deliverable Name	Due Date	Section Reference	Review, Consent or Information
1.	Occupational Health and Safety Management Program	Not less than 30 days before commencing Construction activities	3.1	Consent
2.	Outline of each SMP and SWP	Not less than 30 days before commencing Construction activities	3.1	Consent
3.	Amendments to OHSMP	Time-to-time, as required	3.3	Review
4.	Emergency Response Plan	Not less than 30 days before commencing Construction activities	3.4	Review
5.	Amendments to Emergency Response Plan	Time-to-time, as required	3.6	Review
6.	WorkSafe BC Statement	Not less than 30 days before commencing Construction activities/time-to-time upon request	4.1	Information Only
7.	Safety Management Plan - Construction	Before commencing any Construction activities associated with Construction of the Facility	4.4	Consent
8.	Safety Management Plan –	Before commencing any Construction activities	4.4	Consent

	Deliverable Name	Due Date	Section Reference	Review, Consent or Information
	Decommissioning	associated with Decommissioning Work		
9.	Amendments to SMP	Time-to-time, as required	4.6	Review
10.	Safe Work Procedures – Project Co as “Prime Contractor”	Before commencing a type of Construction activity	4.7	Review
11.	Safe Work Procedures – BC Hydro as “Prime Contractor”	Before commencing a type of Project Work	4.8	Consent
12.	Amendments to SWP	Time-to-time, as required	4.11	Review
13.	Notice of Workplace Safety Inspection	Prior to each monthly workplace safety inspection	4.12	Information Only
14.	Notice of Site Safety Audit	Prior to each annual workplace safety inspection	4.12	Information Only
15.	Workplace Safety Audit Report	Last day of each year	4.12	Information Only
16.	Confirmation of remediation of “red” and “yellow” audit findings	Upon completion	4.12	Review
17.	Method Statement and Reporting Hierarchy	Before commencing any Construction activities and from time-to-time upon request	5.1	Review
18.	Notice of Site meetings	Prior to each meeting	5.6	Information Only
19.	Accident Investigation Report	Promptly following investigation of accident or incident	8.1(b)	Information Only
20.	Accident Notification	Immediately upon	8.1(c)	Information

	Deliverable Name	Due Date	Section Reference	Review, Consent or Information
		occurrence		Only
21.	Incident investigation reports	Concurrently with submission to WorkSafe BC	8.1(d)	Information Only
22.	Statistical report of accidents, near miss incidents and injuries	Last day of each Month	8.1	Information Only
23.	Notice of orders issued by WorkSafe BC or other authority having jurisdiction	Within 24 hours after receipt	8.3	Information Only
24.	Independent auditor's report	Within one week of the anniversary of the completion of the previous annual audit, and in any event within 14 days after receipt	9.1	Review
25.	Corrective Action Plan	Within 14 days after receipt of independent auditor's report	9.2	Review
26.	Construction Period Security Program	Not less than 30 days before commencing Construction activities	10.2	Consent
27.	Total Completion Security Program	No later than 60 prior to the Target Service Commencement Date	10.2	Consent
28.	Amendments to the Construction Period Security Program and the Total Completion Security Program	Time-to-time, as required	10.3	Consent
29.	Security Incident and Potential Incident Reporting	Time-to-time, as required	10.4	Review
30.	SSW Request	Time-to-time, as required	11.2	Review

	Deliverable Name	Due Date	Section Reference	Review, Consent or Information
				(30 days)
31.	Alternate Background Check Provider	Time-to-time, as required	11.5	Review
32.	Security Sensitive Work Statistics	On or before the last day of each Month	11.6	Information Only

2. OCCUPATIONAL HEALTH AND SAFETY

2.1 Safety of Project Work

Project Co shall be responsible for the safe performance of all of the Project Work and for the safety of all Project Co Persons engaged in the Project Work. Project Co shall comply, and shall ensure that all Project Co Persons comply, with all applicable safety Laws and the Safety Regulations.

2.2 Prime Contractor

For the purposes of applicable Laws, Project Co agrees to be, or will cause a Project Contractor or, where the Project Contractor is a joint venture, a party to the joint venture, acceptable to BC Hydro's Representative acting reasonably, and to the Workers Compensation Board of British Columbia (WorkSafe BC), to be the "Prime Contractor" as defined in the *Workers Compensation Act* (British Columbia), during the time periods and in respect of the workplace(s) specified in Appendix 12A [*Prime Contractor Designation*].

Accordingly, Project Co will comply, or will cause to be complied, with all requirements and obligations of the "Prime Contractor", including:

- (a) ensuring continuing coordination of the occupational health and safety activities of all employers, including BC Hydro any other contractors, and any Persons engaged by or through any of them, on those portions of the Site for which Project Co has been designated as "Prime Contractor";
- (b) delivering or filing any notices or any similar documents (including any Notice of Project) required pursuant to applicable safety Laws or the Safety Regulations; and
- (c) complying with the obligations of a "Prime Contractor" for a multi-employer workplace, as prescribed by applicable safety Laws and the Safety Regulations.

If for any reason WorkSafe BC refuses to recognize Project Co or the designated Project Contractor (or, where the Project Contractor is a joint venture, a party to the joint venture) as the "Prime Contractor" then,

to the extent permitted by Law, Project Co will cooperate with BC Hydro and perform on behalf of BC Hydro the obligations which BC Hydro is required to undertake as “Prime Contractor” in connection with those portions of the Site for which Project Co was to have been designated as the “Prime Contractor”.

For the purposes of applicable Laws, BC Hydro agrees to be the “Prime Contractor” as defined in the *Workers Compensation Act* (British Columbia), during the time periods and in respect of the workplace(s) specified in Appendix 12A [*Prime Contractor Designation*].

2.3 Obligations When Not Prime Contractor

In all workplaces for which Project Co or a Project Contractor (or, where the Project Contractor is a joint venture, a party to the joint venture) will not be the “Prime Contractor” and during any period of time when Project Co or the designated Project Contractor (or, where the Project Contractor is a joint venture, a party to the joint venture) is not the “Prime Contractor” for a particular workplace, Project Co shall comply, and ensure that all Project Co Persons comply, with all reasonable directions issued by the “Prime Contractor” for such workplace, regarding compliance with applicable safety Laws and the Safety Regulations.

3. OCCUPATIONAL HEALTH AND SAFETY MANAGEMENT PROGRAM

3.1 Preparation and Submission

Not less than 30 days before commencing any Construction activities, Project Co shall prepare and submit Project Co’s Occupational Health and Safety Management Program, together with the Construction Period Security Program prepared in accordance with Section 10.2 [*Security Program*] of this Schedule, to BC Hydro’s Representative in accordance with the Consent Procedure. Project Co shall ensure that the OHSMP addresses all Project Work throughout the Term and is prepared by a Qualified person who shall certify that the OHSMP:

- (a) has been prepared in accordance with Good Utility Practice and the requirements of the *Workers Compensation Act* (British Columbia), the *Occupational Health and Safety Regulations* (British Columbia), the Safety Minimum Requirements, all other applicable safety Laws and the Safety Regulations;
- (b) has been prepared in accordance with nationally and internationally recognized standards such as OSHAS 18001;
- (c) addresses overall management of occupational health and safety Hazards associated with the Project, the Site and the performance of the Project Work;
- (d) addresses the coordination of occupational health and safety activities of Project Co Persons and BC Hydro Persons on the Site; and
- (e) addresses the coordination of emergency response planning with BC Hydro.

Together with the OHSMP, Project Co shall prepare and submit to BC Hydro's Representative in accordance with the Consent Procedure an outline of each Safety Management Plan and Safe Work Procedure to be prepared by Project Co for the specified aspects of the Project Work.

3.2 Compliance with OHSMP

Project Co shall implement, and ensure that all Project Co Persons engaged in the Project Work comply with, the OHSMP which has been accepted by BC Hydro's Representative in accordance with the Consent Procedure, and any subsequent amendments or updates to the OHSMP to which there is no objection by BC Hydro's Representative in accordance with the Review Procedure.

3.3 Review and Amendment of OHSMP

Project Co shall review and amend the OHSMP from time to time throughout the Term as necessary to ensure that the OHSMP at all times: (i) reflects the nature of the Project Work being performed, including any changes in the workplaces, work methods or the Hazards associated with the Project Work; and (ii) complies with the requirements set out in Section 3.1 [*Preparation and Submission*] of this Schedule.

Prior to implementation of any OHSMP amendments, Project Co shall submit the proposed amendments to BC Hydro's Representative in accordance with the Review Procedure.

3.4 Emergency Response Planning

Not less than 30 days before commencing any Construction activities, Project Co shall prepare and submit a comprehensive emergency response plan (the "**Emergency Response Plan**"). The Emergency Response Plan shall:

- (a) describe Project Co's Project specific emergency preparedness and response procedures, including plans for:
 - (i) implementation of immediate and appropriate emergency responses upon the occurrence of an emergency on the Site;
 - (ii) prevention, or mitigation, of harm to any Person resulting from reasonably foreseeable emergencies associated with the Project Work; and
 - (iii) minimization of damage to equipment, facilities and the environment resulting from reasonably foreseeable emergencies associated with the Project Work;
- (b) address the coordination of emergency response activities and responsibilities by Project Co Persons and BC Hydro Persons on the Site; and
- (c) be integrated with BC Hydro's emergency response plan for the Site as such plan may be amended from time to time.

3.5 Compliance with Emergency Response Plan

Project Co shall implement, and ensure that all Project Co Persons engaged in the Project Work comply with, the Emergency Response Plan to which there is no objection by BC Hydro's Representative in accordance with the Review Procedure.

3.6 Review and Amendment of Emergency Response Plan

Project Co shall review and amend its Emergency Response Plan from time to time throughout the Term as necessary to ensure it at all times meets or surpasses the requirements of Section 3.4 [*Emergency Response Planning*] of this Schedule.

Prior to implementation of any Emergency Response Plan amendments, Project Co shall submit the proposed amendments to BC Hydro's Representative in accordance with the Review Procedure.

4. REQUIREMENTS BEFORE COMMENCING CONSTRUCTION

4.1 WCB Requirements

Not less than 30 days before commencing any Construction activities, and at any time on request of BC Hydro's Representative, Project Co shall deliver, for information only, to BC Hydro's Representative a statement from WorkSafe BC that:

- (a) Project Co and each of the Project Contractors is registered and in good standing; and
- (b) any Project Co Person performing Project Work on the Site, who is not covered as a worker by the *Workers Compensation Act* (British Columbia) is covered under personal optional protection coverage available through WorkSafe BC.

4.2 Indemnity for WCB Non-Compliance

If Project Co or anyone employed by or through Project Co in the performance of any Project Work does not comply with the requirements of the *Workers Compensation Act* (British Columbia), and all regulations and successor legislation thereto, including payment and deduction and remittance of any and all contributions, premiums, fees, assessments and charges required to be made thereunder, Project Co shall indemnify BC Hydro from any cost, loss, liability or obligation which BC Hydro may incur as a result.

4.3 Failure to Comply with WorkSafe BC Requirements

If at any time the Construction is stopped because Project Co, or any Project Co Person providing services or work on the Project, unreasonably fails or refuses to comply with an order issued pursuant to the *Workers Compensation Act* (British Columbia), then such failure or refusal will be considered a Project Co Material Breach.

4.4 Safety Management Plan

Before commencing any Construction activities associated with each of the following:

- (a) Construction of the Facility, including Commissioning Work, and all operations and maintenance activities during the Bridging Period; and
- (b) Decommissioning Work, including demolition, of the Existing Facility and restoration, remediation and landscaping work,

Project Co shall prepare and submit a Safety Management Plan covering the applicable Construction activities to BC Hydro's Representative in accordance with the Consent Procedure. Each SMP shall be prepared by a Qualified person, and shall:

- (c) comply with Good Utility Practice and the requirements of the *Workers Compensation Act* (British Columbia), the *Occupational Health and Safety Regulations* (British Columbia), the Safety Minimum Requirements, all other applicable safety Laws and the Safety Regulations;
- (d) be consistent with the applicable SMP outline which has been accepted by BC Hydro's Representative in accordance with the Consent Procedure; and
- (e) be consistent, in format and organization, with the applicable Safety Minimum Requirements.

4.5 Compliance with SMP

Project Co shall implement, and ensure that all Project Co Persons engaged in the Project Work comply with, each applicable SMP which has been accepted by BC Hydro's Representative in accordance with the Consent Procedure.

4.6 Review and Amendment of SMP

Project Co shall review and amend each SMP from time to time as necessary to ensure they at all times: (i) reflect the nature of the Project Work being performed, including any changes in the applicable workplace, work methods or the Hazards associated with the applicable Project Work; and (ii) meet or surpass the requirements of Section 4.4 [*Safety Management Plan*] of this Schedule.

Prior to implementation of any SMP amendments, Project Co shall submit the proposed amendments to BC Hydro's Representative in accordance with the Review Procedure.

4.7 Safe Work Procedures – Project Co as “Prime Contractor”

Before commencing a type of Construction activity within a workplace for which Project Co or a Project Contractor (or, where the Project Contractor is a joint venture, a party to the joint venture) has been designated as the “Prime Contractor”, Project Co shall establish and submit the Safe Work Procedures for

such type of activity to BC Hydro's Representative in accordance with the Review Procedure. Each of the Safe Work Procedures shall be prepared by a Qualified person, knowledgeable in applicable safety Laws and the Safety Regulations and applicable work procedures, and shall:

- (a) address all Site specific safety Hazards and Site specific work procedures necessary for the safe performance of the applicable Project Work;
- (b) include safe work procedures and exposure control plans applicable to the Site and the performance of the applicable Project Work;
- (c) comply with Good Utility Practice and the requirements of the *Workers Compensation Act* (British Columbia), the *Occupational Health and Safety Regulations* (British Columbia), the Safety Minimum Requirements, all other applicable safety Laws and the Safety Regulations;
- (d) be consistent, in format and organization, with the applicable Safety Minimum Requirements; and
- (e) specifically identify the procedures that apply in the event of an accident or safety violation.

4.8 Safe Work Procedures – BC Hydro as “Prime Contractor”

Before commencing a type of Project Work within a workplace for which BC Hydro has been designated as the “Prime Contractor”, Project Co shall establish and submit the Safe Work Procedures for such type of activity to BC Hydro's Representative in accordance with the Consent Procedure. Each of the Safe Work Procedures shall be prepared by a Qualified person, knowledgeable in applicable safety Laws, the Safety Regulations and the applicable work procedures, and shall:

- (a) address all Site specific safety Hazards and Site specific work procedures necessary for the safe performance of the applicable Project Work;
- (b) include safe work procedures and exposure control plans applicable to the Site and the performance of the applicable Project Work;
- (c) comply with Good Utility Practice and the requirements of the *Workers Compensation Act* (British Columbia), the *Occupational Health and Safety Regulations* (British Columbia), the Safety Minimum Requirements, all other applicable safety Laws and the Safety Regulations;
- (d) conform to, and be integrated with, the occupational health and safety program for the workplace and the applicable safe work procedures prepared by BC Hydro; and
- (e) specifically identify the procedures that apply in the event of an accident or safety violation.

4.9 Work within Boundaries of the Power System

Without limiting the foregoing provisions of Section 4.8 [*Safe Work Procedures – BC Hydro as “Prime Contractor”*] of this Schedule, Project Co shall ensure that every SWP, associated with Project Work within a workplace for which BC Hydro has been designated as the “Prime Contractor”, includes compliance with BC Hydro’s Local Operating Orders (“**LOOs**”), Safety Practice Regulations (“**SPRs**”), Occupational Safety & Health Standards (“**OSH Standards**”) and System Operating Orders (“**SOOs**”), including the Power System Safety Protection (“**PSSP**”), the Worker Protection Practices (“**WPP**”) and such lockout procedures as may be applicable to the Project Work and the applicable workplace.

4.10 Compliance with Safe Work Procedures (SWP)

Project Co shall, implement and ensure that all Project Co Persons engaged in the Project Work comply with, each applicable SWP: (i) to which there is no objection by BC Hydro’s Representative in accordance with the Review Procedure, in the case of SWPs submitted pursuant to Section 4.7 [*Safe Work Procedures – Project Co as “Prime Contractor”*] of this Schedule; or (ii) which has been accepted by BC Hydro’s Representative in accordance with the Consent Procedure, in the case of SWPs submitted pursuant to Section 4.8 [*Safe Work Procedures – BC Hydro as “Prime Contractor”*] of this Schedule.

4.11 Review and Amendment of SWP

Project Co shall review and amend each SWP from time to time as necessary to ensure they at all times: (i) reflect the nature of the Project Work being performed, including any changes in the applicable workplace, work methods or the Hazards associated with the applicable Project Work; and (ii) meet or surpass the requirements of Section 4.7 [*Safe Work Procedures – Project Co as “Prime Contractor”*] or 4.8 [*Safe Work Procedures – BC Hydro as “Prime Contractor”*] both of this Schedule, as applicable.

Prior to implementation of any SWP amendments, Project Co shall submit the proposed amendments to BC Hydro’s Representative in accordance with the Review Procedure.

4.12 Workplace Safety Audits

Project Co shall conduct: (i) workplace safety inspections in accordance with Good Utility Practice at least once each month; and (ii) Site safety audits in accordance with Good Utility Practice at least annually, throughout the period between the Effective Date and the Total Completion Date.

Workplace safety inspections and Site safety audits shall be conducted by Project Co’s Safety Manager and a Project Co Site representative. Project Co shall provide advance written notice, for information only, of each workplace safety inspection and Site safety audit to BC Hydro’s Representative and BC Hydro’s Representative may, but shall not be obligated to, attend such inspections and audits. Workplace safety inspections and Site safety audits shall measure the effectiveness of Project Co’s occupational health and safety systems and determine Project Co’s compliance with the OHSMP, the applicable SMPs, SWPs, and Safety Regulations.

Project Co shall review all workplace safety inspection and Site safety audit findings with the Project Co Person responsible for the area being inspected or audited and shall determine and implement Corrective

Action for all identified Nonconformities. On or before the last day of each year, Project Co shall prepare and submit, for information only, a completed audit report using BC Hydro's Safety Audit Template (included in the Disclosed Data) to BC Hydro's Representative.

Project Co shall promptly remedy all "red" and "yellow" audit findings, as defined in BC Hydro's Safety Audit Template, and provide a report back to BC Hydro's Representative confirming that the applicable issue has been remedied.

5. SAFETY PERSONNEL

5.1 Organization Chart

Before commencing any Construction activities, and from time to time upon request from BC Hydro's Representative, Project Co shall prepare and submit to BC Hydro's Representative in accordance with the Review Procedure, a method statement and reporting hierarchy demonstrating Project Co's occupational health and safety organization, reporting relationships and responsibilities.

5.2 Safety Manager

- (a) Project Co's Safety Manager shall, irrespective of such person's other responsibilities, have defined authority for ensuring the establishment and maintenance of the OHSMP and each of the SMPs and for auditing and reporting on: (i) the implementation and performance of Project Work in accordance with the OHSMP and the SMPs; and (ii) Project Co's compliance with applicable safety Laws and the Safety Regulations.
- (b) Prior to the Total Completion Date, the Safety Manager shall:
 - (i) be a Qualified person;
 - (ii) have at least eight (8) years safety management experience on projects with similar scope and complexity as the Project.; and
 - (iii) either:
 - 1. possess a combination of education, qualifications and experience acceptable to BC Hydro's Representative, acting reasonably; or
 - 2. be registered or certified as a:
 - Canadian Registered Safety Professional (CRSP);
 - Certified Industrial Hygienist (CIH); or
 - Certified Safety Professional (CSP).
- (c) After the Total Completion Date, the Safety Manager shall be a Qualified person and shall either have the qualifications specified in Section 5.2(b)(ii) and 5.2(b)(iii) [Safety

Manager] of this Schedule or shall have direct and timely access to individuals having the qualifications specified in Section 5.2(b)(ii) and 5.2(b)(iii) [Safety Manager] of this Schedule.

- (d) After the Total Completion Date, the Safety Manager may undertake more than one Key Individual position if and to the extent only that such multiple responsibilities do not compromise the ability of such person to effectively carry out the responsibilities of each Key Individual position so undertaken.
- (e) The Safety Manager shall be a Key Individual, subject to the requirements of Section 2.3 [Key Individuals] of Schedule 3 [Roles and Representatives].

5.3 Safety Manager's Responsibilities

Without limiting the generality of Section 5.2 [Safety Manager] of this Schedule, the job specifications and responsibilities of the Safety Manager shall include the following:

- (a) directing all aspects of Project Co's implementation and compliance with the OHSMP and the SMPs, including oversight of all workplace safety auditing;
- (b) ensuring occupational health and safety and public safety issues are addressed and requirements are met, in accordance with this Agreement, the OHSMP and the Construction Period Public Safety Management Plan or the Services Period Public Safety Management Plan, as applicable;
- (c) establishing and maintaining working relationships with WorkSafe BC and Interested Parties;
- (d) taking a lead role in internal occupational health and safety reviews, including application of the Safe Design Policy to the Project Work;
- (e) liaising with BC Hydro's Representative and acting as the single point representative for Project Co on all matters relating to occupational health and safety and public safety;
- (f) preparing and submitting to BC Hydro's Representative all safety reports, including public safety reports, required pursuant to this Schedule and Schedule 23 [Public Safety and Public Use]; and
- (g) managing all occupational health and safety issues associated with the Project on a day-to-day basis.

5.4 Occupational Health and Safety Specialists

Project Co shall have available, at all times between the Effective Date and the Total Completion Date, a multi-disciplinary team of Qualified occupational health and safety specialists, each of whom must:

- (a) have a minimum of 3 years previous field related construction or hydroelectric experience; and
- (b) either:
 - (i) be registered or certified as a:
 - 1. Canadian Registered Safety Professional (CRSP);
 - 2. Certified Industrial Hygienist (CIH); or
 - 3. Certified Safety Professional (CSP);
 - (ii) have completed a recognized occupational health and safety training:
 - 4. diploma program (2 years); or
 - 5. Certificate program (1 year); or
 - (iii) possess a combination of education, qualifications and experience acceptable to BC Hydro's Representative, acting reasonably.

5.5 Site Safety Coordinators

Project Co shall appoint a sufficient number of Qualified site safety coordinators, having responsibility for the identification and control of potential safety Hazards on the Site, in accordance with applicable safety Laws and the Safety Regulations. Project Co shall ensure that during the performance of all Construction activities on Site, a sufficient number of Site safety coordinators are on Site and available. Site safety coordinators shall demonstrate the requisite degree of training and competency to act in that capacity, as required by WorkSafe BC.

5.6 Attendance At Meetings

Project Co shall ensure that Project Co's Representative and the Safety Manager regularly attend any Site meetings, including:

- (a) Joint Committee meetings required under the *Workers Compensation Act* (British Columbia); and
- (b) Site safety coordination meetings.

In addition, Project Co shall provide advance notice, for information only, of all such meetings to BC Hydro's Representative. Representatives of BC Hydro shall be permitted, but shall not be obligated to, attend all such meetings.

6. TRAINING

Project Co shall ensure that all Project Co Persons are trained in the safe and proper performance of the Project Work to which they are assigned (whether on-Site or off-Site) and Project Co shall develop, implement, monitor and evaluate safety training programs necessary to ensure the safe performance of all Project Work. Project Co shall ensure that its safety training programs comply with all requirements of applicable safety Laws and the Safety Regulations and:

- (a) identify and address both general and task specific Hazards;
- (b) ensure that all persons engaged in the performance of Project Work are aware of their rights, obligations and duties with respect to occupational health and safety;
- (c) ensure that all persons engaged in the performance of Project Work are aware of the potential consequences of non-compliance with the OHSMP and the applicable SMPs and SWPs;
- (d) are tailored to the tasks, duties and responsibilities of each person engaged in the performance of Project Work;
- (e) are provided by Qualified persons;
- (f) include timely refresher sessions;
- (g) include mechanisms for participants to evaluate and provide feedback with respect to the training sessions;
- (h) are modified as and when required to ensure continued relevance and effectiveness, based on participant evaluations and feedback and as required by changes in applicable safety Laws or the Safety Regulations; and
- (i) are provided to all persons engaged in the performance of Project Work during normal working hours and at no cost to the participants.

Project Co shall ensure that all Project Co Persons who, for any reason relating to or arising out of the Project Work may be required to come within a workplace for which BC Hydro has been designated as the "Prime Contractor", are trained in the applicable procedures as specified in the PSSP and the WPP.

BC Hydro's Representative may test any Project Co Persons on either or both PSSP and WPP, as applicable to the scope of Project Work to which they are assigned, before such time as they come within a workplace for which BC Hydro has been designated as the "Prime Contractor".

7. FIRST AID

Project Co shall provide, operate and maintain first aid supplies, equipment and facilities on the Site in accordance with applicable safety Laws and the Safety Regulations and Project Co shall provide adequate Qualified first aid attendant(s) for all Project Co Persons. Project Co shall be responsible for

monitoring the sufficiency, qualifications and performance of its first aid personnel during the performance of the Project Work.

8. ACCIDENTS AND INCIDENTS

8.1 Accident and Incident Reporting

Project Co shall do everything reasonably practicable to ensure that no Person is injured, that no property is damaged or lost and that no rights are infringed due to the performance of the Project Work. In the event of any injury to any Project Co Person in the course of the performance of the Project Work, any damage to property arising from the Project or the performance of the Project Work, any near-miss incident, any Public Safety Near-Miss or any Public Safety Incident, Project Co's Representative shall:

- (a) investigate the accident, near-miss incident, Public Safety Near-Miss or Public Safety Incident to determine and report on the failed barriers and identify Corrective Actions to prevent the accident, near-miss incident, Public Safety Near-Miss or Public Safety Incident from reoccurring. All investigations shall be carried out by Qualified persons trained in injury and incident investigation, with the participation of the appropriate Project Co Persons, and all reports shall be consistent in format, content and level of detail to that shown in BC Hydro's "Incident Management Report Form" included in the Disclosed Data;
- (b) promptly implement the Corrective Actions identified in the applicable report and provide a copy of the applicable report to BC Hydro's Representative, for information only;
- (c) where the accident involves serious injury or death, a major structural failure or collapse, a major release of Hazardous Substances, a Public Safety Incident or any other circumstance which is required to be reported pursuant to the Safety Regulations or other applicable Laws, Project Co shall provide immediate notification of such accident to WorkSafe BC or the applicable authority having jurisdiction, with a concurrent copy to BC Hydro's Representative, for information only; and
- (d) whenever an incident investigation report is required pursuant to the *Workers Compensation Act* (British Columbia), Project Co shall prepare and submit, for information only, such report to WorkSafe BC, with a concurrent copy to BC Hydro's Representative.

On or before the last day of each month, Project Co shall prepare and submit to BC Hydro's Representative, for information only, a statistical report of setting out: (i) the total number of hours worked by all Project Co Persons on the Project Work for that month; (ii) any accidents, near miss incidents, Public Safety Near-Misses, Public Safety Incidents and injuries; and (iii) the aggregate number of lost work days in that month arising from each injury, and a completed "Incident Management Report Form" for each accident, near-miss incident, Public Safety Near-Miss and Public Safety Incident occurring on Site, to the extent such accidents, near miss incidents, Public Safety Near-Misses, Public Safety Incidents and injuries involve Project Co Persons or the performance of the Project Work.

8.2 Cooperation

Project Co shall cooperate with, and make all Project Co Persons available to, any investigation of an accident, near-miss incident, Public Safety Near-Miss or Public Safety Incident by BC Hydro's Representative, WorkSafe BC or any other authority having jurisdiction, or any orders, penalties, prosecutions or appeals thereof.

8.3 Orders

Project Co shall notify BC Hydro's Representative, for information only, in writing of any orders issued by WorkSafe BC or any other authority having jurisdiction, as soon as practicable, and in any event within 24 hours after receipt.

9. SELF-EVALUATION AND ANNUAL AUDIT

9.1 Annual Audit

Project Co shall cause an independent third party, acceptable to BC Hydro's Representative, to conduct an audit of Project Co's OHSMP, not less than once each calendar year during the Term, in order to assess Project Co's compliance with, and implementation of, the OHSMP, as required by the *Workers Compensation Act* (British Columbia), the *Occupational Health and Safety Regulations* (British Columbia), applicable safety Laws, the Safety Regulations and this Schedule 12 [*Safety and Security*].

Project Co shall submit the independent auditor's report to BC Hydro's Representative within one week of the anniversary of the completion of the previous annual audit in accordance with the Review Procedure, and in any event within 14 days after receipt.

9.2 Corrective Action

Where an independent auditor's report identifies any Nonconformities with Project Co's OHSMP, Project Co shall within fourteen (14) days, prepare and submit to BC Hydro's Representative a Corrective Action Plan to address and rectify all reported Nonconformities. Project Co shall promptly implement a Corrective Action Plan to which there is no objection by BC Hydro's Representative in accordance with the Review Procedure.

9.3 Self-Reporting

Project Co shall implement and maintain an appropriate system of occupational health and safety management documentation, sufficient to demonstrate compliance with all applicable safety Laws, the Safety Regulations and the requirements of this Schedule 12 [*Safety and Security*]. Project Co shall ensure that all health and safety reporting is prepared and maintained in a format that is consistent with BC Hydro's then current health and safety reporting systems. All health and safety reports shall be retained in accordance with the Records Management Protocol and the requirements of Schedule 20 [*Records and Reports*].

10. SECURITY

10.1 General

Throughout the Construction Period, Project Co shall be responsible for and shall, using a balance of physical and operational means, ensure the security of the Construction Site, including all Project Work and existing structures, equipment and materials located within the Construction Site.

From the Service Commencement Date to the Total Completion Date, Project Co shall be responsible for and shall ensure, using a balance of physical and operational means, the security of the Existing Facilities Site, including all Project Work and existing structures, equipment and materials located within the Existing Facilities Site.

Project Co's security responsibilities pursuant to this Section 10.1 [*General*] shall include protection of the Construction Site and the Existing Facilities Site, as applicable, from intrusion, trespass and other unauthorized access, theft, vandalism, mischief and other criminal conduct, 24 hours per day, seven days per week.

Project Co's Representative shall be the primary point of contact for BC Hydro and external agencies such as the RCMP for all security related matters occurring within:

- (a) the Construction Site, during the Construction Period; and
- (b) the Existing Facilities Site, during the period between the Service Commencement Date and the Total Completion Date.

10.2 Security Program

Not less than 30 days before commencing any Construction activities on the Site, Project Co shall prepare and submit a comprehensive physical and operational security program applicable to the Construction Period, together with the Occupational Health and Safety Management Program prepared in accordance with Section 3.1 [*Preparation and Submission*] of this Schedule 12 [*Safety and Security*], to BC Hydro's Representative in accordance with the Consent Procedure (the "**Construction Period Security Program**").

No later than sixty (60) days prior to the Target Service Commencement Date, Project Co shall prepare and submit a comprehensive physical and operational security program applicable to the period between the Service Commencement Date and the Total Completion Date to BC Hydro's Representative in accordance with the Consent Procedure (the "**Total Completion Security Program**").

Each of the Construction Period Security Program and the Total Completion Security Program shall:

- (a) be prepared in accordance with the requirements of Good Utility Practice;
- (b) comply with all applicable Laws and BC Hydro's security management policies, standards and procedures, as set out in the applicable BC Hydro Policies;

- (c) Not Used;
- (d) provide details of Project Co's plan to ensure the security of, in the case of the Construction Period Security Program, the Construction Site during the Construction Period and in the case of the Total Completion Security Program, the Existing Facilities Site during the period between the Service Commencement Date and the Total Completion Date, including:
 - (i) real time monitoring and response to threats and potential threats to security;
 - (ii) collaboration with, and real time reporting of Security Incidents and Potential Incidents to BC Hydro and external agencies such as the RCMP;
 - (iii) Not Used;
 - (iv) establishment of physical separations between the Project Work and ongoing BC Hydro operations, including management and administration of access points, security clearances and restricted access areas. Project Co may incorporate or use existing topographical or environmental barriers, where they constitute an adequate barrier to unauthorized entry;
 - (v) implementation of effective systems for authentication of individuals to be allowed access to the applicable sites, including verification of training, verification of Background Checks (for Project Co Persons only), and access procedures for BC Hydro Persons and other authorized Persons requiring access;
 - (vi) identification of applicable site boundaries;
 - (vii) provision of security orientation training, including periodic refresher training, to all Project Co Persons requiring access to the Site; and
 - (viii) Security Incident identification, response, reporting and investigation procedures, including procedures for reporting emergencies and crimes in progress to BC Hydro and applicable authorities, including the RCMP;
- (e) establish physical and operational security zones within the Construction Site and the Existing Facilities Site, as applicable, including access/egress routes and signage for the various workplaces within the applicable site;
- (f) address differences between the security requirements of the Construction Site and the Existing Facilities Site and the transition of security responsibilities to and from BC Hydro;
- (g) provide for appropriate signage around the Construction Site and Existing Facilities Site, as applicable, to inform the public: (i) that trespass is forbidden; (ii) of the security

precautions in place at the applicable site; and (iii) of the contact details for Project Co's Representative; and

- (h) identify where the use of security personnel is required, and establish procedures to ensure that all such security personnel are Provincially licensed.

10.3 Compliance with Security Program

Project Co shall implement, and ensure that all Project Co Persons comply with, the Construction Period Security Program and the Total Completion Security Program, which have been accepted by BC Hydro's Representative in accordance with the Consent Procedure, and any subsequent amendments or updates which have been accepted by BC Hydro's Representative in accordance with the Consent Procedure.

10.4 Reporting

Project Co shall report all Security Incidents and Potential Incidents occurring within the Construction Site or the Existing Facilities Site, as applicable, in accordance with the Construction Period Security Program and Total Completion Security Program, as applicable, and Schedule 20 [*Records and Reports*], and shall ensure that all such reports are maintained in a format consistent with BC Hydro's then current security reporting systems.

11. SECURITY SENSITIVE WORK

11.1 Security Sensitive Work

Project Co shall not permit:

- (a) any Project Co Person to be designated as a Key Individual unless such individual has, not more than six months prior to the applicable individual commencing work, successfully completed a Background Check; or
- (b) any Project Co Person to perform any Security Sensitive Work, unless such individual:
 - (i) has, not more than six months prior to first performing any Security Sensitive Work, successfully completed a Background Check; or
 - (ii) is accompanied by an Escort when performing Security Sensitive Work.

For the purpose of Section 11 [*Security Sensitive Work*] of this Schedule, successful completion of a Background Check for an individual means that:

- (c) the Canadian Police Information Centre criminal record database search returns no conviction for any offence that could be reasonably perceived to affect Project Co's ability to ensure the physical and operational security of the Construction Site or Existing Facilities Site, as applicable, the Facility, the Existing Facility, the Project Work, the Site or the Project;

- (d) no record is returned for the individual in respect of the search of relevant databases maintained by Public Safety Canada; and
- (e) where applicable, no record is returned for the individual in respect of the search of relevant databases maintained by Interpol;

Project Co shall not permit any Project Co Person who has previously failed a Background Check under this Agreement to be designated a Key Individual or to perform Security Sensitive Work, without the prior written consent of BC Hydro, which consent may be granted or withheld by BC Hydro in its discretion.

11.1A Periodic Background Checks

Throughout the Term, Project Co shall ensure that a Background Check is repeated for each Project Co Person engaged in the performance of Security Sensitive Work and for each Key Individual, at least once every seven years, and from time to time if Project Co determines, acting reasonably, that the risk in respect of such individual has materially changed. For clarity, a Background Check need not be repeated for an individual who is no longer engaged as a Key Individual or who is no longer performing Security Sensitive Work.

If an individual engaged as a Key Individual does not successfully complete any periodic Background Check required in accordance with this Section 11.1A [*Periodic Background Checks*], Project Co shall replace the individual as a Key Individual, in accordance with Section 2.3 [*Key Individuals*] of Schedule 3 [*Roles and Responsibilities*].

Project Co shall prevent any Project Co Person who has not successfully completed any periodic Background Check required in accordance with this Section 11.1A [*Periodic Background Checks*] from performing Security Sensitive Work, unless such Person is accompanied by an Escort when performing Security Sensitive Work.

11.2 Referral to BC Hydro

Where Project Co is uncertain whether certain Project Work constitutes Security Sensitive Work, Project Co may submit a written request for a determination (an “**SSW Request**”) to BC Hydro’s Representative at least 90 days prior to the date on which such work is scheduled to commence. Each SSW Request shall include:

- (a) a detailed description of the nature of the work, including the primary location at which the work will be performed;
- (b) the date on which the work is scheduled to commence; and
- (c) such other information as BC Hydro’s Representative may reasonably request.

BC Hydro’s Representative shall review each SSW Request and shall provide a written response confirming whether the work described in the SSW Request is Security Sensitive Work within 30 days after receipt of the complete SSW Request. BC Hydro’s determination with respect to an SSW Request

shall be final and binding and shall not be subject to review pursuant to Schedule 2 *[Review Procedure, Consent Procedure and Other Submittals]* or Schedule 19 *[Dispute Resolution Procedure]*.

11.3 Escorts

Project Co shall ensure that an Escort:

- (a) does not escort more than two people at a time, or such greater number as is designated by BC Hydro's Representative from time to time; and
- (b) maintains visibility of all Escorted Persons at all times.

11.4 Responsibility for Escorted Persons

Project Co shall be responsible for the safety and conduct of all Escorted Persons.

11.5 Background Check Provider

Project Co shall, for the purpose of obtaining Background Checks, engage [REDACTED], or another service provider acceptable to BC Hydro, acting reasonably. In the event Project Co wishes to use a service provider other than [REDACTED], Project Co shall submit to BC Hydro detailed information with respect to the proposed service provider, including company name, head office location, the length of time the service provider has been in operation, a description of the background check services it offers and at least three references.

11.6 Documentation

On or before the last day of each month, Project Co shall submit to BC Hydro for information only:

- (a) aggregated anonymous statistics setting out the number of Background Checks performed in the applicable month and the numbers of those Background Checks that resulted in: (i) individuals being cleared to act as a Key Individual or to perform Security Sensitive Work; and (ii) individuals being rejected from acting as a Key Individual or from performing Security Sensitive Work;
- (b) an anonymous list of all positive Background Check search results, together with confirmation, for each positive result, of whether the applicable individual was cleared to, or rejected from, performing Security Sensitive Work.

**APPENDIX 12A
PRIME CONTRACTOR DESIGNATION**

"Prime Contractor"	Date From	Date To	Workplace
Project Co/designated Project Contractor	Effective Date	Service Commencement Date	Construction Site*
Project Co/designated Project Contractor	Service Commencement Date	Total Completion Date	Existing Facilities Site
BC Hydro	Effective Date	Service Commencement Date	Existing Facilities Site
BC Hydro	Service Commencement Date	End of Term	New Facilities Site
BC Hydro	Effective Date	End of Term	Spillway and Substation Site*
BC Hydro	Total Completion Date	End of Term	the Site

* For clarity, the Spillway and Substation Site shall only include those workplace(s) located on the "Surface" (as defined in Section 1.1-7C *[Interpretation]* of Schedule 6 *[Design and Construction Specifications]*). All "Underground" (as defined in Section 1.1-7C *[Interpretation]* of Schedule 6 *[Design and Construction Specifications]*) workplace(s) located below the Spillway and Substation Site shall be deemed to be included in the Construction Site for the purpose of determining which party is designated as "Prime Contractor" for the applicable workplace(s).