

**ENVIRONMENTAL, HEALTH AND SAFETY BENCHMARKING SURVEY
2008 DATA
AGREEMENT AND COMMITMENT**

TERMS OF AGREEMENT

- The American Petroleum Institute (API) will conduct this survey. It is open to all petroleum companies that wish to actively participate.
- The draft and final confidential reports will show company-by-company results with the companies identified by code. The final report will be password protected.
- API will treat the data provided by the participants as confidential information. It will be unavailable to anyone other than the participants, and will be used for this purpose only. Any other API use of the data requires unanimous approval from the participating companies.
- API will treat the draft and final reports as confidential information. They will be sent only to the contact persons of the participating companies and will be unavailable to anyone else.
- Participant agrees that the survey information is confidential and shall be used solely by Participant's company for internal benchmarking purposes and shall not be disseminated outside the Participant's company, that there will not be a general distribution of the information in the company, and that distribution of the information will only be made to those in the company who are responsible for benchmarking and have a need for such information.
- API will charge each participating company a flat fee according to the following table.

| Company with... | 1-3 sectors | | | | More than 3 sectors | | | |
|-----------------------------------|-------------|----------|---------|---|---------------------|----------|----------|---|
| | Report | Database | Total | ✓ | Report | Database | Total | ✓ |
| U.S. operations only | \$5,700 | \$2,500 | \$8,200 | | \$5,800 | \$3,000 | \$8,800 | |
| Both U.S. and non-U.S. operations | \$6,700 | \$3,200 | \$9,900 | | \$7,500 | \$3,600 | \$11,100 | |

Please check the box that applies to your company. An invoice will be sent to you after the draft report is completed.

- If a company commits to participate, and the survey is conducted, the company is responsible for this charge regardless of whether it actually responds to the data request.

CONFIRMATION OF PARTICIPATION

I, _____, confirm (company name) _____'s commitment to participate in this Environmental, Health and Safety Benchmarking Survey under the terms listed above.

Signature: _____ Date: _____

Title: _____

COMPANY CONTACT

All future correspondence (e.g. questionnaire, draft and final reports, invoice) will be sent to this person.

Name: _____

Address: _____

Telephone: _____

Fax: _____

E-mail: _____

Please return this sheet only (send no money now) to:

**Adebukola Adefemi, American Petroleum Institute, 1220 L Street NW, Washington, DC 20005-4070
962-4730**

Fax # 202-