Regulated Medical Waste
SERVICE AGREEMENT

This Agreement is made and entered into this 8\textsuperscript{th} day of October, 2007 by and between University of California at Santa Cruz School of Engineering, thereafter called "Customer" and Advanced Waste Solutions, Inc., hereafter called "AWS".

AWS AGREES TO THE FOLLOWING:

a. To provide all labor and transportation, necessary or required, to perform all work for the process of the removal and treatment of Regulated Medical Waste (RMW), as defined in Attachment "A" from Customer locations.

b. To pick up RMW from designated Customer area per agreed upon schedule, and within 24 hours of an Emergency Request.

c. To comply with all applicable state and federal, health and safety codes, rules and regulations during the term of this contract period.

d. To provide tracking documentation for all containers received from Customer. Said documentation to be in compliance with all government regulations and will serve as proof of disposal and destruction of medical waste.

e. To take title to the Customer's medical waste upon pickup by assuming full responsibility for all containers at the time of receipt.

f. To guarantee appropriate treatment through complete destruction of medical waste at a licensed facility.

g. To provide either "scheduled" or "as needed" pickup based upon Customer's needs. All pickups to be done by trained, professional drivers in vehicles licensed and registered with the State of California.

h. To sell all products required by Customer to contain medical waste if so requested by Customer.

i. AWS, in its sole discretion, may suspend service if Customer does not comply with federal, state, or local laws and regulations when handling, packaging, storing, and labeling medical waste. AWS will not be liable for any damages, payments, or services of any kind in the event of suspended service. Customer shall be liable for all fees for services provided by AWS prior to suspension of service.

CUSTOMER AGREES TO THE FOLLOWING:

a. To place only medical waste as defined per Attachment "A" in containers for pickup. Other types of waste, i.e., pharmaceutical, radioactive, chemicals or other hazardous waste shall not be placed in containers designated for bio-hazardous medical waste.

b. All syringes/needles will be placed in Sharps containers and all blood/infectious waste will be placed in Biohazard bags by Customer staff prior to pickup by AWS.
c. To place only pharmaceutical waste into containers provided by AWS prior to pick up by AWS. Pharmaceutical containers must be labeled “Incinerate Only” on all sides and on top.

d. That it shall exclusively employ AWS for the collection and disposal of Customer’s medical waste. Customer agrees that it shall not use the services of any other medical waste disposal company during the term of the Agreement.

TERM OF AGREEMENT

a. The initial term of this agreement shall be thirty-six (36) months from the date of execution. This agreement will renew for like terms unless either party submits notice of intent to cancel this agreement at least 60 days prior to the expiration date of the current term.

CONFIDENTIALITY

Customer agrees to hold all confidential or proprietary information in this Agreement in trust and confidence and agrees that it shall be used only for the contemplated purpose, shall not be used for any other purpose or disclosed to any third party.

Accepted by the respective parties to this agreement:

University of California at Santa Cruz
School of Engineering
1156 High Street
Santa Cruz, CA 95076

Advanced Waste Solutions, Inc. “AWS”

407 Reservations Rd., Suite 1
Marina, CA 93933

By: __________________________________________
Printed Name

Title

Signature Date

By: __________________________________________
Printed Name

Title

Signature Date
Advanced Waste Solutions, Inc.
Attachment “A”
Regulated Medical Waste

Waste Acceptance Protocol

AWS waste acceptance protocols are based on mandates set forth by the State of California Medical Waste Management Act and any other requirements or guidelines issued by the enforcement agency having jurisdiction. To be in compliance with state and county health codes it is required that all generators of regulated medical waste strictly adhere to these regulations. Specifically, medical waste must be correctly segregated and stored pursuant to section 118275 - 118285 of the Medical Waste Management Act.

Waste that is improperly segregated and/or stored pursuant to these sections will be refused for collection and may be reported to the appropriate enforcement agency.

If you have any questions regarding this information, please contact our compliance officer.

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SECTIONS FROM THE CALIFORNIA MEDICAL WASTE MANAGEMENT ACT

Definitions

117635 - Biohazardous Waste
“Biohazardous waste” means any of the following:

(a) Laboratory waste, including, but not limited to, all of the following:

(1) Human or animal specimen cultures from medical and pathology laboratories.

(2) Cultures and stocks of infectious agents from research and industrial laboratories.

(3) Wastes from the production of bacteria, viruses, spores, discarded live and attenuated vaccines used in human health care or research, discarded animal vaccines, including Brucellosis and Contagious Ecthyma, as identified by the department, and culture dishes and devices used to transfer, inoculate, and mix cultures.

(b) Human surgery specimens or tissues removed at surgery or autopsy, which are suspected by the attending physician and surgeon or dentist of being contaminated with infectious agents known to be contagious to humans.

(c) Animal parts, tissues, fluids, or carcasses suspected by the attending veterinarian of being contaminated with infectious agents known to be contagious to humans.

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(d) Waste, which at the point of transport from the generator's site, at the point of disposal, or thereafter, contains recognizable fluid blood, fluid blood products, containers or equipment containing blood that is fluid, or blood from animals known to be infected with diseases which are highly communicable to humans.

(e) Waste containing discarded materials contaminated with excretion, exudate, or secretions from humans or animals that are required to be isolated by the infection control staff, the attending physician and surgeon, the attending veterinarian, or the local health officer, to protect others from highly communicable diseases or diseases of animals that are highly communicable to humans.

(f) Waste which is hazardous only because it is comprised of human surgery specimens or tissues which have been fixed in formaldehyde or other fixatives, or only because the waste is contaminated through contact with, or having previously contained, chemotherapeutic agents, including, but not limited to, gloves, disposable gowns, towels, and intravenous solution bags and attached tubing which are empty. A biohazardous waste which meets the conditions of this paragraph is not subject to Chapter 6.5 (commencing with Section 25100) of Division 20.

(2) For purposes of this subdivision, "chemotherapeutic agent" means an agent that kills or prevents the reproduction of malignant cells.

(3) For purposes of this subdivision, a container, or inner liner removed from a container, which previously contained a chemotherapeutic agent, is empty if the container or inner liner removed from the container has been emptied by the generator as much as possible, using methods commonly employed to remove waste or material from containers or liners, so that the following conditions are met:

(A) If the material which the container or inner liner held is pourable, no material can be poured or drained from the container or inner liner when held in any orientation, including, but not limited to, when tilted or inverted.

(B) If the material which the container or inner liner held is not pourable, no material or waste remains in the container or inner liner that can feasibly be removed by scraping.

(g) Waste that is hazardous only because it is comprised of pharmaceuticals, as defined in Section 117747. Notwithstanding subdivision (a) of Section 117690, medical waste includes biohazardous waste that meets the conditions of this subdivision. Biohazardous waste that meets the conditions of this subdivision is not subject to Chapter 6.5 (commencing with Section 25100) of Division 20.

117690 - Medical Waste

(a) "Medical waste" means waste which meets both of the following requirements:

(1) The waste is composed of waste which is generated or produced as a result of any of the following actions:

(A) Diagnosis, treatment, or immunization of human beings or animals.

(B) Research pertaining to the activities specified in subparagraph (A).

(C) The production or testing of biologicals.
(D) The accumulation of properly contained home-generated sharps waste that is brought by a patient, a member of the patient's family, or by a person authorized by the enforcement agency, to a point of consolidation approved by the enforcement agency pursuant to Section 117904 or authorized pursuant to Section 118147.

(E) Removal of a regulated waste, as defined in Section 5193 of Title 8 of the California Code of Regulations, from a trauma scene by a trauma scene waste management practitioner.

(2) The waste is either of the following:

(A) Biohazardous waste.

(B) Sharps waste.

(b) For purposes of this section, "biologicals" means medicinal preparations made from living organisms and their products, including, but not limited to, serums, vaccines, antigens, and antitoxins.

(c) Medical waste includes trauma scene waste.

117700 - Not Medical Waste

Medical waste does not include any of the following:

(a) Waste generated in food processing or biotechnology that does not contain an infectious agent as defined in Section 117675.

(b) Waste generated in biotechnology that does not contain human blood or blood products or animal blood or blood products suspected of being contaminated with infectious agents known to be communicable to humans.

(c) Urine, feces, saliva, sputum, nasal secretions, sweat, tears, or vomitus, unless it contains fluid blood, as provided in subdivision (d) of Section 117635.

(d) Waste which is not biohazardous, such as paper towels, paper products, articles containing nonfluid blood, and other medical solid waste products commonly found in the facilities of medical waste generators.

(e) Hazardous waste, radioactive waste, or household waste, including, but not limited to, home-generated sharps waste, as defined in Section 117671.

(f) Waste generated from normal and legal veterinarian, agricultural, and animal livestock management practices on a farm or ranch.

117747 – Pharmaceutical

(a) "Pharmaceutical" means a prescription or over-the-counter human or veterinary drug, including, but not limited to, a drug as defined in Section 109925 or the Federal Food, Drug, and Cosmetic Act, as amended, (21 U.S.C.A. Sec. 321(g)(1)).

(b) For purposes of this part, "pharmaceutical" does not include any pharmaceutical that is regulated pursuant to either of the following:

(2) The Radiation Control Law (Chapter 8 [commencing with Section 114960] of Part 9).

117750 - Sharps Container

"Sharps container" means a rigid puncture-resistant container that, when sealed, is leak resistant and cannot be reopened without great difficulty.

117755 - Sharps Waste

"Sharps waste" means any device having acute rigid corners, edges, or protuberances capable of cutting or piercing, including, but not limited to, all of the following:

(a) Hypodermic needles, hypodermic needles with syringes, blades, needles with attached tubing, syringes contaminated with biohazardous waste, acupuncture needles, and root canal files.

(b) Broken glass items, such as Pasteur pipettes and blood vials contaminated with biohazardous waste.

(c) Any item capable of cutting or piercing that is contaminated with trauma scene waste.

Waste Containment and Storage

118275 - Medical Waste Segregation and Storage

To containerize or store medical waste, a person shall do all of the following:

(a) Medical waste shall be contained separately from other waste at the point of origin in the producing facility. Sharps containers may be placed in biohazard bags or in containers with biohazard bags.

(b) Biohazardous waste, except biohazardous waste as defined in subdivision (g) of Section 117635, shall be placed in a red biohazard bag conspicuously labeled with the words "Biohazardous Waste" or with the international biohazard symbol and the word "BIOHAZARD."

(c) Sharps waste shall be contained in a sharps container pursuant to Section 118285.

(d)

(1) Biohazardous waste, which meets the conditions of subdivision (f) of Section 117635 because it is contaminated through contact with, or having previously contained, chemo-therapeutic agents, shall be segregated for storage, and, when placed in a secondary container, that container shall be labeled with the words "Chemotherapy Waste", "CHemo", or other label approved by the department on the lid and on the sides, so as to be visible from any lateral direction, to ensure treatment of the biohazardous waste pursuant to Section 118222.

(2) Biohazardous waste, which meets the conditions of subdivision (f) of Section 117635 because it is comprised of human surgery specimens or tissues which have been fixed in formaldehyde or other fixatives, shall be segregated for storage and, when placed in a secondary container, that container shall be labeled with the words "Pathology Waste", "
PATH", or other label approved by the department on the lid and on the sides, so as to be visible from any lateral direction, to ensure treatment of the biohazardous waste pursuant to Section 118222.

(e) Sharps waste, which meets the conditions of subdivision (f) of Section 117635, shall be placed in sharps containers labeled in accordance with the industry standard with the words "Chemo-therapy Waste", "Chemo", or other label approved by the department, and segregated to ensure treatment of the sharps waste pursuant to Section 118222.

(f) Biohazardous waste, which are recognizable human anatomical parts, as specified in Section 118220, shall be segregated for storage and, when placed in a secondary container for treatment as pathology waste, that container shall be labeled with the words "Pathology Waste", "PATH", or other label approved by the department on the lid and on the sides, so as to be visible from any lateral direction, to ensure treatment of the biohazardous waste pursuant to Section 118222.

(g) Biohazardous waste, which meets the conditions specified in subdivision (g) of Section 117635, shall be segregated for storage and, when placed in a container or secondary container, that container shall be labeled with the words "INCINERATION ONLY" or other label approved by the department on the lid and on the sides, so as to be visible from any lateral direction, to ensure treatment of the biohazardous waste pursuant to Section 118222.

(h) A person may consolidate into a common container all of the wastes in this section provided that the consolidated waste is treated by an extremely high heat technology approved pursuant to subparagraph (B) of paragraph (1) of subdivision (a) of Section 118215. The container shall be labeled with the biohazardous waste symbol and the words "HIGH HEAT ONLY" or other label approved by the department on the lid and on the sides, so as to be visible from any lateral direction, to ensure treatment of the biohazardous waste pursuant to this subdivision.

118280 - Containment and Storage
To containerize biohazard bags, a person shall do all of the following:

(a) The bags shall be tied to prevent leakage or expulsion of contents during all future storage, handling, or transport.

(b) Biohazardous waste, except biohazardous waste as defined in subdivision (g) of Section 117635, shall be bagged in accordance with subdivision (b) of Section 118275 and placed for storage, handling, or transport in a rigid container which may be disposable, reusable, or recyclable. Containers shall be leak resistant, have tight-fitting covers, and be kept clean and in good repair. Containers may be recycled with the approval of the enforcement agency. Containers may be of any color and shall be labeled with the words "Biohazardous Waste" or with the international biohazard symbol and the word "BIOHAZARD" on the lid and on the sides so as to be visible from any lateral direction. Containers meeting the requirements specified in Section 66840 of Title 22 of the California Code of Regulations, as it read on December 31, 1990, may also be used until the replacement of the containers is necessary or existing stock has been depleted.

(c) Biohazardous waste shall not be removed from the biohazard bag until treatment as prescribed in Chapter 8 (commencing with Section 118215) is completed, except to eliminate a safety hazard, or by the enforcement officer in performance of an investigation pursuant to Section 117820. Biohazardous waste shall not be disposed of before being treated as prescribed
in Chapter 8 (commencing with Section 118215).

(d) (1) Except as provided in paragraph (5), a person generating biohazardous waste shall comply with the following requirements:

(A) If the person generates 20 or more pounds of biohazardous waste per month, the person shall not contain or store biohazardous or sharps waste above 0 degrees Centigrade (32 degrees Fahrenheit) at any onsite location for more than seven days without obtaining prior written approval of the enforcement agency.

(B) If a person generates less than 20 pounds of biohazardous waste per month, the person shall not contain or store biohazardous waste above 0 degrees Centigrade (32 degrees Fahrenheit) at any onsite location for more than 30 days.

(2) A person may store biohazardous or sharps waste at or below 0 degrees Centigrade (32 degrees Fahrenheit) at an onsite location for not more than 90 days without obtaining prior written approval of the enforcement agency.

(3) A person may store biohazardous or sharps waste at a permitted transfer station at or below 0 degrees Centigrade (32 degrees Fahrenheit) for not more than 30 days without obtaining prior written approval of the enforcement agency.

(4) A person shall not store biohazardous or sharps waste above 0 degrees Centigrade (32 degrees Fahrenheit) at any location or facility which is offsite from the generator for more than seven days before treatment.

(5) Notwithstanding paragraphs (1) to (4), inclusive, if the odor from biohazardous or sharps waste stored at a facility poses a nuisance, the enforcement agency may require more frequent removal.

(e) Waste that meets the definition of biohazardous waste in subdivision (g) of Section 117635 shall not be subject to the limitations on storage time prescribed in subdivision (d). A person may store that biohazardous waste at an onsite location for not longer than 90 days when the container is ready for disposal or, unless prior written approval from the enforcement agency or the department is obtained. The container shall be emptied at least once per year unless prior written approval from the enforcement agency or the department is obtained. A person may store that biohazardous waste at a permitted transfer station for not longer than 30 days without obtaining prior written approval from the enforcement agency or the department. A person shall not store that biohazardous waste at any location or facility that is offsite from the generator for more than 30 days before treatment.

(f) The containment and storage time for wastes consolidated in a common container pursuant to subdivision (h) of Section 118275 shall not exceed the storage time for any category of waste set forth in this section.

118285 - Sharps Waste
To containerize sharps waste, a person shall do all of the following:

(a) Place all sharps waste into a sharps container.
(b) Tape closed or tightly lid full sharps containers ready for disposal to preclude loss of contents.

(c) Store sharps containers ready for disposal for not more than thirty days without the written approval of the enforcement agency.

(d) Label sharps containers with the words "sharps waste" or with the international biohazard symbol and the word "BIOHAZARD".