

Toxic Substance Control Act (TSCA)

1. Purpose

BP is committed to protecting employees, customers, the general public, and the environment from hazards that may be related to the company's products or operations. In accordance with our commitment and with Environmental Protection Agency (EPA) regulations, BP has an ongoing program to solicit and evaluate reports of harmful effects to health or to the environment that may be associated with our products or operations. Where appropriate, these reports are filed at BP or reported to the EPA.

USPL's TSCA program helps focus attention on potentially dangerous situations so they can be remedied before problems arise. Reporting the harmful effects from a BP product or process to the EPA helps the agency identify areas where regulations are needed to protect health and the environment.

The purpose of this policy is to provide USPL employees, customers, and the general public with a process for reporting possibly dangerous situations associated with our products and chemicals.

2. Scope

This policy applies to all USPL employees, contractors, customers, visitors, and the general public exposed to our products, chemicals, and operations and includes information about TSCA requirements, employee safeguards, and USPL's TSCA reporting guidelines.

The following sections of this safety manual contain related policies and should be consulted for specific requirements and guidance:

- Bulletin Board Postings
- Hazard Communication
- HAZWOPER

3. Minimum Requirements

	Minimum Requirements	Supporting Documentation
1.	Each facility must have a TSCA Section 8(c) notice posted on its bulletin boards.	Section 5 and Appendix I
2.	BP shall not discriminate against an employee with respect to his or her terms, conditions, or privileges of employment because of the employee's reporting Section 8 information, either within the company or directly to the EPA.	Section 6
3.	Employees shall use the Allegation Summary Form (Form 48-600) to report a health or environmental harmful effect allegation.	Section 7 and Appendix II
4.	The allegor shall send the completed form to BP's Global Product Stewardship Group.	Section 7

4. Definitions

Allegation—A statement, made without formal proof or regard for evidence, that a chemical substance or mixture has caused a significant adverse reaction to health or the environment.

Alleger—A person reporting a potentially harmful or dangerous situation associated with a BP product or chemical.

Significant adverse reactions under Section 8(c)—Any of the conditions listed below:

Health:

- Long-lasting or irreversible damage—Birth defects, cancer, chronic organ damage.
- Impairment of bodily functions—Reproductive disorders, neurologic disorders.
- Impairment of normal activities—Experienced by most of the people at one time, experienced each time an individual is exposed.

Environment:

- Changes in the composition of animal or plant life, abnormal deaths in organisms (e.g., fish kills), decreased reproductive success of a species, decreased crop or livestock productivity, altered behavior or distribution of a species, long-lasting or irreversible contamination of the environment.

Substantial risk of injury under Section 8(e)—Any of the following:

- Health—Cancer, birth defects, mutagenicity, death, or serious or prolonged incapacitation.
- Environment—Contamination, pronounced bioaccumulation, adverse effects associated with chemicals that have pronounced bioaccumulation or are widespread in the environment, changes in species behavior, growth or survival, environmental contamination that seriously threatens non-human organisms with significant population destruction.
- Emergency incidents of environmental contamination—Contamination that seriously threatens humans with cancer, birth defects, mutation, or serious or prolonged incapacitation.

5. Roles and Responsibilities

5.1. All employees

- A. Provide the TSCA Allegation Summary Form to anyone when you become aware of an allegation or situation that a BP product or process may have resulted in previously unknown harmful effects to health or the environment.

5.2. Supervisors

- A. Display the Toxic Substance Control Act (TSCA) Bulletin Board Posting on official facility bulletin boards.

6. TSCA Employer Requirements

Federal regulatory requirements for recording and reporting harmful effects are covered in Sections 8(c) and 8(e) of the Toxic Substances Control Act (TSCA), which is enforced by the EPA. Requirements in these sections are as follows:

- A. Section 8(c)—This section requires BP to keep records of allegations of harmful effects to health or the environment believed to be a result from BP products or operations. These records are based primarily on information reported by employees and customers and the general public. Proof that a BP product or operation caused a harmful effect is not required. See the definition of “significant adverse reactions” for examples of effects that may be considered harmful under Section 8(c).
- B. Section 8(e)—This section requires BP to report to the EPA certain harmful effects to health or the environment that have occurred or are likely to occur from a BP product or operation. These reports may be based on information reported by employees and customers or on studies of health effects conducted by BP. Under Section 8(e), information is required that reasonably supports the conclusion that a harmful effect has occurred or will occur. This information must be reported to the EPA within 15 days.
- C. The Global Product Stewardship Group has been assigned the responsibility for coordinating TSCA compliance for BP. In order for BP to comply with the regulation, it is essential that any allegations and substantial risk information be communicated to the Global Product Stewardship Group in Naperville, Illinois, at 630-420-4903.
- D. Each facility must have a TSCA Section 8(c) notice posted on its bulletin boards. See Appendix I for a typical bulletin board posting.

7. Employee Safeguards

- A. The Toxic Substances Control Act prohibits BP or any employer from discriminating against an employee with respect to his or her terms, conditions, or privileges of employment because of the employee’s reporting Section 8 information either within the company or directly to the EPA.

8. TSCA Reporting Requirements and Procedures

- A. If an employee becomes aware of an allegation or situation that a BP product or process may have resulted in previously unknown harmful effects to health or the environment, he or she shall notify his or her Supervisor and the HSSE Department immediately.
- B. The allegation must be submitted in writing and shall be documented using the TSCA Allegation Summary Form (Form 48-600; see Appendix II).
 - 1. The allogger must sign all allegations. If the allogger does not wish to submit a written or signed statement, BP is not obligated to record the allegation.
 - 2. The allogger shall send the completed form to BP’s Global Product Stewardship Group. Employees should submit the form to their Supervisor, who will then forward it to the Global Product Stewardship Group.
- C. After the Global Product Stewardship Group receives the form, the group shall evaluate it and provide written feedback to the allogger regarding the action that will be taken.

- D. The Global Product Stewardship Group will make the necessary reports to the EPA.

9. TSCA Allegation Form

9.1. Health and Environmental Allegation Form

- A. Employees shall use the Allegation Summary Form (Form 48-600) to report a health or environmental allegation. See Appendix II for the form; or download the form from the Toxic Substances Control Act folder, HSSE Policies, in DRM (link:). <https://uspldrm.bpweb.bp.com/uspldrm/component/main>

10. References

1. Toxic Substances Control Act (TSCA), Office of Pollution Prevention and Toxics, Environmental Protection Agency (EPA), 40 CFR 700–799.
2. Pollution Prevention Act (PPA) of 1990, 42 USC 13101, “Findings and Policy”; and 13102, “Definitions.”

Appendix I

Toxic Substance Control Act (TSCA)

Bulletin Board Posting

TSCA Awareness Is Everyone's Job

BP is committed to protecting its employees, customers, the general public, and the environment from harmful effects that may be related to our products or operations. Collecting new information on the health or environmental effects of chemicals is an important part of this process. In addition, the Environmental Protection Agency (EPA), through the Toxic Substances Control Act (TSCA), gathers and assesses new information about the health and environmental effects of chemicals. In accordance with our commitment and with EPA regulations, BP has an ongoing program to solicit and evaluate reports of harmful effects to health or the environment. Where appropriate, these harmful effects are recorded and/or reported to the EPA. To maintain this commitment, BP encourages the participation of everyone who comes into contact with our products. TSCA makes provisions for employees, customers, and the general public to notify BP of any adverse effects to human health and the environment suspected or known to be caused by our products. These provisions are made in Sections 8(c) and 8(e) of the regulation.

Section 8(c) requires BP to maintain records of allegations made by employees, customers, and the general public regarding harmful effects to human health and/or the environment believed to result from BP products or operations. Submission of allegation requires no proof that the harmful effects are caused by BP products or operations. Allegations are reviewed by the Toxicology, Industrial Hygiene and Medical departments and the allogger is informed of any action taken on the information they submit. The USPL Toxic Substance Control Act safety policy defines examples of effects that may be considered significant adverse reaction under Section 8(c).

Section 8(e) requires BP to inform the EPA of any information that reasonably supports the conclusion that a BP product or operation poses substantial human health or environmental risks or is involved in an emergency incident of environmental contamination, about which the EPA has no previous knowledge. The information may consist of reports submitted directly by BP employees, customers, or the general public; or it may be results of studies conducted by BP. The information, which must be reported to the EPA within 30 calendar days (24 hours for EIECs) of when BP becomes aware of it, is used by the EPA to determine the need for further regulation of the chemical's use. The USPL Toxic Substance Control Act safety policy defines examples of effects that may be considered a "substantial risk" under Section 8(e).

For you and BP to comply with these sections of TSCA, you should report any occurrence of harmful effects to the TSCA field coordinator at your location, your supervisor, or the HSE Department. Overall corporate non-compliance can result in civil penalties and possibly criminal prosecution. You can assist in BP's compliance by being aware of the allegation and reporting requirements and by reporting occurrences that you observe. TSCA strictly prohibits an employer from taking discriminatory action against anyone who submits allegations or reports under Sections 8(c) or 8(e).

BP uses information reported under Sections 8(c) and 8(e) to avoid future occurrences of potentially dangerous situations related to its products and/or operations. However, the benefits of BP's commitment to protect human health and the environment can only be realized through your participation.

If you have any questions regarding your rights and obligations under Sections 8(c) and 8(e) of the Toxic Substances Control Act, please contact your supervisor, the TSCA field coordinator at your location, or the BP Global Product Stewardship group: Mukesh Bheda at 630-420-4903.

Appendix II

TSCA, Section 8(c), Allegation Summary Form



Allegation of Significant Adverse Reaction to Health or Environment— TSCA, Section 8(c), Allegation Summary Form

48-600 (2-02) W

Instructions: This form is used to provide a written and signed allegation under the provisions of Section 8(c) of the Toxic Substances Control Act (TSCA). All sections should be completed to the best of your ability because the information will be used to determine the record keeping requirements that will pertain to your allegation. Please print legibly, or type. You must sign your allegation because only signed allegations will be processed.

I. Identity of Person Making Allegation

A. BP Employee Only	B. All Others
Name	Name
Company Location Where Employed	Employer (if representing a company)
Company/Facility Address	Address
Title or Position	Home/Work Telephone Number
Your Work Telephone Number	Other Telephone Number Where Allegor Can Be Reached
Name of Supervisor	Status: <input type="checkbox"/> Customer <input type="checkbox"/> Community Member/Plant Neighbor <input type="checkbox"/> Other (specify) _____

Allegor's Signature:

Date

II. Identity of Substance/Process Prompting the Allegation

A. Does it appear that the adverse effect(s) resulted from exposure to:

1. A chemical or mixture? Yes No
 If Yes, describe as completely as possible, which chemical or mixture.

2. A process or operation at any BP facility? Yes No
 If Yes, describe which process or operation.

3. A discharge from a BP facility onto land, into water, or into the air? Yes No
 If Yes, describe exactly the circumstances.

4. Was the event reported to any local, state, or federal governmental agency? Yes No Unsure
If Yes, please identify.

III. Nature of Allegation

A. Health Effect

Please describe in the space provided exactly what adverse reaction(s) you believe has been caused by the agent described in Part II. In your description, answer the points listed below.

1. Date and time of health effect,
2. Identify the BP facility including specific location within the facility, where the effect was experienced,
3. Describe the health effect that was experienced, how it interfered with your normal activities, and what you were doing when you experienced the effect,
4. The number of people who experienced the effect along with you,
5. Record the sex and age of those affected, including your own.

B. Environmental Effect

Please describe in the space provided exactly what adverse reaction(s) you believe has been caused by the agent described in Part II. In your description, answer the points listed below.

1. Date and time of environmental effect, or when effect was first observed,
2. Identify the BP facility at or near where the effect was observed, if applicable,
3. Identify the source of problem, if possible,
4. Describe the adverse environmental effect, identifying the plant or animal life adversely affected (if any),
5. Describe how you became aware of the adverse effect.

(Attach additional pages if necessary)

C. **Comments by Attending Physician or Nurse (Note: Do NOT attach any medical records or visit sheets to this form.)**

Physician/Nurse Signature

Allegation Number

Date Received

Received By

Revision Date: March 26, 2019

Effective Date: March 26, 2019

Next Review Date: March 26, 2024

Paper copies are uncontrolled and valid only at the time of printing. The controlled version of this document can be found in DRM in the HSSE Policies folder.

Office Use Only	Implicated Substance	CAS Number	Health Effect Codes
	Implicated Process, Operation or Discharge		Environmental Effect Codes
	Status <input type="checkbox"/> Bona-fide <input type="checkbox"/> Non-Bona-fide	Reason	

Form 48-600 (2-02) W (back)