



CAO ASSESSMENT REPORT

**Regarding Concerns in Relation to
IFC's Investment in Eleme Fertilizer I and II (Projects #30967 and #40420) in Nigeria**

February 2019

Office of the Compliance Advisor Ombudsman
for
the International Finance Corporation and the
Multilateral Investment Guarantee Agency
www.cao-ombudsman.org

About CAO

The Office of the Compliance Advisor Ombudsman (CAO) is the independent accountability mechanism for the International Finance Corporation (IFC) and the Multilateral Investment Guarantee Agency (MIGA), the private sector arms of the World Bank Group. CAO reports directly to the President of the World Bank Group, and its mandate is to assist in addressing complaints from people affected by IFC/MIGA-supported projects in a manner that is fair, objective, and constructive, and to enhance the social and environmental outcomes of those projects.

For more information, see www.cao-ombudsman.org.

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LIST OF ACRONYMS

CAO	Office of the Compliance Advisor Ombudsman
IFC	International Finance Corporation
IEFCL	Indorama Eleme Fertilizer and Chemicals Ltd
NUPENG	National Union of Petroleum and Natural Gas
NUCFRLANMPE	National Union of Chemicals, Footwear, Rubber and Leather Employees

1. OVERVIEW

In April 2018, a complaint was lodged with CAO by 134 employees (the Complainants) of Indorama Eleme Fertilizer and Chemicals Ltd (IEFCL, “the Company”), an IFC client in Nigeria. The complaint raises concerns about low pay, discrimination, and excessive use of force against the Complainants during a peaceful protest. In May 2018, CAO determined that the complaint met its three eligibility criteria. During CAO’s assessment, there was no mutual agreement among the parties to engage in a CAO-facilitated dispute resolution process. In accordance with CAO’s Operational Guidelines, the complaint will be referred to CAO Compliance for appraisal of IFC’s performance.

2. BACKGROUND

2.1 The Projects

IFC has two active projects with IEFCL. According to IFC disclosures, project #30967 consists of the construction of a nitrogenous fertilizer complex at the existing Eleme Petrochemicals site in Port-Harcourt, Nigeria. The project includes an ammonia plant, a urea production plant, supporting boundary infrastructure, and an 84-kilometre gas pipeline from the gas supplier’s facilities. The US\$1.2 billion greenfield urea fertilizer plant (Line I) was completed in June 2016 with a capacity of 1.4 million metric tons per annum. IFC supported the construction of Line I with an A loan of \$150 million, B loans of \$75 million, and mobilization of an additional \$150 million from several other development finance institutions.

A second project, Project #40420, involves the expansion of the company’s existing fertilizer facility located in Port Harcourt. The project will double the capacity of the existing plant from 1.4 million tons per annum to 2.8 million tons per annum (Line II). The IFC investment in the project consists of (i) an IFC A loan of up to \$100 million; (ii) a loan of up to \$50 million from IFC acting in its capacity as the implementing entity for the Managed Co-Lending Portfolio Program (MCLPP); and (iii) a B loan and/or parallel loans of up to \$850 million.

2.2 The Complaint

In April 2018, CAO received a complaint from 134 IEFCL employees who claim their pay is below industry standards, and not commensurate to the work they do and the life-threatening work-related hazards they are exposed to.

Further, they raise concerns regarding discrimination between expatriates and Nigerian employees, specifically alleging that the expatriates’ salaries are much higher than that of the Nigerian employees, although they perform the same tasks.

The Complainants also claim to have been harmed by Nigerian military personnel allegedly ordered by IEFCL to disperse workers protesting for better pay on July 13, 2017.

The issues raised during CAO’s assessment of the complaint are described in more detail below.

3. ASSESSMENT SUMMARY

3.1 Methodology

The aim of the CAO assessment is to clarify the issues and concerns raised by the Complainants, gather information on the views of different stakeholders, and determine whether the Complainants and the IFC client would like to pursue a dispute resolution process facilitated by CAO, or whether the complaint should be referred to CAO's Compliance function for appraisal of IFC's performance (see Annex A for CAO's complaint-handling process).

In this case, CAO's assessment of the complaint included:

- a desk review of project documentation;
- telephone conversations and in-person meetings with the Complainants' representatives;
- an in-person meeting with 86 of the 134 Complainants;
- telephone conversations and an in-person meeting with the IFC client; and
- telephone and in person conversations with the IFC's project team.

This document summarizes the views heard by the CAO team, and describes next steps based on the parties' decision. This report does not make any judgment on the merits of the complaint.

3.2 Summary of Views

Complainants' perspective

The Complainants raised concerns regarding the following issues:

- a) Salaries/welfare: The Complainants claim that their pay is not commensurate to the work they do and the life-threatening work-related hazards they are exposed to. According to them, the average salary for junior staff is \$1.28 per hour, which they consider to be inadequate and below industry standard. They also explain that in August 2017, after the employees peacefully protested for better pay, IEFCL proposed a revised welfare package. Employees found the conditions of the package unacceptable and rejected it *en masse*. Further, In July 2018, IEFCL allegedly established a change in the grade system which includes job categories used to assign compensation rates and structures. According to the Complainants, the Company advertised the new grade system as being favorable to all Nigerian employees but in fact, they were downgraded in order to justify the salary disparity between them and their foreign counterparts performing the same job function. However, the actual job scope was not changed in order to align with the downgrade. In the same way they did in August 2017, the employees rejected the new grade system.

Further, the Complainants allege that an excess production bonus is available only to the expatriates, leaving out the Nigerian employees who work as hard.

- b) Discrimination: The Complainants raise concerns regarding discrimination between expatriates and Nigerian employees. They claim that the Company is breaching the "Local Content Laws"¹ because the number of expatriates they have on staff exceeds the number permitted by law. They also allege that expatriates are better treated than the Nigerian staff,

¹ See "Nigerian Oil & Gas Industry Content Development Act 2010", <https://www.ncdmb.gov.ng/images/GUIDELINES/NCACT.pdf>

in that they are better paid than the Nigerian employees for the same task and are offered better career and promotion opportunities, as well as better benefits.

- c) Unionization process: The Complainants indicate that pursuant to the Nigerian Constitution, they are free to decide whether they want to join a union and if they do, which union to join (as long as such union has jurisdiction over workers at IEFCL). They add that they are not willing to unionize at this point and that they would like to resolve their current issues of concern directly with IEFCL management before they unionize. They disagree with IEFCL management's position that it would be in their interest to unionize in order to have their issues addressed. They add that should they decide to join a union, they would only agree to join NUPENG (the National Union of Petroleum, Natural Gas), and not NUCFRLANMPE (the National Union of Chemicals, Footwear, Rubber and Leather Employees), which they allege is the union the Company is trying to impose on them.
- d) Harm and impacts from July 2017 security incident: The Complainants claim to have been brutalized by Nigerian military personnel allegedly ordered by IEFCL to disperse around 200 workers peacefully protesting over welfare and working conditions. According to the Complainants, employees decided to down-tool on July 12, 2017 since IEFCL management had failed to respond to their letter sent on July 10, 2017, whereby they demanded better welfare. On the day of the protest, IEFCL management allegedly asked them to choose one or two representatives who would meet with management. The employees maintained that they wanted to be addressed by management as a whole. While waiting for management to address them, they allegedly walked peacefully to the "bagged urea warehouse" where they spent the night on the floor of the warehouse, without interfering with the plant production. In the morning of July 13, 2017, the Complainants claim that IEFCL security, accompanied by Nigerian military and members of the Nigerian Police Force, who were armed, attacked the peaceful protesters with live ammunition, chemical spray, tear gas, and horse-whips, and eventually forced them to run to the Company entrance gate, which was over 100 meters away from the "bagged urea warehouse". Those that fell while running under gunshot sounds, tear gas shots, and horse-whips were dragged into a van and forced out of the premises. The Complainants claim that they sustained injuries as well as mental trauma as a result of the incident. They add that many mobile devices used to record the incident were seized and destroyed.
- e) Discipline and treatment of employees who complained to CAO and/or who criticize management: The Complainants indicated they had little trust in the Company's internal Grievance mechanism. In addition, they expressed concern over reprisal attacks for their complaints about work-related issues. Thus, they asked CAO to treat their identities as confidential.

The Complainants informed CAO in October 2018 that three of them had been unlawfully dismissed from the Company. They indicated that the three dismissed Complainants, along with other employees, gathered in the morning of July 27, 2018, immediately after they got to work, to ask the Human Resources team for an explanation for the transfer of two of their colleagues to Kano State. According to the Complainants, the Company indicates they dismissed those three employees based on the advice of the Company Disciplinary Committee. The Complainants claim the dismissals are not legally grounded and constitute a retaliation measure by the Company for complaining about their working conditions and a means to "shut them up" or have them shy away from complaining about their working conditions.

- f) Workplace safety, hazards, and hazard allowance: The Complainants raise concerns about the health and safety hazards they are exposed to, such as insufficient fall prevention measures in the 47 meter high granulation building they access manually to do their jobs on a daily basis, as well as the high temperatures they are exposed to in the granulation

building, bulk urea storage unit, boiler unit, and reformer unit (ranging from 60 to 1000 degrees Celsius). They also raise concerns regarding the impact of urea dust to their skin and respiratory tracts, as well as exposure to carcinogenic substances, radiation, high sound levels (over 90 decibels), and ammonia, among other issues. They are concerned about the impacts of those hazards on their health, including their fertility, and note that the hazard allowance they receive (\$0.88 per day) is not commensurate to the hazards they are exposed to.

- g) Possible tax calculation and union dues errors: The Complainants believe that some taxes are illegally withdrawn from their salaries, including union deductions. They add that they do not understand on what grounds the union dues for NUCFRLANMPE have been deducted from their salaries since 2015, given that a dispute exists between NUPENG and NUCFRLANMPE regarding which one has jurisdiction over IEFCL Nigerian employees and that IEFCL Nigerian employees have never exercised their right to join NUCFRLANMPE.
- h) Healthcare treatment/coverage denials: The Complainants raise concerns about the health plan management offers them under a Health Maintenance Organisation (HMO). Called a “customized classic” plan, only basic health concerns like a common cold, cough, fever, and headache are attended to by designated hospitals. They claim the hospitals have informed them that their health plan does not cover any other treatment above monetary value of 10,000 Naira.

Company’s perspective

The Company claims that the involvement of CAO in routine employee grievances has encouraged a few staff to act in violation of the Company’s established grievance redress mechanism and due process as stipulated under Nigerian Labour Law. They say this has resulted in employees’ refusal to attend on-the-job training programmes and occasionally disobey management instructions.

The Company alleges that they invest substantially in their manpower and provide thorough training to graduate engineers, most of whom are offered a full-time position at the end of the training period. The Company claims that they strongly believe in nurturing and building careers of their employees and, consequently, the Company has established career planning and a progression matrix to ensure that employees fulfil their career aspirations. In recognition of the need and importance to create a conducive work environment for staff, the Company has introduced a number of initiatives including: Safety Ambassadors, Safety Meetings, Near Miss Box, and a Suggestion Box with cash rewards systems and due recognition for staff whose suggestions were taken at a Consultative Forum. In addition, the following facilities have been established to improve the wellbeing of employees: a spacious staff canteen, medical facilities, an industrial clinic, recreational facilities, and transport facility.

In response to the Complainants’ specific concerns, the Company had the following responses:

- a) Salaries/welfare: The Company claims that salaries at IEFCL are much higher than the minimum wage stipulated in the National Minimum Wages Act and the Minimum Industry Wages agreed between the Employers Federation and National Union in the Chemical Sector (See Annex B below for the applicable minimum wages according to the Company). They also claim that the employees are paid within the industry standards, as confirmed by an independent study commissioned by IFC (See Annex C below for an overview of average annual gross salaries and allowances of Nigerian employees). The Company alleges that it has a well-established policy on annual increments and that as a result of salary revisions in 2017, 83 percent of the employees received an increase of 51 percent and above in their salaries and allowances. According to the Company, the objective of such revision was to cushion the effect of the prolonged unsettled dispute between the two

contending unions, which has been a major constraint in negotiation of a Collective Bargaining Agreement. Further, the Company indicates that they recently initiated a re-engineering of the organizational structure, standardization of designation and restructuring of compensation and benefit structure, effective July 1, 2018. The Company claims that their goal is to help high performers and high potential employees grow within their teams and to align business objectives with employee aspirations and motivations (See Annex D below for highlights of the re-engineering of the organizational structure). They believe that this new package is very advantageous to IEFCL employees. The Company adds that they will only conduct collective bargaining with elected union representatives.

The Company claims that they launched a productivity bonus program for the first time in July 2018, and that it applies in the same way to expatriates and nationals.

- b) Discrimination: According to the Company, expatriate manpower is required because there is insufficient manpower with requisite domain expertise and experience in the country to operate in such a fertilizer plant. They allege that expatriates are on short-term contracts and have multiple years of experience and that their salaries and allowances are based on individual capacities. They allege that salaries and allowances of expatriates and Nigerians are in line with good international compensation and benefit management practices. In addition, IEFCL claims that they believe in integration at the workplace and have zero tolerance for any form of racial abuse or discrimination.

- c) Unionization process: The Company alleges that they recognize employees' right to unionise or not to unionise by law and that the Company management is open to discussing employee grievances with a duly empowered workers' committee. They believe that it is in the best interest of the employees to unionize to address their concerns about wages as it would make it easier for management to direct their negotiations through a credible entity which could result in a Collective Bargaining Agreement (CBA). IEFCL indicates that they could not start the negotiations because the dispute between the two unions (NUCFRLANMPE and NUPENG) over the right of workers to unionize was not yet resolved. The dispute was referred to the National Industrial Court for determination of the rightful union for worker representation. On May 3, 2018, the Court ruled that NUCFRLANMPE is the proper trade union to unionize junior workers of IEFCL. Hence, IEFCL indicates that they encourage employees to abide by the Court's ruling and to elect union representatives so that they can begin the negotiation of the Collective Bargaining Agreement.

- d) Harm and impacts from July 2017 security incident: According to the Company, IEFCL employees protested on July 12, 2017 within the premises of the Company without following due process, after having rejected the Company's offer to meet with management. The Company alleges that the protesting staff forcefully stopped work at the bagging section, which prompted the Company's decision to shut down the plant for safety reasons. According to the Company, the protesters forced other workers out of the bagging section and occupied the area overnight, which the Company claims is highly unsafe. In the early hours of July 13, 2017, a team of approximately 15 security personnel (which included members of Nigerian mobile police) requested them to leave the area in view of safety concerns. Buses were provided to evacuate the protesters (approximately 50 employees) from the plant site. The Company claims that some joined the buses, while others chose not to join. According to the Company, those who refused to leave engaged in a scuffle with the security personnel supported by MOLOP. According to the Company, there was no inappropriate use of force by security personnel and none of the employees ran from the urea bagging warehouse to the Company entrance gate, which are more than one kilometer apart. The Company similarly refutes the Complainants' allegations that mobile devices were seized or destroyed, and that security personnel used live ammunition, chemical spray, tear gas or horse-whips.

- e) Discipline and treatment of employees who complained to CAO and/or who criticize management: The Company claims to have a very good relationship with their employees and that they have a functioning grievance mechanism that successfully addresses concerns expressed by employees. The Company has a Corporate Ethics Policy which all employees are mandated to sign upon engagement, as well as Complaints Boxes made available at all Company facilities. The Company denies having taken any retaliating measures against the Complainants, highlighting that the recent decisions to transfer and discipline employees comply with the terms of the employment contracts as well as Nigerian Labor Laws.

With regards to the incident that occurred on July 27, 2018, the Company alleges that on that day, Heads of Departments notified Human Resources that a few employees, who were not on duty, had mobilized others on duty to abandon their post, which the Company claims is gross indiscipline and highly unsafe in a hydrocarbon processing plant. Consequently, seven employees were issued with queries for the alleged commission of offences. A Company Disciplinary Committee (CDC)², constituted in accordance with company policy to investigate the allegations, found five of the seven employees liable with varying degree of culpability according to role played during the incident. The report of the CDC was subjected to legal scrutiny by the Company's legal department. Management accepted the findings of the CDC and recommendation of the legal department, and subsequently terminated the appointment of three employees. The Company adds that it is the only incident that led to the application of the disciplinary process which resulted in the termination of appointments.

- f) Workplace safety and hazards: The Company alleges that they comply with the Health, Safety and Environment standards imposed by IFC as well as Nigerian laws, and have put in place stringent Quality, Health, Safety and Environment practices (see Annex E below for a detailed response to the Complainants' specific concerns). They indicate that the Lost Time Incident Frequency Rate (LTIFR) has decreased from 0.46 in January 2018 to 0.28 in August 2018 (0 being the ideal situation when no injury is reported). They add that an independent agency appointed by the IFC is currently performing a workplace safety audit and that Nigerian authorities such as the Federal Ministry of Environment, Department of Petroleum Resources, conduct regular audits and have never observed any non-compliance.
- g) Possible tax calculation errors: The Company claims that they strictly comply with the law and that they give clear explanations to their employees regarding the applicability of Personal Income Tax. Every employee receives the details of income tax deductions on their pay slip on a monthly basis. In addition, the Company indicated that in September 2015, NUCFRLANMPE requested they deduct 4% of each employee's salary, to be transferred to NUCFRLANMPE. The Company accepted and implemented this request.
- h) Healthcare treatment/coverage denials: According to IEFCL, all employees including those on probation and family members (which include spouses and a maximum of four children) are covered for free medical treatment without any billing limit. In addition, the Company runs a clinic within the Indorama complex with resident doctors and medical team available 24 hours a day, 7 days a week, which provide medical services to all staff, including their family members and contractors free of cost.

² The CDC, composed of two members from management and two employees, allegedly examined verbal and written testimonies from the queried employees as well other relevant staff in order to ensure a fair procedure.

4. NEXT STEPS

After CAO met with both parties in Port Harcourt in September 2018, the Complainants informed CAO they were amenable to engage in a dispute resolution process with the Company under CAO auspices. The Company indicated its preference to resolve the complaint through their internal grievance mechanism, employee engagement and consultative processes, and therefore the complaint should be referred to CAO's Compliance function. In late January 2019, the Company informed CAO that they were open to mediation through CAO's Dispute Resolution function. CAO immediately informed the Complainants of the Company's decision, and after consulting among themselves, the Complainants informed CAO that while they were initially open to dialogue, they now preferred the complaint be referred to CAO's Compliance function, as their minds had been set on Compliance since they heard in October 2018 that the company was not open to CAO dispute resolution. Given the voluntary nature of the dispute resolution process and in accordance with CAO's Operational Guidelines, the complaint will now be referred to CAO Compliance for appraisal of IFC's performance in regard to the IEFCL projects.

ANNEX A. CAO COMPLAINT HANDLING PROCESS

Once CAO declares a complaint eligible, CAO conducts an initial assessment. The purpose of CAO's assessment is to: (1) clarify the issues and concerns raised by the complainant(s); (2) gather information on how other stakeholders see the situation; and (3) help stakeholders understand the recourse options available to them and determine whether they would like to pursue a collaborative solution through CAO's Dispute Resolution function, or whether the case should be reviewed by CAO's Compliance function. As per CAO's Operational Guidelines,³ the following steps are typically followed in response to a complaint that is received:

Step 1: **Acknowledgement** of receipt of the complaint.

Step 2: **Eligibility:** Determination of the complaint's eligibility for assessment under the mandate of the CAO (no more than 15 working days).

Step 3: **CAO assessment:** Assessing the issues and providing support to stakeholders in understanding and determining whether they would like to pursue a consensual solution through a collaborative process convened by CAO's Dispute Resolution function, or whether the case should be handled by CAO's Compliance function to review IFC's/MIGA's environmental and social due diligence. The assessment time can take up to a maximum of 120 working days.

Step 4: **Facilitating settlement:** If the parties choose to pursue a collaborative process, CAO's dispute-resolution function is initiated. The dispute-resolution process is typically based on or initiated by a Memorandum of Understanding and/or mutually agreed-upon ground rules between the parties. It may involve facilitation/mediation, joint fact finding, or other agreed resolution approaches leading to a settlement agreement or other mutually agreed and appropriate goals. The major objective of these types of problem-solving approaches will be to address the issues raised in the complaint, and any other significant issues relevant to the complaint that were identified during the assessment or the dispute-resolution process, in a way that is acceptable to the parties affected.⁴

OR

Compliance Appraisal/Investigation: If the parties opt for a Compliance process, CAO's Compliance function will initiate an appraisal of IFC's/MIGA's environmental and social due diligence of the project in question to determine whether a compliance investigation of IFC's/MIGA's performance related to the project is merited. The appraisal time can take up to a maximum of 45 working days. If an investigation is found to be merited, CAO Compliance will conduct an in-depth investigation into IFC's/MIGA's performance. An investigation report with any identified non-compliances will be made public, along with IFC's/MIGA's response.

Step 5: **Monitoring and Follow-up**

Step 6: **Conclusion/Case Closure**

³ For more details on the role and work of CAO, please refer to the full Operational Guidelines: http://www.cao-ombudsman.org/documents/CAOOperationalGuidelines_2013.pdf

⁴ Where stakeholders are unable to resolve the issues through a collaborative process within an agreed time frame, CAO Dispute Resolution will first seek to assist the stakeholders in breaking through impasse(s). If this is not possible, the Dispute Resolution team will inform the stakeholders, including IFC/MIGA staff, the President and Board of the World Bank Group, and the public, that CAO Dispute Resolution has closed the complaint and transferred it to CAO Compliance for appraisal.

ANNEX B: APPLICABLE MINIMUM WAGES ACCORDING TO THE COMPANY

	Legal & Regulatory Framework	Per Month (naira)	Per Annum (Naira)
1	National Minimum Wages Act 2011	18,000	216,000
2	Minimum Industry Wages (junior staff)	54,500	654,000

ANNEX C: OVERVIEW OF AVERAGE ANNUAL GROSS SALARIES AND ALLOWANCES OF NIGERIAN EMPLOYEES (PROVIDED BY THE COMPANY)

Staff Category	Emp Count	Avg Exp Yrs	2017 - Avg Gross Salary	2108 - Min Gross Salary	2018 - Avg Gross Salary
Junior Staff	140	2.1	1,944,304	1,807,	2,336,859
Senior Staff	55	2.5	2,688,960	2,333,	3,242,910
Non-Unionized Senior	6	5.6	5,340,550	5,280,	5,671,766
Management Staff	4	27.5	9,450,722	5,422,	10,673,673

ANNEX D: HIGHLIGHTS OF THE RE-ENGINEERING OF THE ORGANIZATIONAL STRUCTURE (PROVIDED BY THE COMPANY)

Staff Category	Old Grade	Next Higher Grade	Employee Count
Junior Staff	Trainee Field Operator	Asst. Field Operator	111
	Asst. Field Operator	Dy. Field Operator	15
	Dy. Field Operator	Field Operator	12
	Field Operator	Sr. Field Operator	2
Senior Staff	Trainee Technologist	Technologist	35
	Technologist	Asst. Panel Engineer	16
	Asst. Panel Engineer	Panel Engineer	4
	Panel Engineer	Sr. Engineer	1
	Sr. Engineer	Sr. Engineer	5
Total			201

ANNEX E: DETAILED RESPONSE TO THE COMPLAINANTS' SPECIFIC CONCERNS REGARDING HEALTH AND SAFETY

	Complaints	Response
1.	Insufficient fall prevention measures in the 47 meter high granulation building.	<ul style="list-style-type: none"> • Granulation Building is a steel building with permanent stairs and RCC / grating floors. (Details as attached). • All floors and staircase are designed and erected in accordance with international building codes • All operations are carried out with employees standing on floor and hence there is no requirement of any special fall prevention measures for operators. In case of maintenance activities needing work at height, fall prevention measures are being used in accordance with HSE standards. • IEFCL has undertaken audit by British Safety Council to identify HSE gaps & even such audits have not raised any concern.
2.	Manually to do their jobs on a daily basis.	<ul style="list-style-type: none"> • Dedicated Lift is available for both man and material movement. • Due to recurring maintenance events, the existing lift is being replaced with superior specification which has already been procured and is in transit. • Field cabins with acoustic enclosure, air conditioning/fan and potable water are available at 7.6 m and 41.1 m elevations respectively, so that the operator shall not climb up or down the entire 47 meters elevation at any moment of

		<p>work period.</p> <ul style="list-style-type: none"> Two operators are always deployed in the granulation building where one Operator covers from ground level to elevation of 24.5m & the 2nd Operator -2 cover 24.5 to 47 Mtr. Thus, the physical climbing of steps if any is reduced for each operator.
3.	High temperatures exposure in the granulation building, (ranging from 60 to 1000 degrees Celsius)	<ul style="list-style-type: none"> Actual temperature inside the building is being monitored regularly by HSE dept regularly. Maximum temperature is measured only as 40 deg centigrade. Field cabins with acoustic enclosure, air conditioning/fan and potable water is available at 7.6 m and 41.1 m elevations respectively. Operators sit in these cabins and go out only for operational tasks and hence the exposure is quite limited. Each floor in Granulation Building is also provided with a balcony. Pl. note that no human being can sustain temperatures mentioned by complainants.
4.	High temperatures exposure in the Boiler and Reformer Unit. (ranging from 60 to 1000 degrees Celsius)	<ul style="list-style-type: none"> Boiler and Reformer Unit are located in the open area where the temperature conditions are always ambient. High temperatures are inside the equipment where gas is being burned / processed. Boiler and all high temperature elements are fully insulated so that external temperature always remain ambient. Operators sit in air conditioned field cabins and go to the boiler/other areas for operational activities only.

5.	High temperatures exposure in the Bulk Urea Storage Unit. (ranging from 60 to 1000 degrees Celsius)	<ul style="list-style-type: none"> • Bulk Urea Storage area is maintained at a temperature of 40 deg C to maintain the quality of product (moisture content in Urea). • Bulk Urea Storage is unmanned area. • The only operation is limited to Reclaimer operation (one operator only) and the operator cabin of the reclaimer is provided with air conditioning.
6.	Concerns regarding the impact of urea dust to skin and respiratory tracts.	<ul style="list-style-type: none"> • Monthly monitoring of particulate matter (PM) is carried out at work areas by HSE. The PM are well within the limit of 10 mg/m³ (World Bank Specification). • Pre-employment Medical checks are mandatory as part of company recruitment policy. • Every employee undergoes annual medical Examination and no occupational disease symptoms have been reported in the last two years of operation.
7.	Concerns regarding the exposure to carcinogenic substances.	<ul style="list-style-type: none"> • The only substance expected to be carcinogenic is Urea formaldehyde concentrate (UF-85). • Application of UF-85 on Urea is practiced worldwide in all Urea manufacture • Handling of UF-85 is done in closed IBC containers only. There is no manual contact. • Proper PPE's like PVC suit and organic vapor canister masks are mandatory for any operation during handling UF85. • Ambient monitoring in respective work area for formaldehyde is carried out monthly and the results obtained are well within the exposure limits.
8.	Concerns regarding ammonia exposure.	<ul style="list-style-type: none"> • The plant is designed such that there will not be any accidental ammonia release to atmosphere through well-

		<p>established relief and flare system.</p> <ul style="list-style-type: none"> • In the event of any accidental ammonia release, fixed Ammonia gas monitoring system is in place for early detection. • Portable ammonia detectors are also available for ammonia gas detection. • All operators are provided with ammonia canister mask. • It is to be noted that in the last two years of operation, there have not been a single incident of ammonia release. • Ambient monitoring in strategic locations for ammonia is carried out monthly and the results obtained are well within the exposure limits.
9.	Concerns regarding high sound levels (over 90 decibels).	<ul style="list-style-type: none"> • All equipment is designed for a maximum noise level of 85 decibels. Acoustic insulation is provided wherever the noise level exceeds 85 decibels. • For perennially high noise prone areas such as compressor house, operators sit in an acoustic enclosure. For all activities outside of acoustic enclosure, ear muffs are made mandatory. • Signage are displayed in all such areas.
10.	Concerns of exposure to Radiation	<ul style="list-style-type: none"> • Source of radiation is limited to only 3 level gauges. • All such instruments operate under the regulation and monitoring of Nigerian Nuclear Radiation Authority. • The NNRA regulations for allowable exposure limit is 2.5 micro Sievert. Instruments employed in IEFCL have an exposure of 0.05 micro Sievert.