

GOOD NEIGHBOR AGREEMENT BETWEEN
JOHNSON CONTROLS, WHITMORE LAKE AND
THE ECOLOGY CENTER OF ANN ARBOR

1. A Toxics Use Reduction Planning Program would be established for the facility equivalent to requirements under the Massachusetts Toxics Use Reduction Act (see attachment A). The program would include a comprehensive audit and reduction plan for all toxic chemicals used and waste byproducts generated, including the following elements: a) a statement of management policy; b) a statement of the plan's scope and objectives; c) a projection of future use and waste generation per unit of product, for each toxic chemical; d) a comprehensive analysis of the economic cost for the use of each toxic chemical; e) identification and evaluation of potential toxic use reduction techniques; f) an explanation of the techniques to be implemented; g) a schedule for implementation; h) 2-year and 5-year goals for the reduction of each toxic chemical.

In addition, development of the plan would include worker representatives in the planning process, as well as opportunities for employee involvement plant-wide.

Development of the facility toxic use reduction planning program would also include the input, review, and certification of an independent consultant, to be approved by the Ecology Center. (Such certification will indicate adequacy and completeness of the planning effort, not the sufficiency of reduction techniques implemented by the company.) The plan would be completed within one year from signature of this agreement.

A detailed summary of the plan, as well as annual progress reports, shall be provided to the Ecology Center and the citizen environmental committee (noted below), beginning with the completion of the plan and continuing for at least five years.

2. A complete phase-out of methylene chloride use at the facility would be carried out within 6 months from signature of this agreement. This phase-out would include advance notice to the Ecology Center of the methods and/or substitute chemicals to be used, and any waste byproducts (or emissions) associated with such methods/substitutes.

3. The Line 3 production unit at the facility would be converted to a high-pressure foam pouring system, and enclosure of pouring heads on both units. Such conversions would take place within six months from the date of this agreement, and would include advance notice to the Ecology Center of design plans, emission and waste reduction estimates, and costs.

4. Establishment of an Accident Prevention/Risk Management Plan for the facility meeting equivalent criteria to those contained under the New Jersey Toxic Catastrophe Prevention Act (see attachment B).

In addition, the plan would specifically address the need for an adequate community alert system. The plan would be completed within one year of this agreement. A detailed summary of the plan, as well as annual progress reports, shall be provided to the Ecology Center and the citizen environmental committee (noted below), beginning with the completion of the plan, and continuing for at least five years.

Further, the development of the plan would include worker representatives in the planning process, as well as opportunities for employee involvement plant-wide. Exercising of the plan would include, at minimum, annual evacuation drills for all workers at the plant, as well as a community exercise and public meeting to be held following completion of the first year's plan. The agenda for the public meeting would include issues raised by the citizen environmental committee (noted below), and such citizens would also have input into planning the community exercise.

5. The UAW's Hazardous Waste and Emergency Response safety and awareness training program would be provided for all employees, with additional training for those employees having specific emergency response or toxic use reduction planning duties. (See attachment C) The training would be provided at an agreeable date between the UAW and Johnson Controls within eight months of this agreement, and annually thereafter.

6. A Medical Screening program would be established that is equivalent to the program outlined by the University of Michigan's School of Public Health (see attachment D). This program would be consistent with guidelines contained in OSHA regulations. Examination results would be kept confidential or participating workers would be given medical removal protections as contained in the University of Michigan protocol.

Additional air monitoring would also be conducted in the plant for TDI and amines. The development of the medical screening and expanded air monitoring programs would include the participation of the health and safety committee at the plant, and would be implemented within one year of this agreement.

7. A Citizen Environmental Committee would be established for the plant consisting of an equal number of representatives from the community, workers, and management, with a minimum of nine members total. Community members would be chosen by the Ecology Center, and worker representatives would be selected by the union.

The citizen committee will be established within three months of this agreement, and will meet at least bi-monthly in the first year. The committee will review programs required in this agreement, and provide input into their implementation. The committee will also be provided with independent technical assistance, as needed. The committee and its technical advisors

will be able to conduct workplace inspections to verify agreed upon plans.

8. A workplace Health, Safety, and Environment Committee would be established consisting of an equal number of worker representatives and management, with a minimum of six members total. This committee will participate in program requirements contained in this agreement and will meet at least monthly on work time for not less than two hours.

9. Workers would have the right to refuse a work assignment that results in environmental hazards, including hazards to other workers. These incidents would be investigated by the workplace Health, Safety, and Environment Committee.