

**Memorandum of Understanding
Between UCSC Office of Environmental Health & Safety (EH&S) and
County of Santa Cruz
Concerning Safety and Environmental Compliance**

This Memorandum of Understanding (MOU) is entered into between the University of California, Santa Cruz (UCSC) Office of Environmental Health & Safety (EH&S) and the County of Santa Cruz.

The purpose of this MOU is to document the expectations for safety and environmental compliance applicable to the County of Santa Cruz facilities and activities located on the UCSC campus. This MOU provides additional procedural details to facilitate implementation of the County of Santa Cruz Lease agreement (“Lease”). In the event of a conflict with the MOU and Lease, the Lease language shall take precedence.

Overall Responsibility for Compliance

The establishment of this MOU in no way relieves the County of Santa Cruz of the responsibility to comply, at the County of Santa Cruz’s sole cost and expense, with all applicable federal, state and local regulations, as well as applicable University and UCSC policies and procedures. (UCSC safety and environmental policies and procedures are viewable at <http://policy.ucsc.edu/policy.html>) Nothing in this MOU is to be interpreted as assigning the University, EH&S, or the UCSC campus responsibility for verifying or ensuring the safe operations or compliance of the County of Santa Cruz or its employees.

Research Review, Approval and Oversight

The County of Santa Cruz is responsible for establishing procedures for research review, approval, and oversight sufficient to meet the requirements of funding agencies and/or regulatory agencies. In some cases, such as for work with recombinant DNA, campus research oversight committees and programs may, at their sole discretion, provide this service (typically for a fee to recover costs), but only after the establishment of a subsequent MOU to replace this agreement.

Biological Safety

The County of Santa Cruz holds primary responsibility for the proper use, handling, storage and disposal of all biological agents and recombinant DNA molecules associated with their research. The County of Santa Cruz’s personnel must comply with all applicable federal, state and local biosafety regulatory standards and guidelines as well as any requirements established by the UCSC Institutional Biosafety Committee (IBC). Prior to commencement of biological or recombinant DNA work, the County of Santa Cruz must provide to EH&S an inventory of the biological material that the County of Santa Cruz will be using in the Leased space, and proposed research must be approved by the IBC. To initiate IBC review, the County of Santa Cruz must submit an electronic copy of the completed Biological Use Authorization to the UCSC Biological Safety Officer (biosafety@ucsc.edu). The BUA application form is available here: <http://ehs.ucsc.edu/programs/research-safety/biosafety/index.html>

Bloodborne Pathogens

For any use of human cell lines, the County of Santa Cruz must comply with the California OSHA Bloodborne Pathogen Standard (8 CCR 5193). The County of Santa Cruz must offer HBV vaccinations and provide documented BBP training for their employees working with cell lines.

Chemical Inventory

The County of Santa Cruz is responsible for preparing and submitting its own Hazardous Materials Business Plan, and any other required plans, to the appropriate regulatory agencies. In addition, and prior to beginning operations, the County of Santa Cruz must provide to EH&S an inventory of the hazardous materials that the County of Santa Cruz will be using in its Leased space. For chemicals, this information must include the name, state, on-hand amount, estimated maximum amount at any point during the year, estimated yearly use amount, units, percent concentration, and location in lab (e.g., fume hood, flammable cabinet, etc.) and any other information requested by EH&S or regulatory agencies. The County of Santa Cruz staff will assist by entering this information into the campus Chemical Inventory System in a manner that includes notation making it clear that these items are part of the County of Santa Cruz chemical inventory, not the campus chemical inventory.

Hazardous and Medical Waste Management

The County of Santa Cruz is responsible for the proper management and disposal of any hazardous and/or medical waste generated by its activities. UCSC's status as a 90-day Large Quantity Generator does not allow it legally to manage hazardous waste generated by another institution or business. Upon request, EH&S will provide to the County of Santa Cruz information on vendors who may be able to collect and dispose of hazardous and/or medical waste for the firm.

Environmental Protection, Air Emissions and Drain Disposal

The County of Santa Cruz is required to comply with UCSC environmental protection programs, including limiting air emissions to fugitive emissions and complying with the Campus Drain Disposal Restrictions. To allow UCSC EH&S to confirm continuing campus compliance with air toxics regulations, the County of Santa Cruz must provide to EH&S information on chemical use and associated processes or equipment, in addition to the chemical inventory mentioned above, before operations start.

Emergency Procedures

The County of Santa Cruz must document training for its employees on the emergency procedures applicable to the location of their work. The County of Santa Cruz personnel must respond to alarms and participate in emergency procedure training drills along with UC personnel. It is a violation of state law to remain in a building while a fire alarm is sounding. In the event that the County of Santa Cruz's operations initiate a building fire alarm or other emergency response, the County of Santa Cruz will notify EH&S of the condition as soon as possible, but in no case later than 4 hours after the incident. EH&S can be reached at 459-2553 during business hours, and via UCSC PD dispatch at 459-2345 during off-hours.

Laboratory Safety and Training

The County of Santa Cruz employees are expected to be good role models for safety, complying with campus guidelines for personal protective equipment, food in laboratories, and other prudent practices for laboratory safety. The County of Santa Cruz is responsible for developing a Chemical Hygiene Plan,

and any other appropriate laboratory safety plan or program, to address the potential hazards and compliance risks of the types of work the County of Santa Cruz personnel will perform. The County of Santa Cruz is responsible for providing documented training to its personnel on safety and compliance appropriate for the hazards they face; records of such training are to be maintained on site. The County of Santa Cruz is responsible for conducting a personal protective equipment hazard assessment for the Leased space, and for providing appropriate protective equipment and apparel to The County of Santa Cruz researchers.

Workplace Inspections

EH&S may on occasion conduct workplace safety inspections, including fire safety inspections, in the County of Santa Cruz space; The County of Santa Cruz is responsible for correcting deficiencies identified in its Leased space, and for maintaining on site records of inspections and corrective actions.

Injury Reporting and Medical Treatment

The County of Santa Cruz is responsible for identifying appropriate medical facilities to serve its employees. UCSC's Student Health Center serves only UCSC students, and is not available to employees of The County of Santa Cruz. In the event of a work-related injury requiring emergency medical transport or an overnight hospital stay, the County of Santa Cruz must notify EH&S as soon as possible, but in any case no later than 4 hours after the event. The County of Santa Cruz is responsible for notifying Cal/OSHA or other agencies of work-related injuries or exposures to its employees.

Laser Safety

The County of Santa Cruz plans to use no Class 3b or 4 lasers. If these plans change, The County of Santa Cruz must notify EH&S ten (10) business days in advance of the laser(s) arriving on campus. In that event, EH&S will work with The County of Santa Cruz personnel to ensure that laser installation and use does not put UCSC employees or other personnel at risk of unsafe exposure to laser light.

Radiation Safety

The County of Santa Cruz plans to use no radioactive materials or radiation-producing machines. If these plans change, The County of Santa Cruz must notify EH&S ten (10) business days in advance of the materials or machines arriving on campus. In that event, The County of Santa Cruz will be required to obtain its own radiation use Lease from the state Department of Public Health, and a copy of that Lease must be provided to EH&S; additional safety-related requirements may be established by UCSC's Radiation Safety Officer.

Hazardous Materials Shipments

The County of Santa Cruz is responsible to meet all federal, state, local and international laws pertaining to shipments and import and export controls of their materials and research. The County of Santa Cruz must prepare their shipments in accordance with the applicable regulations, and prepare all required documentation. All packages of regulated materials must be tendered at motor or air carrier's facilities and not at UCSC facilities.

Recordkeeping

The County of Santa Cruz must maintain on site all appropriate records of training, inspections, employee exposure monitoring, and other safety and compliance matters.

Interface with Regulatory Agencies

In the event that the County of Santa Cruz is inspected by a federal, state or local government regulatory agency, the County of Santa Cruz will notify EH&S as soon as possible, but in any case no later than 4 hours after the inspection. If a violation notice is issued (with or without penalty), the County of Santa Cruz will provide to EH&S a copy of the violation notice as soon as possible, but no later than three business days following receipt of the notice/penalty.

Communications between EH&S and the County of Santa Cruz

The County of Santa Cruz staff will serve as the liaison between EH&S staff and the County of Santa Cruz employees on routine safety and environmental protection matters or compliance issues. In an emergency, EH&S staff may communicate with the County of Santa Cruz employees directly. In the event that the County of Santa Cruz employees observe either unsafe actions or unsafe conditions within UCSC space, the County of Santa Cruz will notify the County of Santa Cruz staff as soon as possible so that UCSC can take corrective action.

Stop Work Authority

In the event that UCSC believes that any activities underway by the County of Santa Cruz place UCSC students, employees, property or the environment in imminent danger, the County of Santa Cruz must cease the activity in question immediately upon oral or written direction from the County of Santa Cruz or EH&S staff, or other UCSC officials.

Termination or Amendment of MOU

This MOU may be terminated at UCSC's sole convenience. It is anticipated to remain in effect until the County of Santa Cruz no longer has operations on the UCSC campus, or until a subsequent MOU is established between EH&S and the County of Santa Cruz. At the time of termination, the County of Santa Cruz will turn over the space in the condition originally provided by the campus. All chemicals, radioactive materials, biological materials, contamination, and waste must be removed.

Approved by:

EH&S, UCSC Date

THE COUNTY OF SANTA CRUZ Date