



Ohio Administrative Code

Rule 3745-104-35 Program three prevention program: contractors.

Effective: August 5, 2021

(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) Prior to selecting a contractor, obtain and evaluate information regarding the contractor's safety performance and programs.

(2) Inform the contractor of the known potential fire, explosion, or toxic release hazards related to the contractor's work and the process.

(3) Explain to the contractor the applicable provisions of rules 3745-104-36 and 3745-104-37 of the Administrative Code.

(4) 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) 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) Assure that each contract employee is trained in the work practices necessary to safely perform his or her job.



- (2) 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) 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) 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) 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.