

<b>STANDARD OPERATING PROCEDURE (SOP)</b> <b>Department of Health &amp; Safety</b>		SOP NO.		FCX-11
		REVISION NO.		
		SUPERSEDE		
<b>MSHA Training Requirements for Contractors &amp; Visitors</b>		<b>TASK CLASSIFICATION</b>	<span style="color: red;">■</span>	Highly Critical
			<span style="color: yellow;">■</span>	Critical
			<span style="color: lightgreen;">■</span>	Non-Critical
APPROVAL DATE – 3/7/2011	ORIGINAL DATE –	RELEVANT SOPS –		

This document clarifies Freeport-McMoran’s requirements for health and safety training for personnel, other than full-time site employees, who are working at FCX’s MSHA-regulated operations. Each employer is responsible for meeting the requirements of MSHA regulations. Contractors wishing to perform work at FCX’s MSHA-regulated operations must review MSHA’s 30 CFR Part 48 in detail. In some cases, FCX’s training requirements may exceed the requirements of MSHA’s regulations. Please contact the site’s Health & Safety Department with any questions on training requirements.

### Surface Mining Operations and Surface Areas of Underground Mining Operations

**New Miner Training** (24-hr training), including operation-specific topics, must be provided to individuals who are:

- Engaged in the extraction or production process, for any length of time, or
- Regularly exposed to mine hazards (more than 5 days, cumulative of all mines and regardless hours worked per day, or a pattern of recurring exposure that might amount to an equivalent exposure)

**Experienced Miner Training** can be substituted for New Miner training for certain individuals who hold New Miner Training or Annual Refresher Training from another operation:

- Previous New Miner training and 12 months of cumulative mining experience, or
- New Miner training within the past three years, regardless of experience, or
- Previous New Miner training with current Annual Refresher training, regardless of experience and regardless of date of 24 hr training

Experienced Miner Training must be at least eight hours in duration for individuals who have not worked in mines in five or more years. If an individual has worked in a mine within the previous five years, required topics must be covered but MSHA does not specify a minimum duration of training.

**Hazard Training** may be substituted for New Miner or Experienced Miner training for individuals who are:

- Not exposed to mine hazards, or who are inconsequentially exposed to mine hazards, such as tours, simple delivery personnel, office personnel, or consultants (see definition below); or
- Exposed to mine hazards, but for five days or less per year.
  - This is cumulative of all MSHA-regulated operations in the previous 12 months.
  - This does *NOT* mean that a contractor can work for five days prior to receiving training; if an individual is expected to exceed five cumulative days of exposure to mine hazards during the scope of the project, he/she must receive full 24-hour training before beginning work.
  - When the “Five Day Exemption” is used, the site shall require the contractor/visitor to certify to the site in writing that their time at the operation will not result in a total of more than five days at MSHA-regulated operations in the previous 12 months.

Hazard Training must be repeated at least annually, re-training may be required earlier if an individual is unable to provide his/her training record. Content must be appropriate for the individual’s work at the operation and his/her exposure to hazards; MSHA does not specify a minimum duration of training. In most cases, Hazard-Trained individuals should be accompanied by someone with full New Miner or Experienced Miner Training while in active mining or processing areas. The decision on whether to accompany an individual should be guided by a risk assessment.

**Hazard Training (continued)**

“Exposure to mine hazards” is generally defined as any type of physical work: running equipment, using tools, etc. Contractors who perform simple inspection, deliver or receive non-hazardous goods outside of active mining areas, provide consultation, or work solely in office areas are generally not exposed to mine hazards. Please contact the site Health & Safety Department if clarification is needed for a particular contract.

Additional training exemptions are allowed under MSHA regulations, and may be considered by FCX on a case-by-case basis:

- Certain shaft and slope workers
- Certain surface construction workers engaged in major construction work (i.e. construction of a new facility)

**Underground Mining Operations** (Underground areas of surface mines, such as reclaim tunnels, fall under the requirements of Surface Mining Operations)

Requirements for Underground Operations are the same as Surface Operations, above, with the following exceptions:

- New Miner Training consists of 40-hour training, rather than 24-hour training; additional topics are required.
- Experienced Miner Training includes additional topics.
- Individuals who receive Hazard Training, rather than New Miner or Experienced Miner Training, must be accompanied by someone with comprehensive training at all times while underground. This is not mandatory on the surface.
- An additional training exemption may be considered by FCX on a case-by-case basis: certain underground construction workers involved in construction that is significant enough to cause the mine to cease operations.

**Training Plans & Content and Trainer Qualifications**

New Miner and Experienced Miner Training must be delivered under the direct supervision of a person with appropriate MSHA approval (“IS” MSHA instructor card for surface, “IU” for underground). Hazard Training must be delivered by a competent person. All training must be delivered under a training plan with current approval from MSHA.

The details of the course, including the balance between classroom instruction and instruction at the mine site, will be determined by the MSHA-approved instructor and the training plan under which the training is provided. Training must include instruction on topics specified in the regulations below:

- |                               |                                |                            |
|-------------------------------|--------------------------------|----------------------------|
| • New Miner Training:         | 30 CFR 48.25 (Surface 24-hour) | 48.5 (Underground 40-hour) |
| • Experienced Miner Training: | 30 CFR 48.26 (Surface)         | 48.6 (Underground)         |
| • Annual Refresher:           | 30 CFR 48.28 (Surface),        | 48.8 (Underground)         |
| • Hazard Training:            | 30 CFR 48.31 (Surface),        | 48.11 (Underground)        |

New Miner and Experienced Miner Training must be kept current with Annual Refresher Training every 12 months.

Training received under MSHA’s 30 CFR Part 46 for work at a stone or sand & gravel operation may meet some of the requirements for New Miner Training. These individuals will be considered by FCX on a case-by-case basis. Individuals transferring between surface and underground mines may receive partial credit for their previous MSHA-approved 24- or 40-hour training. Additional training must be completed to cover topics that were missed in prior training.