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|  | <b>SHE SPECIFICATION</b><br><b>Medupi Power Station on-site overall project management services</b> | <b>Template Identifier</b> | <b>240-73198256</b> | <b>Rev</b> | <b>2</b> |
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## 1. Introduction

Eskom Medupi Power Station Project responsibility and commitment is to ensure a safe working environment is in line with its Safety, Health, Environmental and Quality Policy, along with legislative obligations.

This SHE specification is Medupi Power Station Project minimum requirements which are required to be met for the specific contract and for the duration of the contract period by the Service Provider/Consultants and where required, the delivery organisation.

**The Service Provider is expected to develop a SHE plan which meets these requirements as well as all the relevant applicable legislation they conform to.**

**Eskom in no way assumes the Service Provider's legal responsibilities. The Service Provider is and remains accountable for the quality and the execution of his/her health and safety programme for his/her employees and appointed Supplier's employees.**

This SHE specification reflects minimum requirements and should not be construed as all encompassing.

**Note 1:** All the requirements listed hereunder are in relation to the contract and do not supersede or replace any organizational SHE requirements.

Where requirements listed are already in place, then the organisational requirements must be taken cognisance of and listed in the respective SHE plans. If there are any additional Eskom and or legislative requirements listed in the SHE specification, then these must be addressed.

## 2. Supporting Clauses

### 2.1 Scope

This specification sets out the minimum legislative and Eskom Medupi Power Station Project requirements that must be met by the Service Provider.

#### 2.1.1 Purpose

Indicate to all potential types of Service Providers the OHS requirements on the project, upon which their planning for the management of OHS will be based on and thus produce their OHS plan.

All Service Providers are required to execute their works in accordance with this document as well as other applicable legal documents.

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## 2.1.2 Applicability

This specification is applicable to all Service Providers, Consultants and Suppliers in all the activities and processes carried out for and on behalf of Medupi Power Station Project.

For best practice reasons, where the work scope does not fall within the definition of Construction Regulations 2014 this specification shall also apply as a minimum.

This document shall apply throughout Medupi Power Station Project.

## 2.1.3 Effective date

This specification shall be implemented from date of approval.

## 2.2 Normative/Informative References

Parties using this document shall apply the most recent edition of the documents listed in the following paragraphs.

**Note: Where the date for revision of a document on the Eskom Document Centre website has passed, the document is still current, irrespective of its revision date having passed.**

### 2.2.1 Normative

- [1] Basic Conditions of Employment Act No 75 of 1997;
- [2] Occupational Health and Safety Act and Regulations No 85 of 1993;
- [3] National Environmental Management Act 107 of 1998;
- [4] Compensation for Occupational Injuries and Diseases Act, No 130 of 1993 (COIDA);
- [5] National Road Traffic Act 93 of 1996;
- [6] Directive: Consolidated Directions on Occupational Health and Safety Measures in Certain Workplaces – Published 11 June 2021, Government Gazette 44700, GNR 499;
- [7] 32-37 Eskom Substance Abuse Procedure;
- [8] 32-136 Contractor Health and Safety Requirements;
- [9] 240-62196227 Life- saving Rules;
- [10] 32-95 Environmental, Occupational Health and Safety Incident Management Procedure;
- [11] 32-727 SHEQ Policy;
- [12] 240-62946386 The Vehicle and Driver Safety Management Procedure;
- [13] 32-345 Eskom Vehicle Safety Specification;
- [14] 240-43848327 Employees' right of refusal to work in an unsafe situation;
- [15] 240-44175132 Eskom Personal Protective Equipment Specification (PPE).

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## 2.2.2 Informative

- [1] ISO 45001:2018, Occupational Health and Safety Management systems-Requirements (Service Provider shall use as guideline);
- [2] Tobacco Products Control Act 83 of 1993 (Updated 2011.05.19);
- [3] SANS 1186 Symbolic Safety Signs;
- [4] Applicable South African National Standards (SANS) for the scope of work/Project;
- [5] Constitution of the Republic of South Africa No 108 of 1996; and
- [6] All relevant South African legislation – National, Provincial, and municipal by-laws.

## 2.3 Definitions

| <b>Definition</b>                                  | <b>Explanation</b>  |
|--|---|
| <b>Agent</b>                                       | Means a competent person who acts as a representative for a client.   |
| <b>Baseline risk assessment</b>                    | (32-520) baseline operational risks refer to the health and safety risks associated with all standard processes and routine activities in the business.   |
| <b>Client:</b>                                     | Any person for whom construction work is being performed.   |
| <b>Competent person</b>                            | (OHS Act) means any person having the knowledge, training, experience, and qualifications, specific to the work or task being performed, provided that, where appropriate, qualifications and training are registered in terms of the South African Qualifications Authority Act, 1995 (Act No. 58 of 1995) |
| <b>Construction Health and Safety Agent (CHSA)</b> | Means a competent person who acts as a representative for a client as per the Construction Regulations (CR) of the Occupational Health & safety Act, No.85 of 1993, CR 5(6)(7) and the South African Council for the Project and Construction Management Professions (SACPCMP).                             |
| <b>Construction site</b>                           | Means a work place where construction work is being performed   |
| <b>Contract</b>                                    | Is an agreement with conditions between the Client and a Service Provider/Supplier where an adjudication authority has approved a scope of work to be completed in a specific time frame and within a specified value.  |
| <b>Employee</b>                                    | (OHS Act) means, subject to the provisions of subsection (2), any person who is employed by or works for an employer and who receives or is entitled to receive any remuneration or who works under the direction or supervision of an employer or any other person   |

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| <b>Employer</b>                        | (OHS Act) means, subject to the provisions of subsection (2), any person who employs or provides work for any person and remunerates that person or expressly or tacitly undertakes to remunerate him/her, but excludes a TES (ex labour broker) as defined in section 1(1) of the Labour Relations Act 1956 (Act No. 28 of 1956)                            |
| <b>Environmental Risk Assessment</b>   | Means a systematic process of evaluating the potential risks that may be involved in projected activity or undertaking.  |
| <b>Eskom requirements</b>              | Eskom requirements flowing from directives, policies, standards, procedures, specifications, work instructions, guidelines, or manuals   |
| <b>Fall Protection Plan</b>            | Means a documented plan which includes and provides for:<br><br>All risks relating to working from a fall risk position, considering the nature of work undertaken, the procedures and methods to be applied in order to eliminate the risk of falling, and a rescue plan and procedures.  |
| <b>Hazard</b>                          | (OHS Act) means a source of, or exposure to, danger  |
| <b>Hazard identification</b>           | (OHS Act) means the identification and documenting of existing or expected hazards to the health and safety of persons, which are normally associated with the type of construction work being executed or to be executed  |
| <b>Health and safety file</b>          | (OHS Act) means a file or other record, containing the information in writing required by the construction regulations.  |
| <b>Health and safety plan</b>          | (OHS Act) means a site, activity or project specific document plan in accordance with the client's health and safety specifications.   |
| <b>Health and safety specification</b> | (OHS Act) means a site, activity or project specific document prepared by the client pertaining to all health and safety requirements related to construction work.  |
| <b>Health and safety requirements</b>  | Means comprehensive health and safety requirements for a contract, project, site, and scope of work. This specification is intended to ensure the health and safety of persons, both workers and the public, and the duty of care to the environment. The health and safety requirements must be specific to each contract, project, site, and scope of work |
| <b>Impacts</b>                         | Any changes to the environment whether adverse or beneficial, wholly or partial resulting from environmental aspects.  |
| <b>Medical surveillance</b>            | Means a planned programme or periodic examination (which may include clinical examinations, biological monitoring, or medical tests) of employees by an occupational health practitioner or, in prescribed cases, by an occupational medicine practitioner   |
| <b>Method Statement</b>                | Is a written document detailing work procedures and sequences of operations  |

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| <b>Organisation</b>   | May be defined as a group of individuals (large or small) that is cooperating under the direction of executive leadership in accomplishment of certain common objects   |
| <b>Permit to work</b>   | Means a written declaration on the permit to work form, signed by the appointed person and issued to the responsible person in charge of the work, informing the latter that the plant to be worked on has been isolated as detailed.   |
| <b>Planned Task Observation</b>                                     | Is an independent observation made during the planned period in which the task is being executed.   |
| <b>Pre-Task Risk Assessment/ Daily Safe Task Instruction (DSTI)</b> | A meeting which is held prior to the commencement of the day's work with all relevant personnel associated with the work task in attendance.  |
| <b>Principal contractor</b>   | (In the text of this document) Means an employer, as defined in section 1 of the OHS Act, who intends to tender for or has signed a contract with Eskom for services rendered.  |
| <b>Responsible Manager</b>  | Is a Manager of a department, section or operating/business unit who has been appointed as part of the Eskom delegation of authority process with the aim to assist the applicable 16(2) assigned person in executing his/her duties in terms of the Occupational Health and Safety Act |
| <b>Risk</b>   | The probability that injury or damage will occur.   |
| <b>Risk assessment</b>  | (OHS Act) means a programme to determine any risk associated with any hazard at a construction site in order to identify the steps needed to be taken to remove, reduce, or control such hazard.  |
| <b>Safe Work Procedures</b>   | Safe work procedures are a series of specific steps that guide a worker through a task from start to finish in a chronological order. Safe work procedures are designed to reduce the risk by minimizing potential exposure.  |
| <b>Service provider</b>   | Any private person or legal entity that provides any service(s) to Eskom for compensation   |
| <b>The Act</b>  | (OHS Act) means the Occupational Health and Safety Act No. 85 of 1993, as amended, and the Regulations thereto  |

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| <b>The Designer</b> | Means any of the following persons:<br>A competent person who: <ul style="list-style-type: none"> <li>• Prepares a design</li> <li>• Checks and approves a design</li> <li>• Arranges for any person at work under his/her control to prepare a design, including an employee of that person where he or she is the employer, or designs temporary work, including its components,</li> <li>• Is an architect or engineer contributing to, or having overall responsibility for, the design</li> <li>• A Building services engineer designing details for fixed plant</li> <li>• A Surveyor specifying articles or drawing up specifications</li> </ul> A Contractor carrying out design work as part of a design and building project, or an interior designer, shop-fitter or landscape architect. |
| <b>Visitor</b>      | Any person visiting a workplace with the knowledge of, or under the supervision of, an employer.   |

## 2.4 Abbreviations

| Abbreviation | Explanation   |
|--------------|---|
| CESA         | Consulting Engineers South Africa   |
| CHSA         | Construction Health and Safety Agent  |
| COID Act     | Compensation for Occupational Injuries and Diseases Act                     |
| CR           | Construction Regulations 2014   |
| DSTI         | Daily Safety Task Instruction   |
| ECSA         | Engineering Council of South Africa   |
| GSR          | General Safety Regulations  |
| OHS Act      | Occupational Health and Safety Act No. 83 of 1993                           |
| OHS          | Occupational Health and Safety  |
| PEC          | Professional Engineering Certificates                                       |
| PPE          | Personal Protective Equipment   |
| SACPCMP      | South African Council for the Project & Construction Management Professions |
| SHE          | Safety, Health and Environment  |
| SOC          | State Owned Company   |

## 2.5 Roles and Responsibilities

### 2.5.1 Client Details: Details, Accountabilities and Responsibilities

#### 2.5.1.1 Eskom General Manager:

The General Manager is responsible for the overall management of the project, including assurance that all duties of the employer as per OHS Act 85 of 1993 are properly discharged.

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#### **2.5.1.2 Eskom Contract Manager:**

The discipline/contract manager is responsible for managing the contract with the Service Provider and ensures that the OHS specifications are developed and issued with tender enquiries and that the Service Provider's OHS plan is approved prior to commencement of work. He must ensure that all the statutory requirements, Eskom and OHS specification and OHS plan requirements are adhered to by the Service Provider.

#### **2.5.1.3 Eskom Health and Safety Manager/ Practitioner:**

The responsibility of the Health and Safety Manager/Practitioner is to provide assurance, as well as advice, assist and support to the discipline /Contract Manager in the management of the health and safety issues on the project. The HS Manager/Practitioner will also be responsible for assisting in the development of site and project specific OHS Specifications, and ensuring that OHS specification are issued with enquiry documents and that the Service Provider's OHS plans are submitted; evaluated and approved. She/he will be responsible for auditing and ensuring compliance to legal requirements.

#### **2.5.2 Service Provider: Details, Accountabilities and Responsibilities**

The Service Provider carries primary accountability and responsibility for the health and safety of his/her employees within his/her working area, as contemplated by Section 37(2) of the OHS Act No. 85 of 1993 and Regulations. None of the additional safety requirements specified by the Client reduces the Service Provider's accountability and responsibility for the health and safety of his employees within his working area.

The Service Provider shall have a disciplinary process and an organisational structured procedure to deal with employees who have transgressed organisational and legal requirements.

The Service Provider shall provide a list of names and contact telephone numbers of all his employees on site. This list shall be updated as and when new employees commence on site.

The Service Provider shall keep a record of all employees, including date of induction, relevant skills and licenses, and be able to produce this list at the request of the relevant officials. These records shall be filed in the OHS File.

Every employee must undergo site induction provided by the Client before commencement of the contracted work. Only once this induction has been received, will each employee receive a site access permit.

Employees are responsible for their own health and safety and that of their co-workers in their respective areas of work on the project.

**Employees must be made aware of their responsibilities during induction and awareness sessions some of which are:**

- Familiarising themselves with their workplaces and health and safety procedures;

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- Working in a manner that does not endanger them or cause harm to others;
- Keeping their work area tidy;
- Reporting all incidents/accidents and near misses;
- Protecting fellow workers from injury;
- Reporting unsafe acts and unsafe conditions;
- Reporting any situation that may become dangerous;
- Carrying out lawful orders and obeying health and safety rules;
- Declaring to the employer if taking medication which may have intoxicating effects.
- If an employee has a reasonable belief that the work to be undertaken is likely to endanger him/her or any other person/s due to sub-standard acts or conditions, inadequate precautions or a lack of protective equipment or clothing, he/She has the right to refuse to work and shall report such situation to the employer.
- An employee does have the right not to work in any area or perform any task where that employee has reasonable justification to believe that the work situation presents a serious danger to his/her health and safety, organizational assets or the environment.
- It must be highlighted to all employees, that anyone who becomes aware of any person disregarding a health & safety notice, instruction or regulation shall immediately report this to the person concerned. If the person persists, stop the person from working and report the matter to the Eskom Site/Project Manager immediately.

The Service Provider appointed personnel shall be registered in their respective levels as professionals in terms of the legislative requirements (SACPCMP).

OHS professionals (which include Safety Officers) are required to register as professionals with the SACPCMP.

#### **2.5.2.1 Health and Safety Manager or Officer/s**

The Service Provider shall appoint a Health and Safety Manager/Officer considering the nature and the scope of work being performed in accordance with the requirement of CR 8 (5 & 6). The Health and Safety Officer shall be registered with the SACPCMP and have a minimum qualification of a National Diploma in Safety/Environmental.

### **2.6 Process for Monitoring**

#### **2.6.1 Revision Period**

All QMS Documents shall undergo a 3-yearly compulsory revision.

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## 2.6.2 Training

No project specific training required to implement the process documented in this document beyond normal job function.

## 2.7 Related/Supporting Documents

Eskom OHS Act section 37(2) agreement to be signed at procurement during the signing of the NEC contract, it is the responsibility of the project manager to ensure that the 37(2) agreement is signed and a copy be kept in the Service Provider's file at procurement.

## 3. Specification

### 3.1 Scope of work

**Location:** Medupi Power Station Project, Lephalale, Limpopo Province.

**Project description/detailed scope of work:** Medupi Power Station Project is a coal-fired power station and a National Key Point situated near Lephalale in Limpopo Province. The project is a construction site for a coal-fired power station with six units, which will generate a total capacity of 4800MW of electricity. All six units are in commercial operation and the focus is on completion of Balance of Plant works/activities. The scope of work is Medupi Power Station on-site overall project management services for Construction Management; Construction Support services; Project Controls and Employers Representative department; Documentation Management; Facilities Department; Internal and External Stability (PERM office); Contracts Management; Risk and Assurance.

### 3.2 Legal and Other Requirements

The Client expects the Service Provider to engage in safety culture initiatives in line with the Eskom SHEQ Policy and value, Zero Harm.

It is required that the Service Provider comply with the relevant applicable legislation, specifications and standards in accordance with the scope of the project. (I.e. Occupational Health and Safety Act 1993 (Act 85 of 1993) and its regulations; Compensation for Occupational Injuries and Diseases Act; and other applicable South African legislation).

This project will abide by applicable legislative requirements and be aligned to Eskom SHEQ Policies, standards and procedures.

The Service Provider, at all times, considers itself to be the "employer" for the purposes of the OHS Act, and shall not consider itself under the supervision or management of the Client regarding compliance with the OHS requirements.

The Service Provider shall furthermore not consider itself to be a subordinate or under supervision of the Client in respect of these matter. The Service Provider is at all times

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responsible for the supervision of its employees and assumes full responsibility and accountability for ensuring they are competent, aware of the OHS requirements and execute the works in accordance with the OHS requirements and legislative requirements.

The Service Provider must implement their OHS management system and requirements and incorporate the applicable Eskom requirements into their system.

The Service Provider shall ensure that all statutory appointments and appointments required by the management system are in place, and that all appointees fully understand their responsibilities and are trained and competent to execute their duties. The Service Provider supervises the execution of their duties by all such appointees.

It is the duty of the Service Provider to ensure that they are familiar with the necessary OHS legislation required.

All Service Providers shall, before commencement of the project ensure that all their employees are familiar with the relevant Eskom Medupi Power Station Project SHE documentation that is applicable to contract services.

**When there is an amendment to the Acts and/or to the Regulations, the OHS plan must be reviewed, updated accordingly and send through to the client. Changes must be communicated to all relevant employees.**

### 3.2.1 Section 37(2) (Legal) Agreement

A section 37(2) agreement must be signed between the Client and the Service Provider at the time of awarding the contract. A signed copy of this agreement is submitted to the Client prior to commencement of any activity on site. The Service Provider must ensure that a section 37(2) agreement is signed between them and all their appointed service providers/suppliers for the contract.

Copies of all agreements must form part of the Service provider's OHS file.

### 3.2.2 Hazardous work by children (Child Labour)

The constitution of the Republic of South Africa, in the "Bill of Rights" is clear on the rights of children, especially when it comes to:

17. *being protected from exploitative labour practices;*
18. *not to be required or permitted to perform work or provide services that*
  - i. are inappropriate for a person of that child's age; or*
  - ii. place at risk the child's well-being, education, physical or mental health or spiritual, moral or social development and the Basic Conditions of Employment Act, Chapter six Section 43 "Prohibition of employment of children".*

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Before resorting to the use of child labour, due consideration must be given to the rights of the child in terms of the constitution. Where work is being performed which is not prohibited in terms of the constitution, then such work must be conducted in terms of the OHS Act "Regulations on Hazardous Work by Children in South Africa" with emphasis on paragraph 2 Purpose and Interpretation. Eskom does not condone the use of child labour and therefore all effort must be exercised and child labour should not be used.

### **3.2.3 OHS Act**

The Service Provider and all its appointed suppliers shall have an up to date copy of the OHS Act and regulations which will be available to all employees.

### **3.2.4 Legislative compliance**

All Service Providers will comply with all the legislation pertaining to this contract being:

- The Constitution of the Republic of South Africa (particularly Section 24 of the Bill of Rights);
- Occupational Health and Safety Act 1993 (Act 85 of 1993) and its Regulations;
- Compensation for Occupational Injuries and Diseases Act 130 of 1993 (COIDA);
- National Environmental Management Act 107 of 1998;
- National Road Traffic Act 93 of 1996.

### **3.2.5 SHEQ policy/Occupational Health and Safety Policy**

A SHEQ/OHS policy is a statement of intent and a commitment by the organisation's CE and senior management in relation to the relevant SHEQ/OHS roles and responsibilities, the achievement of their strategic objectives, values of integrity, customer satisfaction, excellence, and innovation.

The Service Provider and all its appointed suppliers, if already not in place, will be required to compile an organisational SHEQ/OHS policy in line with their SHEQ/OHS responsibilities, that clearly states overall SHEQ/OHS objectives and commitment to improving Safety and Health of its employees. The Policy should outline the arrangements for carrying out and reviewing that policy. The policy must be signed by the organisation's CE or the appointed assistant to the CE OHS Act Section 16(2). The policy must be displayed in a prominent place within the workplace. A copy of the policy must be filed in the Service Provider SHE files and attached as an annexure in the SHE Plan.

Eskom has a SHEQ Policy (32-727) that clearly states the policy principles by which Eskom operates and the commitment to SHEQ excellence and is authorised by the Chief Executive.

Service Providers shall support Eskom SHEQ policy.

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### 3.2.6 COID

The Service Provider shall be registered with an appropriate employment compensation commissioner and submit proof of a valid registration through a certificate of good standing in terms of the Compensation for occupational Injuries and Diseases Act, (COID Act), 130 of 1993 and that all payments due to the Commissioner are discharged. This cover shall remain in force during the contract and shall be the responsibility of the Service Provider to ensure validity. The Letter of Good Standing (LoGS) shall reflect the name of the Service Provider. A copy of the LoGS must be filed in the Service Provider SHE files.

### 3.2.7 Annexure B: Eskom SHE Rules and Requirements

Annexure B is the acknowledgement of Eskom's SHE rules and requirements form signed and submitted by the Consultant.

### 3.2.8 SHE Induction and Access to site

All the employees of the Service Provider must attend an Eskom SHEQ induction course provided by the Client before commencement of the contracted work or before they will be allowed to work on the Site. It is the responsibility of the Service Provider to ensure that all employees have attended the safety induction. Service Provider shall further develop and train all its employees on company specific SHEQ induction. Proof of yearly induction should be easily identifiable/available at all times.

Only once this induction has been received, will each employee receive a site access permit.

### 3.2.9 Commitment

Visible and felt commitment is essential in providing a healthy and safe work environment. Management, employees, service providers and contractors at all levels must demonstrate their commitment by being proactively involved in the day to day operations, in particular OHS aspects of Medupi Power Station Project. Legislation requires that each employee must take reasonable care of themselves and their fellow workers. Senior Management must provide strategic direction and demonstrate commitment in terms of OHS issues both on strategic level and operational level.

## 3.3 Substance Abuse

1. Alcohol and substance abuse poses a significant threat to any business, more so in industrial incidents and the driving of vehicles. Eskom is therefore, entitled to take reasonable steps to ensure that intoxicated persons are identified and prevented from entering Eskom Medupi Power Station;
2. General Safety Regulation 2A is clear on the legal stance regarding intoxication;
3. **The alcohol and drug permissible level is 0%;**
4. All Service Provider shall comply with Eskom's procedure 32-37 ("Substance Abuse Procedure"), taking in to account that this is an Eskom Life-saving Rule number 4: BE SOBER"), this means anyone entering the Eskom Medupi Power Station will be subjected to ad hoc alcohol testing.;

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5. Service Providers are encouraged to compile their own manual and to carry out regular alcohol testing of their own employees. The legislative alcohol level is deemed to be zero;
6. Test records must be treated as “Confidential” and filed in the employees’ personal file.

### **3.4 Occupational Health, Hygiene and Rehabilitation**

All Service Providers are required to develop an Occupational Health, Hygiene and Rehabilitation program. The program is intended to ensure that the risks to health are identified and controlled.

#### **3.4.1 Medicals Surveillance Programme**

**Note:** Eskom Medupi Power Station Project will only accept medical surveillances conducted by an Occupational Health Practitioner who holds a qualification in occupational health.

1. Service Provider must ensure that their employees and their appointed suppliers employees have a medical surveillance program whereby their employees undergo entry, periodic and exit medical fitness examinations. Before any employee can start work on site, Service Provider must ensure that all employees are in possession of a valid medical fitness certificate, completed in South Africa. The certificate of fitness should be relevant to the type of work (risk based) that the employees will be exposed to;
2. In order for the appropriate medical examinations to be conducted, each employee must have a man/person job specification, which must indicate the description of work, list of hazards and potential occupational exposure limits, physical hazards and required physical attributes;
3. Medical fitness certificates shall be renewed annually for employees who are working on site. This shall be maintained until completion of the contract;
4. The Service Provider must ensure that his / her employees and appointed suppliers employees have undergone pre-entry medical examination before starting work on the contract;
5. The Service Provider shall provide a documented process for managing those employees who are issued with a conditional certificate of fitness;
6. Upon completion or as and when employees’ leave the project, an exit medical examination must be done for all employees involved in the project.

### **3.5 Health Pandemics and Disaster Management**

The Service Provider shall ensure proper management and control of any disaster and/or pandemics that may come forth during the course of the contract.

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The Service Provider shall ensure compliance to all COVID-19 regulations and requirements. A COVID-19 Management plan and risk assessment should be conducted and appropriate measures taken to minimise exposure to COVID-19. Any new developments regarding COVID-19 and latest updates should be communicated to the employees and visitors to raise awareness.

### 3.6 Emergency Management

The art of emergency preparedness and response is to minimise the effects of any emergency and to restore normal activities as soon as practical. Periodic emergency drills must be undertaken to test the effectiveness of the plan. This must be recorded and provided on request.

The Service Provider shall develop emergency procedure in line with Eskom Medupi Emergency Protocols. Service Provider shall further ensure that Emergency response service is available at all times to attend to any emergency cases that may arise during the duration of the contract.

The Service Provider shall be responsible to familiarise himself with local municipal disaster management portfolios.

A list of emergency numbers must be displayed at notice boards and public areas for ease of access to all employees and visitors. The Service Provider shall ensure that his employees are familiar with the emergency numbers. Emergency numbers will also be part of the OHS induction.

Service Provider shall have one first aid box for the first five (5) persons and thereafter one for every 50 or team of workers on site or part thereof. There should be a trained and appointed person to render first aid service when required. The first aider(s) shall be in possession of a first aid level two (2) training as minimum requirement as per Eskom Emergency planning procedure 32-123.

More first aid boxes shall be provided if the risks, distance between work teams or workplace requirements require it (it should be available and accessible for the treatment of injured persons at that workplace).

Minimum contents of a first aid box: (Refer to GSR 3 Annexure of the OHS Act)

A prominent notice or sign shall be erected in a conspicuous place at a workplace (SANS1186 approved signs to indicate location of first aid boxes), indicating where the first aid box or boxes are kept as well as the name and contact details of the First Aider of such first aid box or boxes.

The Service Provider shall ensure that alternative arrangements shall be made for possible incidents occurring after normal working hours.

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### 3.7 Appointments, Competency and Training

The Service Provider is required to compile their company organogram for the contract, with a proposed OHS resource plan, highlighting the reporting structure from their Senior Management down to their project employees. For each position, stipulate the position titles, qualifications and competencies. This diagram must be kept up to date, a copy of which must be given to the client and copy filled in the relevant project SHE files.

For the duration of the contract, the Service Provider and all its appointed suppliers shall appoint in writing competent employees who will meet the requirements of the OHS Act and its regulations; and or other statutory requirement. Where appointments are made, Service Providers shall ensure that the appointees have been suitably trained and or informed of their accountabilities and responsibilities before getting them to accept such appointment. The relevant statutory appointments shall be made in accordance with the requirements of the OHS Act which includes the requirement of a competent person being appointed in the relevant roles.

The Service Provider need to ensure that the resources to work on the project have the required related training, knowledge and experience specific to the scope of work/services.

#### The appointments to include, but not limited to the following:

- First aider (GSR 3);
- Health and safety representatives (OHSA section 17);
- Health and safety committee(s) (OHSA section 19);
- Incident/Accident investigator (GAR 9(2));
- Person to compile risk assessment (CR 9(1));
- Section 16(2) appointment;
- Health and safety officer (CR 8(5));
- Fire Fighter;
- Evacuation Warden.

### 3.8 Eskom Life Saving Rules

Five Life Saving rules have been developed that will apply to all Eskom Employees, agents, consultants, contractors, service providers, suppliers and visitors. Failure to adhere to these rules will be considered a serious transgression. These rules are being implemented to prevent serious injury or death of any employee, labour broker or contractor working in any area within Eskom.

Eskom Life-saving Rules are non-negotiable health and safety rules which must not be broken under any circumstances. It must be highlighted that Eskom takes a ZERO TOLERANCE stance to violation of these rules. These rules are applicable to any person entering Eskom sites.

#### The rules are as follows:

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| <b>Rule 1</b> | <p><b>OPEN, ISOLATE, TEST, EARTH, BOND AND/OR INSULATE BEFORE TOUCH</b></p> <p>Any person who performs work on an electrical installation shall ensure that it is isolated, tested and earthed before starting any work. (That is, any plant operating above 1000 V)</p> <p>No person may work on any electrical network unless:</p> <ul style="list-style-type: none"> <li>• He / she is trained and authorised as competent for the task to be done.</li> <li>• A pre-task risk assessment to identify all risks and hazards must be conducted prior to any work commencing.</li> <li>• An equi-potential zone is created for each worker on the job site by earthing, bonding and/or insulating according to approved divisional procedures.</li> <li>• All conducting material is connected together, all staff onsite wear electrical safety shoes and insulating techniques are applied according to standards.</li> <li>• The authorised person (Team leader) has certified and shown all team members that the apparatus is safe to work on. He / she is trained and authorised as competent.</li> </ul> |
| <b>Rule 2</b> | <p><b>HOOK UP AT HEIGHTS</b></p> <p>Working at Height is defined as any work performed above a stable work surface or where a person puts himself/herself in a position where he/she exposes himself/herself to a fall from or into. A pre-task risk assessment to identify all risks and hazards must be conducted prior to any work at height commencing.</p>  |
| <b>Rule 3</b> | <p><b>BUCKLE UP</b></p> <p>Seatbelts shall be used at all times whilst driving. No person may drive any vehicle on Eskom business and/or on Eskom premises: Unless the driver and all passengers are wearing seat belts.</p>   |
| <b>Rule 4</b> | <p><b>BE SOBER</b></p> <p>No person is allowed to be under the influence of intoxicating liquor or drugs while on duty.</p> <p>Under-the-influence' means the use of alcohol, drugs and /or a controlled substance to the extent that:</p> <ul style="list-style-type: none"> <li>• the individual's faculties are in any way impaired by the consumption or use of the substances or;</li> <li>• the individual is unable to perform in a safe, productive manner or;</li> <li>• the individual has a level of any such substance in his body that corresponds with or exceeds accepted medical/legal standards or;</li> <li>• the individual has a level of alcohol in his body that is greater than 0,00 % blood alcohol concentration.</li> <li>• Any level of an illegal substance in the body' irrespective of when the substance was used</li> </ul>  |

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| <b>Rule 5</b> | <b>PERMIT TO WORK</b><br>Where an authorisation limitation exists, no person shall work without the required Permit to Work (PTW). <ul style="list-style-type: none"> <li>• Work is as defined in the Plant Safety Regulations (OHS) and Operating Regulations for High Voltage Systems (ORHVS) of Eskom.</li> <li>• A Risk Assessment must be carried out jointly by the Authorised (AP) and Responsible Person (RP) on all work before it commences.</li> <li>• The PTW must be issued by an AP, in accordance with the PSR.</li> <li>• The PTW must be accepted in writing by an authorised RP.</li> <li>• The PTW shall be shown to everyone working on the job and the risks explained.</li> <li>• The RP must ensure that all staff working on that job are entered on a Workers' Register and the risks explained to each one.</li> <li>• The RP must ensure that the conditions of the PTW are enforced for the duration of the work.</li> </ul> |
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### 3.9 Cost allocation for OHS Compliance

The Service Provider shall ensure that the submitted tender adequately made provision for the cost of Occupational Health and Safety measures.

**Note:** the costing for OHS must be detailed (that is itemised) based on the overall scope of the project (i.e.) Medical surveillance (Medicals), Training, provision of PPE, COVID-19 compliance, safety equipment purchases, resources, etc.

### 3.10 Health and safety file

The Service Provider shall compile a Health and Safety (HS) file as per Eskom Medupi safety file requirements. The Service Provider shall also ensure that the health and safety file; which shall include all documentation required in terms of the provisions of the Act and its Regulations; is opened and kept on site and made available to an inspector, client or client agents upon request.

The Service Provider at the end of the project shall submit health and Safety file to the Client (hard copy file and also in soft copies format).

### 3.11 Service Provider Health and Safety (HS) Plan

The Service Provider shall provide and demonstrate to the Client a suitable and sufficiently documented health and safety plan, based on the Client's health and safety specification contemplated in construction regulation 5(1)(b) provided by the client.

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All Service Providers must use the applicable OHS information to develop a suitable and sufficient OHS plan, submitted with tender documents, which will indicate to the Client/Agent the level of compliance to the OHS requirements. The OHS plan shall identify each activity to be undertaken by the Service Provider, the foreseeable internal and external hazards, the specific precautions and controls that shall be necessary to ensure that the works proceeds safely and without risks to health or adjacent operations.

Upon discussions with the Service Provider, a final accepted OHS plan shall be signed and approved.

The plan shall demonstrate management's commitment to OHS.

The safety plan shall be reviewed to ensure that it fully addresses all the issues and complies with the requirements of the OHS Specifications and contract. If necessary, the Service Provider shall amend the OHS Plan as required by the Client.

### **Compliance and Approval of Service Provider's OHS Plan**

The Service Provider's OHS Plan will be audited against a compliance checklist to confirm compliance to the requirements in the Eskom OHS specifications. Once compliance is confirmed, only then will the Service Provider OHS plan be approved by the Client. Prior arrangement must be made with Team Medupi Health and Safety department for review and approval.

The implementation of the OHS Plan shall be assessed by conducting systems and physical conditions evaluation.

### **3.12 Hazard Identification and Risk Assessments (HIRA)**

It is a legal requirement in terms of Section 8 (2)(d) of the OHS Act for an employer to continuously carry out risk assessments, to establish which risks and hazards to the health and safety of persons are attached to any work which is performed, any article or substance which is, handled, stored, transported. The Service Provider shall prepare and provide to the Client a Baseline Risk Assessment as well as activity based RA for an intended work.

A risk assessment is defined as an identification of the hazards present in an organisation and an estimate of the extent of the risks involved, taking into account whatever precautions are already being taken. It is essentially a three stage process:

- identification of all hazards;
- evaluation of the risks;
- measures to control the risks.

Risk assessments are required to be maintained. This means that significant changes to a process or activity, or any new process or activity should be subjected to a risk assessment and that if new hazards come to light during the work process, then these should also be subjected to risk assessments. Risk assessments for long term processes should be periodically reviewed and updated. Method statements or written safe work procedures are an effective method as information and record of the way jobs / tasks must be performed. Prior

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to start of work, risk assessments on every job / task are ideal to allow managers and employees to assess any inherent risks that could have been overlooked during the initial risk assessment or any changes that might have occurred in a period of absence. In particular, if a job / task is extended over a day or halted due to inclement weather.

### **3.13 Safe Work Procedures and Practices /Safe Operating**

There must be written safe work procedures for all activities, the safe work procedures must be aligned with the risk assessments.

### **3.14 Personal Protective Equipment Requirements**

In terms of Section 8 of the OHS Act, the duty of the employer is to take steps to eliminate or mitigate (hierarchy of control measures) any hazard or potential hazard to the safety or health of employees before resorting to PPE.

The Service Provider shall ensure that his employees understand why the personal protective equipment is necessary and that they use them correctly. Training should be provided to employees on the use, care, replacement and limitation of the provided PPE. Records of training to be kept and made available to the Client or inspector upon request.

Strict non-compliance measures must be administered to any employee not complying with the use of PPE and that employee shall be removed from the Site.

1. The Service Provider must provide a detailed programme that includes the issuing, maintenance and replacement of PPE for all his employees and appointed Suppliers on site;
2. All Service Providers shall comply with the requirements of GSR 2 of the OHS Act;
3. The risk based PPE matrix must be compiled detailing the types of PPE that is required to be issued to employees performing the respective tasks;
4. Where there are unusual instances where particular activities require additional type of PPE, then a risk assessment must be conducted where such PPE requirements will be identified and the issuing be carried out;
5. All Service Providers shall ensure that their visitors wear and use the correct PPE whilst on worksites;
6. Where PPE is required and visitors are not in possession of, then it is the individual Service Provider's responsibility to provide the PPE;
7. All PPE purchased and used by all Service Providers employees including visitors must comply with the relevant SANS standards.

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Service Provider's employees on site, including visitors, shall use SANS approved risk based PPE at all times, as a minimum:

- Head protection hard hat (with chin straps);
- Steel toe capped safety boots;
- Eye protection. Wearing of impact Safety Spectacles with side shields. Prescription glasses must comply with the same standard or cover impact safety spectacles must be worn over them;
- Long sleeved and long pants protective clothing;
- High visibility vests;
- Dust mask and/or Cloth masks;
- Refer to General Safety Regulation 2 of the OHS Act.

**Note: Certain areas will be subjected to specific/extra PPE requirement.**

### **3.15 Incident Investigation**

All incidents shall be investigated in terms of OHS Act General Administrative Regulations 8 and 9, using Eskom Procedure 32-95 as a reference, and where injuries as contemplated in sections 24 and 25 have been sustained, be reported to the Department of Labour.

Service Providers shall use the standard General Administrative Regulation Annexure 1 "Recording of an Incident" form for all incident investigation reports. The objective of incident investigation, should not only be a legal requirement, but should establish why and how the incident occurred and find out the real root cause of the incident and to decide on precautionary measures that are required to address the root cause to prevent any further recurrences of the same or similar incidents.

The Service Provider shall report all incidents/accidents as required in terms of the legislation.

### **3.16 Behavioural Based Safety Observation (BBSO)/Visible Felt Leadership (VFL)**

The objective of behavioural safety observations is to assess and address the actual safe and unsafe behaviours of people in the workplace; as well as workplace conditions - which are caused by the actions or non-actions of employees, Service Providers or their personnel. (Refer to Eskom Behavioural Safety Observations procedure 32-407).

### **3.17 Employees' Right of Refusal to Work in an Unsafe Situation**

Employees have a duty to take reasonable care of their own as well as other person's health and safety at work and to cooperate with the employer, carry out lawful orders, including reporting unsafe situations and incidents.

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Refer to Eskom Procedure 240-43848327- Employees' right of refusal to work in an unsafe situation. The aim of the procedure is to ensure that an environment is created that promotes zero harm by empowering employees and Service Providers to take responsibility for their own safety and that of others.

### **3.18 OHS Audits**

During the course of this contract, the Service Provider shall be subjected to scheduled or monthly audits by the client to monitor compliance.

Eskom reserves the right to monitor and conduct unannounced audits to ensure compliance and provide assurance to the Client representatives and their key stakeholders.

### **3.19 OHS Performance Status Reports**

The Service Provider shall provide OHS statistical and Non-statistical reports, dashboards, presentations as per the Client requirements on weekly and monthly basis.

### **3.20 Service Provider OHS Performance Evaluation**

Eskom shall evaluate Service Provider's OHS performance on an on-going basis against the Eskom requirements.

A post-contract review evaluation will be conducted and will be supported by the objective evidence documented during the term of the contract.

The following criteria (but not limited to) shall be considered for the review:

- Accident and injury data for the contract;
- OHS non-conformances;
- Duration and effectiveness in addressing and closing out OHS deficiencies/corrective actions;
- Legal compliance with OHS requirements;
- Number of behavioural safety observations conducted by the managerial and supervisory employees;
- Close-out of Incident Investigations;
- No. of staff members (incl. subcontractors and suppliers) who contravened the Eskom Lifesaving rules;
- Prohibition and contravention notices issued by Department of Labour/Dept. of Mineral Resources notices, Department of Environmental affairs etc;
- Contributions and effort made to improve OHS performance;
- Service Provider /Supplier total number of incidents:
  - Fatalities;
  - Lost-time injuries;

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- Reportable incidents (Department of Labour/Department of Mineral Resources/Department Environmental affairs).

### 3.21 Non-Conformance and Compliance

The Service Provider shall submit their procedure on how they would deal with enforcement and non-compliance to OHS requirements, taking into account the following:

- Service Provider shall implement a non-conformance procedure detailing how compliance will be enforced and how non-compliance/non-conformances will be handled;
- Any non-compliance to any health and safety requirement in this OHS specification is subject to disciplinary process;
- Service Provider's management team shall put in place measures to monitor close-out of non-conformances issued;
- Failure to provide adequate PPE to employees or to enforce wearing of such PPE by employees shall be regarded as transgression of the legislative and Eskom requirements.

As legislation forms part of any country's legal system, the Client requires all of its Service Providers to comply with legislation as part of the contract. All expenses to the Service Provider, which result from compliance with this legislation as well as special requirements specific to the site, will be for the Service Provider's account.

The requirements within this specification should not be considered to be exhaustive and the Client reserves the right to add, delete or modify conditions where it is considered to be appropriate in the interest of Health and safety or in the event that legislation require to do so.

**No claim will be accepted as a result of any costs or delays being incurred due to the Service Provider not complying with legislation, applicable Eskom Procedures and Standards.**

### 3.22 Private Vehicles and on-site driving Rules

All vehicles required to enter on site will only be allowed on site, once a permit application has been made and approved.

- Privately owned vehicles will be limited on site;
- Drive professionally;
- Keep to the speed limits (taking weather conditions into consideration);
- Reverse parking is mandatory;
- Drive with your head lights switched on;
- Obey road signs and all safety signs;
- Always wear your seatbelt;
- Drive 10 km/h in all parking areas;
- Refrain from talking on cell phones or two way radios whilst driving;
- Eskom reserves the right to search any vehicle on the premises or when entering or leaving the premises.

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Ensure that all drivers and passengers wear seatbelts, while travelling in a motor vehicle. Vehicles not fitted with seatbelts must be retrofitted according to the vehicle manufacturer's specifications.

Ensure that no employees, including Service Provider employees, when performing work for Eskom, will be transported in the back of open vehicles. This applies both on and off-site.

### **3.23 Work Stoppage**

The aim of the section is to outline the conditions under which work will be stopped and the process to be followed to ensure that the worksite is rendered safe.

The temporary stoppage of an service/activity/task may be due to Health and Safety concerns, including the following circumstances which shall not warrant any financial compensation:

- Ad hoc safety intervention by Client/Eskom management: All work of a similar nature may be stopped as the result of an occurrence of a serious incident. The relevant Service Provider/Supplier shall be required to comply with, and/or verify, the conditions stipulated in the work stoppage instruction pack;
- Ad hoc safety intervention by any person, especially SHE functionaries, may be due to unsafe work or unsafe behaviour by the Service Provider. The conditions that gave rise to the work stoppage will determine the corrective measures to be taken urgently to protect the health and safety of employees and protect the environment and plant or equipment, etc.

**The process to be followed is:**

- The relevant activity must be stopped;
- The Eskom Contracts/Project Manager and/or Service Provider shall immediately remove the workforce from the work area and correct the health and safety deficiencies by allowing only the people in the area that are competent to make the area safe;
- The Service Provider shall ensure that no other work is being performed during this time. Should the estimated time from the outset to make the area safe where life threatening/imminent danger situations exist, then the area will be barricaded and a sign placed with the wording "Unsafe Area – Authorized Access Only";
- The Eskom Contracts/Project Manager shall review the affected parts/sections of the SHE specification with the purpose of providing sufficient SHE information to the Service Provider;
- The Service Provider shall then revise the relevant sections in the SHE plan to accommodate the changes;
- The Eskom Contracts/Project Manager must ensure that the revised provisions in the SHE plan are adequate and must approve it before the work activity commences;
- Before the workforce is allowed back in the area, Service Provider shall ensure:
  - The area is re-inspected by Service Provider Supervisor and/or Safety Practitioner and note corrective actions taken;
  - Declare the area safe for work by signing off on the "work stoppage" notice issued by the Eskom Contracts/Project Manager.

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**NOTE:** *Work stoppages that are initiated due to SHE related incidents shall not warrant any financial compensation claim lodged against Eskom.*

### **3.24 Omissions of the OHS Specification**

By drawing up this OHS specification Eskom Medupi Power Station has endeavoured to address the most critical aspects relating to OHS issues in order to assist the Service Provider in adequately addressing the health and safety management of persons on site.

Should Eskom not have addressed all OHS aspects pertaining to the work that is tendered for, the Service Provider needs to include it in the OHS plan and inform Eskom of such issues when submitting the tender. The Service Provider needs to ensure that all applicable OHS requirements are identified and included in their management system.

### **3.25 Documentation and Records Management**

The Service Provider to establish and maintain a documentation and records management system where all project and scope OHS related documentation and records are kept and maintained.

The Client shall have access to this system.

### **3.26 Hours of Work**

All work conducted on site shall fall within the legal requirements in accordance with the Basic Conditions of Employment Act.

The Service Provider will notify their Eskom responsible manager/supervisor of any work that needs to be performed after hours according to the agreed arrangements. (The application needs to be submitted timeously). Where applicable, the notification should include proof of application, for overtime, to the Department of Employment and Labour and/or the letter of approval from the Department of Employment and Labour.

### **3.27 Project Close-out**

On completion of the project or service rendered, all appointed Service Providers shall close out their project documentation and OHS files and handover to the Eskom Project Manager. All required documentation shall be submitted and handed over using relevant medium as per the procedure (Project Closeout and H&S documentation, 348-9942695). A checklist shall accompany the submission to verify that all documents are submitted/or handed in to the client.

No invoice shall be processed before work done is accepted.

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## 4. Acceptance

This document has been seen and accepted by:

| <b>Name</b>   | <b>Designation</b>       |
|---------------|--------------------------|
| T Raudzingana | Contracts Manager        |
| B Mgidlana    | Quality Manager          |
| Z Shange      | General Manager (Acting) |

## 5. Revisions

| <b>Date</b>  | <b>Rev.</b> | <b>Compiler</b>       | <b>Remarks</b>   |
|--------------|-------------|-----------------------|--|
| October 2021 | 0           | Phathutshedzo Sumbana | First draft document - OHS specification.                              |
| October 2021 | 1           | Ntahli Molapo         | Document final review (documentation control and quality review done). |

## 6. Development Team

The following people were involved in the development of this document:

- Phathutshedzo Sumbana – Officer Safety Health and Environmental
- Ntahli Molapo – HS Manager

## 7. Acknowledgements

Numerous persons were consulted in an informal manner. They made valuable contributions to the content of this OHS Specification.

- Lungisani Xaba
- Mokgoba Kganakga

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## Appendix A– Eskom Document Hierarchy

|  |  |   |
|--|--|---|
| <b>Annexure A: SHEQ Policy</b><br><br>SHEQ Policy poster<br>32-727 rev 6.pdf                  | <b>Annexure B: Acknowledgement form for Eskom SHE Rules</b><br><br>Annexure B -<br>Acknowledgement of | <b>Annexure C: Health and Safety Requirements</b><br><br>Contractor Health<br>and Safety Req 32-13 |
| <b>Annexure D: Life Saving Rules Standard</b><br><br>Life Saving Rules<br>Standard 240-621962 |  |   |

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