

EXHIBIT N
BACKGROUND CHECKS FOR NON-SELF EMPLOYED

As described more fully below, Contractor agrees that it will obtain background checks on its employees and agents who perform Services on the premises of Infineum USA L.P. ("Infineum") and that it will also require any parties to whom it subcontracts such work to do the same.

For purposes of this Exhibit, the following definitions and terminology shall apply:

1. "Infineum Premises" shall include any facilities owned, leased, operated, or otherwise controlled by Infineum, joint ventures operated by Infineum, and any other facilities or premises designated by Infineum in writing.
2. "Contract Workers" shall include the employees and agents of Contractor and any parties to whom Contractor subcontracts work and the employees and agents of such subcontractors.
3. "Agreement" refers to the Agreement or Contract, as applicable, to which this Exhibit is attached.

Contractor shall obtain background checks on all Contract Workers performing services prior to their assignment to perform work or services on Infineum Premises unless Infineum, in its sole discretion, has agreed in writing that a background check is not required for a particular individual or category of Contract Worker or Services. In the event of such an agreement, Infineum shall have the right to use alternative measures, including but not limited to requiring appropriate identification, limiting areas to which such Contract Workers have access, or escorting such Contract Workers while in Infineum Premises.

Infineum Annuitant Exception - Infineum annuitants do not require background checks.

To the extent permitted by applicable law, the background check for any Contract Workers performing services must include a criminal record check of federal, state and county (or its equivalent) records for felony or misdemeanor convictions, deferred adjudications, or no contest pleas (hereinafter "Conviction Record") in all jurisdictions in which the individual has lived or worked during the previous five (5) years. These records must be checked as far back in time as feasible or as permitted by law. Contractor shall be responsible for determining whether a Contract Worker's Conviction Record would be relevant to the services to be performed and shall not assign a Contract Worker whose Conviction Record is deemed relevant. In the event that Contractor desires to assign a Contract Worker with a Conviction Record to perform Services, Contractor shall notify Infineum and shall not assign the Contract Worker unless Infineum agrees in writing to the assignment. In its sole discretion, Infineum may provide guidelines to Contractor regarding certain offenses which shall or may be presumed relevant and others that may not be considered.

The background check must also include a verification of the individual's social security number and employment history for the previous five (5) years. In addition, for any positions in which Contract Workers operate vehicles on Infineum Premises or transport Infineum employees, a motor vehicle records check must be performed. In the event that the motor vehicle check discloses conviction of one or more serious violations, two or more non-serious violations, suspension or revocation of driver's license, a conviction of driving under the influence of alcohol or controlled substances, two or more preventable accidents, conviction of death by vehicle or conviction of hit and run, those violations or convictions shall be considered a basis for not assigning a Contract Worker to perform services involving operation of

vehicles on Infineum Premises or transportation of Infineum employees. Where a motor vehicle records check for a Contract Worker contains findings referenced in the previous sentence, and Contractor nonetheless desires to assign such Contract Worker to perform services involving operation of vehicles on Infineum Premises or transportation of Infineum employees, Contractor shall notify Infineum of such findings and shall not assign the Contract Worker unless Infineum agrees in writing to the assignment.

Contractor agrees that it has full responsibility for compliance with all applicable legal requirements regarding privacy rights or the obtaining of background checks and that it will comply with all legal requirements that may apply in the jurisdictions in which the Infineum Premises are located and the background checks are being performed. Contractor also agrees that it has full responsibility for compliance with all legal requirements regarding authorization to work, visas, work permits or any related documentation in any jurisdictions in which Contract Workers are assigned to work and that it will comply with all such legal requirements.

Infineum will make available to Contractor a list of companies or other entities that are generally deemed to be qualified to perform background checks. Contractor is free to identify other companies to perform such checks but must inform Infineum if they are using a company not on the list of companies identified as acceptable. Infineum shall have the right to refuse to rely on checks performed by any company that Infineum, in its sole discretion, deems unacceptable.

Contractor agrees that it will maintain files of background checks obtained and will permit Infineum's representatives to review and audit such files during regular business hours upon Infineum's request.

Contractor further agrees that it has the ongoing duty to periodically update background checks **every two (2) years** and to require Contract Workers to immediately inform Contractor of any felony or misdemeanor conviction, deferred adjudication, or no contest plea arising after the completion or updating of their background check. Upon being informed of a conviction, deferred adjudication, or no contest plea, Contractor will immediately inform Infineum in writing and will discontinue the individual's assignment on Infineum Premises unless Infineum agrees in writing to the continuation of the assignment.

Contractor does **not** need to provide background check updates every two (2) years if they can provide evidence of an active Transportation Worker Identification Credential (TWIC) card when working at either the Bayway Chemical Plant or the Linden Business & Technology Center. TWIC is a common identification credential for all personnel requiring unescorted access to secure areas of MARSEC (Maritime Transportation Security Act)-regulated facilities and vessels.

Contractor agrees that by operation of law or valid agreement with Contract Workers, Contractor has the right to obtain any and all information required under this Agreement and to disclose that information to Infineum as provided in this Agreement or upon Infineum's request.

Upon completion of the screenings, Contractor is required to notify the appropriate Infineum designated representative of the status of the screenings in writing by identifying the employee's name, birth date, and last 4 digits of their Social Security Number and the date the screening was completed. **DO NOT SEND** the screening reports. **If there are extenuating circumstances that prevent you from proceeding with the screenings in that time period, please contact your Infineum designated representative immediately.**

Approved Background Check Companies

<p>Carey Consultants PO Box 176 Chardon, OH 44024 Phone: (800) 359-2804 Fax: 440-354-6134 www.careyconsultants.com</p>	<p>Fidelifacts 42 Broadway Suite 1548 New York, NY 10004 Point of Contact: William A. Sharp, VP Phone: 800-678-0007 Email: NYPI@aol.com Fax: 212-248-5619</p>
<p>Hire Rite Tulsa 14002 E. 21st Street Ste. 1200 Tulsa, Oklahoma 74134 Telephone: 800-331-9175</p>	<p>LexisNexis (First Advantage, Inc.) 13950 Ballantyne Corp Pl Charlotte, NJ 28277 Point of Contact: Deidre VanVranken Telephone: 704-731-2000 x2249 Email: deidre.vanvranken@lexisnexis.com</p>
<p>Kress Employment Screening 320 Westcott, Suite 108 Houston, TX 77007-7045 Point of Contact: Jeff Rackler, Pres. Phone: 1-888-636-3693 Fax: 1-888-636-3694 Email: jrackler@kressinc.com www.kressinc.com</p>	<p>Pre Screen America 505 West Abram St. Arlington, Texas 76010 1-817-861-6666 Fax: 1-866-243-5049</p>
<p>Security Business Solutions 560 Sylvan Ave Englewood Cliffs, NJ 07632 (201) 569-0093 Cell (201) 874-1478 Fax 201-569-2717 eric@securitybusinessolutions.com www.securitybusinessolutions.com</p>	<p>Sterling BackCheck 1 State Street Plaza 24th Street New York, New York 10004 Telephone: 800-899-2272</p>

GUIDELINES FOR CONTRACT WORKER BACKGROUND CHECKS

- These guidelines apply only to the extent allowed by applicable federal, state or local law in any given jurisdiction.
- In all instances, Contractors are responsible for the decision whether to assign one of their employees to perform services at Infineum. In reviewing the results of criminal record checks, Contractors are expected to consider the relevance of any conviction to the services to be performed.
- Convictions relating to homicide, theft, industrial espionage, trade secret theft, physical violence, sale or distribution of illegal substances, fraud or embezzlement, sexual assault or rape, use of weapon to commit a crime, or conspiracy or attempt to commit one of the foregoing offenses are presumed to be relevant to the performance of services; however, Contractors may consult with Infineum about possible exceptions where Contractors deem the offense to be unrelated to specific services.

CONVICTION RECORD*	TYPE OF OFFENSE	DATE OF CONVICTION	CONTRACTOR'S DECISION
Felony	All convictions that Contractor determines to be relevant to services _____ Convictions that Contractor deems unrelated to services	Anytime	Do not assign _____ Consult with Infineum regarding possible exception
One or more misdemeanors (except minor traffic violations or as specifically limited below)	All convictions that Contractor determines to be relevant to services _____ Convictions that Contractor deems unrelated to services	Within the past five (5) years	Do not assign _____ Consult with Infineum regarding possible exception
Single misdemeanors that cannot be considered in Massachusetts	First-time convictions for drunkenness, simple assault, speeding, minor traffic violations, fighting, disturbing the peace	Within past five (5) years	Assign if in Massachusetts

*Convictions also include pending deferred adjudications, guilty pleas, and no contest pleas.

Note: By statute, New York requires the employer to consider the following factors in determining whether the conviction record should bar employment in a particular position: (1) public policy to encourage employment of persons previously convicted, (2) specific duties and responsibilities necessarily related to employment sought, (3) bearing of the crime of which the person was convicted on his/her fitness or ability to perform those duties and responsibilities, (4) the time that has elapsed since the criminal offense or offenses occurred, (5) the age of the person at the time of the offense(s), (6) the seriousness of the offense(s), (7) information as to rehabilitation, (8) employer's legitimate interest in protecting property, safety and welfare of individuals or general public. In Hawaii, Kansas, Oregon, and Wisconsin, statutes allow consideration of criminal or conviction record but require that there be a rational, direct, or substantial relation between the offense of which the person was convicted and the job in question.