

TULARE COUNTY AGREEMENT NO. \_\_\_\_\_

COUNTY OF TULARE  
HEALTH & HUMAN SERVICES AGENCY  
SERVICES AGREEMENT

**THIS AGREEMENT** ("Agreement") is entered into as of \_\_\_\_\_ between the **COUNTY OF TULARE**, a political subdivision of the State of California ("COUNTY"), and **PENA'S DISPOSAL, INC.**, ("CONTRACTOR"). COUNTY and CONTRACTOR are each a "Party" and together are the "Parties" to this Agreement, which is made with reference to the following:

- A.** COUNTY wishes to retain the services of CONTRACTOR for the purpose of jointly establishing a Recycle-Only Household Hazardous Waste Collection Facility as defined in California Health and Safety Code Section 25218.1(n) to divert household hazardous waste from the solid waste stream within the town of Cutler, California; and
- B.** CONTRACTOR has the experience and qualifications to provide the services COUNTY requires pertaining to the COUNTY'S requirements for the recycling of Household Hazardous Waste Materials; and
- C.** CONTRACTOR is willing to enter into this Agreement with COUNTY upon the terms and conditions set forth herein.

**THE PARTIES AGREE AS FOLLOWS:**

- 1. TERM:** This Agreement becomes effective as of July 1, 2018 and expires at 11:59 PM on June 30, 2020 unless earlier terminated as provided below, or unless the Parties extend the term by a written amendment to this Agreement.
- 2. SERVICES:** See attached **EXHIBIT A**. Pena's Disposal, Inc. will establish, staff, and manage a Recycle-Only Household Hazardous Waste Collection Facility as defined in California Health and Safety Code Section 25218.1(n) to be located at Pena's Material Recovery Facility 12094 Ave 408 Cutler, California. The Recycle-Only Household Hazardous Waste Collection Facility will accept only the following recyclable household hazardous waste materials for subsequent transport to an authorized recycling facility: Latex Paint; Used Oil; Used Oil Filters; Antifreeze; Spent Lead-Acid Batteries; Nickel-Cadmium, Alkaline, Carbon-Zinc, or other small batteries, if the facility is in compliance with section 25216.1 of the California Health and Safety Code; Intact Spent Fluorescent Lamps; and Intact Spent High Intensity Discharge (HID) Lamps. The County of Tulare will provide the Equipment, Containers and Labels, Expertise, and Advice necessary to operate the Collection Facility and transport or arrange for transport of recyclable household hazardous materials collected at the Facility. Pena's Household Hazardous Waste Collection services will be provided at no cost to the County of Tulare.
- 3. INSURANCE:** Before approval of this Agreement by COUNTY, CONTRACTOR must file with the Clerk of the Board of Supervisors evidence of the required insurance as set forth in the attached **Exhibit B**.
- 4. GENERAL AGREEMENT TERMS AND CONDITIONS:** COUNTY'S "General Agreement Terms and Conditions" are hereby incorporated by reference and made a part of this Agreement as if fully set forth herein. COUNTY'S "General Agreement Terms and Conditions" can be viewed at <http://tularecountycounsel.org/default/index.cfm/public-information/>

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**5. ADDITIONAL EXHIBITS:** CONTRACTOR shall comply with the terms and conditions of the Exhibits listed below and identified with a checked box, which are by this reference made a part of this Agreement. Complete Exhibits D, E, F, G, G-1, and H can be viewed at <http://tularecountycounsel.org/default/index.cfm/public-information/>

**COUNTY OF TULARE  
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<input checked="" type="checkbox"/>	<b>Exhibit D</b>	Health Insurance Portability and Accountability Act (HIPAA) Business Associate Agreement
<input checked="" type="checkbox"/>	<b>Exhibit E</b>	Cultural Competence and Diversity
<input type="checkbox"/>	<b>Exhibit F</b>	Information Confidentiality and Security Requirements
<input type="checkbox"/>	<b>Exhibit G</b>	Contract Provider Disclosures ( <u>Must be completed by Contractor and submitted to County prior to approval of agreement.</u> )
<input type="checkbox"/>	<b>Exhibit G1</b>	National Standards for Culturally and Linguistically Appropriate Services (CLAS) in Health and Health Care
<input type="checkbox"/>	<b>Exhibit H</b>	Additional terms and conditions for federally-funded contracts
<input type="checkbox"/>	<b>Exhibit ____</b>	[Insert name of any other exhibit needed and attach]

**7. NOTICES:** (a) Except as may be otherwise required by law, any notice to be given must be written and must be either personally delivered, sent by facsimile transmission or sent by first class mail, postage prepaid and addressed as follows:

**COUNTY:**

TULARE COUNTY HEALTHY & HUMAN SERVICES AGENCY  
 5957 S. Mooney Boulevard  
 Visalia, CA 93277  
 Phone No.: 559-624-8000  
 Fax No.: 559-713-3717

**With a Copy to:**

COUNTY ADMINISTRATIVE OFFICER  
 2800 W. Burrel Ave.  
 Visalia, CA 93291  
 Phone No.: 559-636-5005  
 Fax No.: 559- 733-6318

**CONTRACTOR:**

PENA'S DISPOSAL, INC.  
 12094 Avenue 408  
 Cutler, CA 93615

Phone No.: 559-528-3009  
 Fax No.:

(b) Notice personally delivered is effective when delivered. Notice sent by facsimile transmission is deemed to be received upon successful transmission. Notice sent by first class mail will be deemed received on the fifth calendar day after the date of mailing. Either Party may change the above address by giving written notice under this section.

**8. AUTHORITY:** CONTRACTOR represents and warrants to COUNTY that the individual(s) signing this Agreement on its behalf are duly authorized and have legal capacity to sign this Agreement and bind CONTRACTOR to its terms. CONTRACTOR acknowledges that COUNTY has relied upon this representation and warranty in entering into this Agreement.

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9. **COUNTERPARTS:** The Parties may sign this Agreement in counterparts, each of which is an original and all of which taken together form one single document.

**THE PARTIES,** having read and considered the above provisions, indicate their agreement by their authorized signatures below.

**PENA'S DISPOSAL, INC.**

Date: 10/24/19

X By [Signature]  
Print Name ARTHUR G. PENA  
Title VICE - PRESIDENT

Date: 10/24/19

By [Signature]  
Print Name Maria E. Pena  
Title Corporate Secretary

[Pursuant to Corporations Code section 313, County policy requires that contracts with a Corporation be signed by both (1) the chairman of the Board of Directors, the president or any vice-president (or another officer having general, operational responsibilities), and (2) the secretary, any assistant secretary, the chief financial officer, or any assistant treasurer (or another officer having recordkeeping or financial responsibilities), unless the contract is accompanied by a certified copy of a resolution of the corporation's Board of Directors authorizing the execution of the contract. Similarly, pursuant to California Corporations Code section 17703.01, County policy requires that contracts with a Limited Liability Company be signed by at least two managers, unless the contract is accompanied by a certified copy of the articles of organization stating that the LLC is managed by only one manager.]

**COUNTY OF TULARE**

Date: \_\_\_\_\_

By \_\_\_\_\_  
Chairman, Board of Supervisors

ATTEST: JASON T. BRITT  
County Administrative Officer/Clerk of the Board  
of Supervisors of the County of Tulare

By \_\_\_\_\_  
Deputy Clerk

Approved as to Form  
County Counsel

By [Signature]  
Deputy

Matter # 20191332

## Exhibit A

### PENA'S DISPOSAL SERVICE RECYCLE-ONLY HOUSEHOLD HAZARDOUS WASTE COLLECTION FACILITY

The COUNTY OF TULARE, referred to as COUNTY, and the PENA'S DISPOSAL SERVICE, referred to as PENA'S, seek to partner to establish a Recycle-Only Household Hazardous Waste Collection Facility (Facility) to divert household hazardous waste (HHW) from the solid waste stream. Responsibilities under this Agreement to establish and maintain the Facility are as follows:

- a. PENA'S shall provide and make available an appropriate site to establish Facility at the PENA'S Material Recovery Facility located at 12094 Avenue 408, Cutler, California, 93615 (Site).
- b. Prior to commencing operations, PENA'S shall submit the following written information to the Tulare County Certified Unified Program Agency (CUPA):
  1. A certification that the household hazardous waste collection facility will be operated in accordance with this article and with any other requirement that may be imposed by the department by regulation.
  2. All of the following information:
    - A. The Facility's name.
    - B. The Facility's location.
    - C. The Facility's generator identification number.
    - D. The date that the Facility will begin operation.
    - E. The Facility's operating schedule.
  3. In addition to the information required pursuant to paragraph (2) of subdivision (a), the public agency, or its contractor, shall also subsequently notify the CUPA of any significant change in the Facility's operating schedule.
- c. PENA'S shall limit materials to be accepted at the Facility to those recyclable household hazardous waste materials listed in paragraph 1 of subsection (b), Section 25218.8, Article 10.8, Chapter 6.5, Division 20, Health and Safety Code. These are:
  1. Latex paint.
  2. Used oil.
  3. Used oil filters.
  4. Antifreeze.
  5. Spent lead-acid batteries.
  6. Nickel-cadmium, alkaline, carbon-zinc, or other small batteries, if the facility is in

## Exhibit A

compliance with Section 25216.1.

7. Intact spent fluorescent lamps.
  8. Intact spent high intensity discharge (HID) lamps.
- d. PENA'S shall not accept any other hazardous wastes or other materials at the Facility other than the materials specified in paragraph (1) of subsection (b), Section 25218.8.
- e. PENA'S shall be responsible for training of employees with responsibilities for handling or managing recyclable household hazardous waste materials to be accepted at the Facility. The Occupational Safety & Health Administration requires that training be the responsibility of the employer.
1. The training requirements for Small Quantity Universal Waste Handlers (i.e., handlers who at no time accumulate more than 5,000 kilograms of UW) are listed in the regulations (22CCR §66273.16): "A small quantity handler of universal waste shall inform all employees who handle or have responsibility for managing universal waste. The information shall describe proper handling and emergency procedures appropriate to the type(s) of universal waste handled at the facility."
  2. The attached *Universal Waste Lamp Operations - Recommended Best Practices, Segregating Spent Lamps, Segregating Spent Batteries, Clean Harbors Battery Packaging Protocol (V12.2009), and Battery Quick Reference* provides suggested guidance on hazards, proper handling and management, and emergency procedures (see Attachments 5, 4, 1, 2, and 3, respectively).
- f. PENA'S shall provide direct staff oversight of the Facility when open to the public to insure the following:
1. The materials are transported to the collection facility by the person who generated the material.
  2. The materials transported to the facility are transported in accordance with Section 25218.5 as listed below:
  3. The total combined volume or weight of latex paint, used oil filters, antifreeze, and small batteries transported to the Facility by any one individual shall not exceed a total volume of 10 gallons or a total dry weight of 100 pounds. Up to two spent lead-acid batteries may be transported at the same time and not more than 20 gallons of used oil may be transported in the same vehicle if the volume of each individual container does not exceed five gallons.
- g. In conjunction with the COUNTY, PENA'S staff shall provide oversight of the Facility to insure the following:
1. The materials collected are not stored at the Facility for more than 180 days, except that less than one ton of spent lead-acid batteries may be stored at the facility for up to one year. More than one ton of spent lead-acid batteries shall not be stored at the Facility for more than 180 days.

## Exhibit A

2. Not more than 600 pounds of household batteries are stored at any one time and no household batteries are stored for longer than 180 days. For the purposes of this Agreement, "household batteries" means primary or secondary batteries, including nickel-cadmium, alkaline, carbon-zinc, and other batteries generated as non-RCRA waste similar in size to those typically generated as household waste. "Household batteries" does not include lead-acid batteries.
3. The household batteries are stored and transferred in a manner which minimizes the possibility of fire, explosion, or any release of hazardous substances or hazardous waste constituents.
4. The Facility retains a copy of the hazardous waste manifest or bill of lading used during transportation of household batteries from the Facility for a period of three years. If a bill of lading is used, the bill of lading shall have, at a minimum, all of the following information:
  - A. The name, address, and telephone number of the collection location, transporter, and receiving facility.
  - B. A general description and quantity of batteries.
  - C. The date of the transfer.
  - D. The signatures of the transporter and the collection location representative.
- h. PENA'S shall manage collected materials in accordance with the hazardous waste segregation, containerization, labeling, accumulation, emergency response, and personnel training requirements of Chapter 6.5 of Division 20, Health and Safety Code and Title 22 California Code of Regulations under guidance by COUNTY.
- i. PENA'S shall post the signs depicted in Figure 1-2 (to be provided by COUNTY) to warn the public not to abandon used oil or other hazardous wastes at the facility.
- j. PENA'S may post the signs depicted in Figures 3 - 5 (to be provided by COUNTY) to indicate that used oil and oil filters are received at the Facility. If the sign in Figures 3 is posted, the Facility operators may elect to cover the phrase "Recycling Incentive Paid for Used Lubricating Oil in Containers During Business Hours from Members of the Public Who Change Their Own Oil" if the Facility operator chooses not to offer the recycling incentive to the public.
- k. PENA'S may post the signs depicted in Figures 6 - 13 (to be provided by COUNTY) as needed.
- l. PENA'S shall be responsible for:
  1. Unloading containers and packaging materials supplied by the COUNTY.
  2. Affixing appropriate labels and marking the accumulation start date on each container.
  3. Provide and oversee completion of a Survey Form by each person dropping off

## Exhibit A

materials at the center.

4. Stacking and strapping containers of collected materials on pallets for transportation offsite.
  5. Coordinate transportation of collected materials by COUNTY staff or COUNTY contractor.
  6. Providing a certified forklift operator to loading palletized containers of collected materials onto COUNTY vehicle, or COUNTY contractor vehicle for transportation offsite.
- m. PENA'S Facility employees shall allow the public to drop off only latex paint with legible labels. No spray, oil base, lacquer, enamels or other paint may be accepted. No thinners, solvents, mineral spirits, or other flammable, combustible, or toxic liquid or toxic materials may be accepted. Latex paint containers shall be placed into a cubic yard box. Containers with a capacity of five gallons or greater may be stacked onto a pallet.
- n. PENA'S Facility employees should do the following before accepting used oil from the public:
1. Ask the customer if anything has been added to the used oil, such as gasoline, solvents, antifreeze, paint, or other household products. If the customer says they have added a contaminant, do not accept it.
  2. Examine the used oil to see if it has signs of layering, dirt or debris floating in it, or has an unusual color or odor. If the used oil appears contaminated, do not accept it.
  3. Facility employees must give any customer with contaminated used oil the location of the Visalia Permanent HHW Collection Center or the telephone number of the Tulare County Environmental Health Department (559-624-7400).
  4. PENA'S shall post the signs depicted in Figure 2 (to be provided by COUNTY) to remind both employees and customers not to mix anything with used oil or pour contaminated used oil into storage tanks.
  5. PENA'S Facility employees shall mark the accumulation start date on the preprinted labels (to be provided by COUNTY) on each storage container.
- o. PENA'S Facility employees shall allow the public to drop off only used antifreeze that has not been contaminated or adulterated (see procedure above for used oil). PENA'S Facility employees shall mark the accumulation start date on the preprinted labels (to be provided by COUNTY) on each storage container.
- p. PENA'S Facility employees shall categorize, segregate and package spent batteries collected from the public according to the attached *Segregating Spent Batteries, Clean Harbors Battery Packaging Protocol (V12.2009)*, and *Battery Quick Reference* and other subsequent guidance as may be necessary (see Attachments 1 - 3, respectively). PENA'S Facility employees shall mark the accumulation start date on the preprinted labels (to be provided by COUNTY) on each storage container.



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- q. PENA'S Facility employees ensure that spent fluorescent and high intensity discharge (HID) lamps collected from the public are properly segregated, containerized and labeled. PENA'S Facility employees shall be responsible for compliance with the applicable requirements for Small Quantity Universal Waste Handlers. The attached *Segregating Spent Lamps* and *Universal Waste Lamp Operations - Recommended Best Practices* are provided as suggested guidance (see Attachments 4 & 5, respectively). PENA'S Facility employees shall mark the accumulation start date on the preprinted labels (to be provided by COUNTY) on each storage container.
- r. The COUNTY will provide the Facility with appropriate containers and packing materials. The Facility will be provided with the following containers at a minimum:
1. Containers for latex paint collection including at least one cubic yard box with pallet.
  2. Containers for used oil collection including at least one 55- gallon drum with secondary containment.
  3. Containers for used oil filter collection including at least one 55- gallon drum.
  4. Containers for antifreeze collection including at least one 55- gallon drum with secondary containment.
  5. Storage for spent lead-acid batteries automobile batteries including at least one pallet with secondary containment.
  6. Containers for nickel-cadmium, alkaline, carbon-zinc, or other small batteries including at least:
    - A. One container for Carbon-Zinc (C-Zn) & Alkaline (Zn/MnO<sub>2</sub>) batteries.
    - B. One inner container consisting of a rigid polyethylene drum for Primary Lithium batteries; including Lithium Iron Disulfide (Li/FeS<sub>2</sub>) and Lithium-Manganese Dioxide (Li/MnO<sub>2</sub>) batteries.
    - C. One container for Nickel Cadmium (Ni-Cd), Nickel Metal Hydride (Ni-MH), & Nickel Zinc (Ni-Zn) batteries.
    - D. One container for Lithium Ion (Li-Ion) batteries.
    - E. One container for Small Sealed Lead-Acid (SSLA) i.e., "gel cell" batteries.
    - F. Absorbents and packing materials (Speedy-Dry, vermiculite, baking soda, etc.).
  7. Containers and packing materials for intact spent fluorescent lamps including at least:
    - A. One container for 4-foot long straight fluorescent tubes.
    - B. One container for 8-foot long straight fluorescent tubes.
    - C. One container for U-bend tubes, circular tubes, and compact fluorescent lamps

## Exhibit A

(CFL).

- D. One container with liner for universal waste lamps that are broken during the course of operations;
- 8. One container and packing materials for intact spent high intensity discharge (HID) lamps.
- s. The COUNTY will replenish the Facility with containers and packing materials as required.
- t. The COUNTY will utilize a licensed contractor with a valid hazardous waste transporter registration to pick up the antifreeze, used oil, and oil filters from the Facility. Paint and spent batteries and lamps will be transported by the COUNTY to the Visalia Permanent Household Hazardous Waste Collection Facility for consolidation and ultimate shipment to an approved facility. The COUNTY may also elect to have a licensed contractor with valid hazardous waste transporter registration transport paint and spent batteries and lamps directly from the Facility.
- u. The COUNTY will provide the Facility with appropriate labels to identify and transport wastes.
- v. The COUNTY will provide appropriate signage notifying the public of separate offsite collection opportunities for lighting ballasts and other categories of UW. Signage will include acknowledgement of the PENA'S for hosting the Recycle-Only Collection Facility, and of funding by the California Department of Resources Recycling and Recovery (CalRecycle).
- w. The COUNTY will revise existing Health & Human Services website content to include the Facility. Bill inserts, flyers, posters, and stickers will also be used to advertise the Facility. All advertising and outreach materials will list the Facility and acknowledge the contribution of the PENA'S in protecting the environment.

**Attachment 1  
SEGREGATING SPENT BATTERIES**

The following guide lists the common types of batteries and appropriate management methods. This guide is intended as a general guide. Batteries of the same type and appearance may differ significantly between manufacturers. All batteries are potentially dangerous if mishandled.

**Automotive-type lead acid storage batteries**

- Automotive-type lead acid storage batteries (equivalent in type and equivalent to, or smaller in size than, spent lead-acid storage batteries removed from motor vehicles as defined in Vehicle Code sections 415 and 670). Automotive-type lead acid storage batteries are also accepted for recycling at virtually all retailers that sell these types of batteries.

**Handling** (see INTACT LEAD ACID BATTERIES section on Page 1 of CLEAN HARBORS BATTERY PACKAGING PROTOCOL (V12.2009)):

1. Place intact batteries on pallet.
2. Palletized batteries limited to a single layer only – do not stack batteries.
3. Shrink-wrap batteries to pallet.
4. Band batteries to pallet. (Poly-strapping is recommended)
5. All terminals must be covered with duct tape or other insulator to prevent short circuiting.

**Handling of lead acid batteries that do not fit the above criteria:**

1. Contact the Tulare County Division of Environmental Health at (559) 624-7400.

The sulfuric acid contained in these batteries is very dangerous if spilled. Common baking soda may be used to neutralize spills.

**Universal Waste & Non-Hazardous Waste Batteries**

Segregate Universal Waste & Non-Hazardous Waste Batteries into the following categories and containers:

1. **Dry Cell Battery Containing Zinc Electrodes (Nonhazardous):**
  - A. **Carbon Zinc (C-Zn).** (9V, AA, AAA, C, D, Lantern, Multi Cell). Carbon Zinc batteries produced prior to 1996 may contain mercury. Carbon Zinc batteries produced after 1996 generally do not exceed hazardous waste criteria. There are two common types of carbon zinc batteries - LeClanché and Zinc chloride carbon zinc.
  - B. **Alkaline, or Alkaline Manganese Dioxide-Zinc (Zn/MnO<sub>2</sub>).** (9V, AA, AAA, AAAA, C, D, F, J, Lantern, N, Other) Alkaline batteries produced prior to 1996 may contain mercury. Alkaline batteries produced after 1996 generally do not exceed hazardous waste criteria.

**Handling** (see ALKALINE BATTERIES section on Page 7 of CLEAN HARBORS BATTERY PACKAGING PROTOCOL (V12.2009)):

1. Material must be Non-RCRA/Non-EPA regulated
2. Batteries must be intact

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3. Full 55G drums must be steel, Poly acceptable for 5 thru 30G drums only
4. Batteries may not be connected in series to one another (No two batteries may be connected by a common terminal or wire)
5. Tape battery terminals or place into individual plastic bags and place in labeled container.

Handling of alkaline batteries that do not fit the above criteria:

1. Contact the Tulare County Division of Environmental Health at (559) 624-7400.
2. Alkaline Mercury Batteries. There are three common types of batteries that may contain added mercury:
  - A. Mercuric Oxide or Mercuric Oxide-Zinc ( $ZnHgO_2$ ). (Button, some 9V & Button Stack). These batteries contain a high percentage of mercury and are no longer sold in the US.
  - B. Silver Oxide ( $Zn/Ag^2O$ ) (Button). Silver Oxide batteries generally exceed hazardous waste criteria for silver and mercury (if present) content.
  - C. Zinc Air ( $Zn/O_2$ ). (9V, Button). Zinc air batteries generally exceed hazardous waste criteria for mercury (if present).

Handling (see ALKALINE MERCURY BATTERIES section on Page 6 of CLEAN HARBORS BATTERY PACKAGING PROTOCOL (V12.2009)):

1. Batteries must be intact
2. Full 55G drums must be steel, Poly acceptable for 5 thru 30G drums only
3. Batteries may not be connected in series to one another (No two batteries may be connected by a common terminal or wire)
4. Acceptable battery types:
  - a. Alkaline Mercury Batteries
  - b. Mercury Batteries
  - c. Mercury Oxide Batteries
  - d. Zinc-Air Battery
  - e. Silver Oxide

Handling of alkaline mercury batteries that do not fit the above criteria:

1. Contact the Tulare County Division of Environmental Health at (559) 624-7400.
3. Primary (Single Use) Lithium & Lithium Metal Batteries
  - A. There are two common types of single-use lithium batteries:
    - i. Lithium Iron Disulfide ( $Li/FeS_2$ ). (AA, AAA).
    - ii. Lithium-Manganese Dioxide ( $Li/MnO_2$ ). (9V, Miniature, Multi, Multi Cell, Other).
  - B. All batteries containing lithium generally exceed hazardous waste criteria for reactivity. An explosion or burns may result if these batteries are disassembled or exposed to water, fire, or high temperature. Lithium-ion batteries can rupture, ignite, or explode when exposed to high temperatures or direct sunlight. Never short-circuit, open the battery casing, or damage the safety devices on these batteries as it may cause the battery to ignite or explode.

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- C. All types of intact Lithium Batteries; Hermetically Sealed, Unsealed and Small Tab Type Lithium Cells; excluding Lithium Ion MUST be packaged under mineral oil to prevent exposure to moisture. Batteries must be packaged as to remain completely submerged within the mineral oil, thus eliminating the potential of being exposed to air during shipment/transportation.

Handling (see LITHIUM BATTERIES section on Page 3 of CLEAN HARBORS BATTERY PACKAGING PROTOCOL (V12.2009)):

1. All drums shall be combination packaging, consisting of one or more inner packages secured in a non-bulk outer packaging.
2. Inner containers shall be of rigid poly (Note: PENA'S Facility employees will only place collected batteries into the inner container. COUNTY employees will inspect the full inner containers and subsequently place them into the outer container for transport).
3. Outer container must be steel and DOT approved for the packaged materials.
4. Maximum size of inner container is 5-gallons.
5. Exposed battery terminals must be covered with tape to prevent short-circuiting
6. Maximum 20 pounds of Lithium batteries per inner container.
7. Free liquid (oil) must be < 3 gallons per inner container.
8. Any void space in the outer container must be filled with vermiculite.
9. Containers must be closed securely.

Handling of lithium & lithium metal batteries that do not fit the above criteria:

1. Contact the Tulare County Division of Environmental Health at (559) 624-7400.

3. **Secondary (Rechargeable) Lithium Ion Batteries**

- A. Lithium Ion (Li-Ion). (Button, Proprietary Battery Pack). These batteries are rechargeable and are often found in cell phones and laptop computers.
- B. All batteries containing lithium generally exceed hazardous waste criteria for reactivity. An explosion or burns may result if these batteries are disassembled or exposed to water, fire, or high temperature. Lithium-ion batteries can rupture, ignite, or explode when exposed to high temperatures or direct sunlight. Never short-circuit, open the battery casing, or damage the safety devices on these batteries as it may cause the battery to ignite or explode.

Handling (see INTACT LITHIUM ION BATTERIES section on Page 4 of CLEAN HARBORS BATTERY PACKAGING PROTOCOL (V12.2009)):

1. Batteries must be intact, never involved in a fire, and absent of any rise in temperature.
2. Do not pack batteries with visual evidence of swelling or bulging.
3. All batteries must be insulated from each other & have ends taped to prevent short circuit.
4. Batteries may not be connected in series to one another (No two batteries may be connected by a common terminal or wire)
5. Full 55G drums must be steel, Poly acceptable for 5 thru 30G drums only

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6. Batteries must be clearly labeled as "Lithium-Ion" to qualify for these packaging specifications. If Lithium battery type is questionable, ship as standard lithium batteries and follow applicable guidelines
7. If terminals are raised, weight cannot be superimposed upon the terminals.

Handling of lithium ion batteries that do not fit the above criteria:

1. Contact the Tulare County Division of Environmental Health at (559) 624-7400.

4. Nickel Cadmium & Nickel Metal Hydride (Rechargeable)

- A. Nickel Cadmium (Ni-Cd). (9V, AA, AAA, C, D, Battery Pack) These batteries generally exceed hazardous waste criteria for Nickel and Cadmium. Do not dismantle or short circuit as this may cause the battery to explode, leak or get hot causing personal injury.
- B. Nickel Metal Hydride (Ni-MH). (9V, AA, AAA, C, D, Battery Pack) These batteries do not contain cadmium but generally exceed hazardous waste criteria for Nickel. Follow the same precautions as listed above for Ni-Cd batteries.

Handling: (see NICKEL COMPOUND BATTERIES section on Page 5 of CLEAN HARBORS BATTERY PACKAGING PROTOCOL (V12.2009)):

1. Full 55G drums must be steel for dry cells. Poly acceptable for 5 thru 30G drums and full 55G drums of wet cells only.
2. Batteries may not be connected in series to one another (No two batteries may be connected by a common terminal or wire).
3. All batteries must be insulated from each other by placing into individual plastic bags or taping battery terminals to prevent short circuit.
4. Acceptable battery types included:
  - a. Nickel Cadmium, Wet cells (D002, D006)\*
  - b. Nickel Hydroxide Batteries (D002)\*
  - c. Nickel Cadmium Batteries (D006)\*
  - d. Nickel Iron Batteries
  - e. Rechargeable Ni-Cad Batteries (D006)\*
  - f. Non-Mercury Alkaline Batteries
  - g. Nickel Metal Hydride
  - h. Nickel Zinc
  - i. Non-Mercury Alkaline Dry-cell

\*Universal waste rules may be utilized where applicable.

Handling of nickel compound batteries that do not fit the above criteria:

1. Contact the Tulare County Division of Environmental Health at (559) 624-7400.

5. Small Sealed Lead-Acid ("Gel Cell") batteries. Some are rechargeable. These batteries contain lead and sulfuric acid. Small Sealed Lead-Acid batteries generally exceed hazardous waste criteria for lead content and corrosivity.

Handling: (see GEL CELL BATTERIES section on Page 2 of CLEAN HARBORS BATTERY PACKAGING PROTOCOL (V12.2009)):

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1. Use poly drums only (No Metal Drums with Poly-Liners).
2. Place 2 inches of speedy-dry on the bottom of each drum.
3. Stack gel cells providing 3 inches of vermiculite between layers of batteries.
4. Fill any void head-space in the drum with vermiculite.
5. Batteries limited to 50 pounds each. Total gross weight of drum not to exceed 300 pounds.
6. All terminals must be covered with duct tape or other insulator to prevent short circuiting.
7. Larger Gel Cell batteries may also be palletized as outlined above for intact lead acid batteries.

**Handling of nickel compound batteries that do not fit the above criteria:**

1. Contact the Tulare County Division of Environmental Health at ((559) 624-7400.

## Attachment 2



### CLEAN HARBORS BATTERY PACKAGING PROTOCOL (V12.2009)

When batteries are improperly packaged, the potential for damage or injury related to reactions and/or explosion greatly increases. In addition to safety, batteries have specific packing requirements enforced by the US DOT and Canadian TDG. Clean Harbors has recognized the inherent dangers and liability associated with batteries and has implemented the following packing protocols to protect Clean Harbors and its customers. For shipments of batteries to Clean Harbors, these protocols must be followed in order to ensure safe and compliant handling and transportation of batteries. For additional guidance or assistance contact a Clean Harbors' Customer Service Representative by calling (800) 444-4244.

#### INTACT LEAD ACID BATTERIES

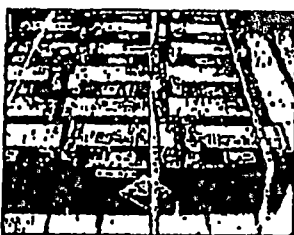
##### Shipping Instructions:

###### Palletized

1. Place batteries on pallet.
2. Palletized batteries limited to a single layer only – do not stack batteries.
3. Shrink wrap batteries to pallet.
4. Band batteries to pallet. (Poly-strapping is recommended)
5. All terminals must be covered with duct tape or other insulator to prevent short circuiting per 49 CFR 173.169. Use Hazardous Waste Manifest or B.O.L. as the shipping document.
6. Shipping Information:
  - a. UN2794, Batteries, wet, filled with acid, 8, PGIII or
  - b. UN2794, Waste Batteries, wet, filled with acid, 8, PGIII (D002, D008)\*

*\*Universal waste rules may be utilized where applicable.*
7. DOT corrosive (8) diamond is required on opposing sides of pallet next to label, 2 per pallet.
8. The gross weight of the unit must not be greater than 500 lbs.

##### Examples:



#### LEAKING LEAD ACID BATTERIES OR SINGLE BATTERY SHIPMENTS

Clean Harbors is a full service environmental company which can handle your battery disposal needs. Occasionally, single lead acid batteries or leaking lead acid batteries may need to be removed from your location. For additional information on leaking or single batteries for shipment or to schedule Clean Harbors' Chemists for on-site assistance, please contact your Clean Harbors' Customer Services Representative at (800) 444-4244.



## Attachment 2



### CLEAN HARBORS BATTERY PACKAGING PROTOCOL (V12.2008)

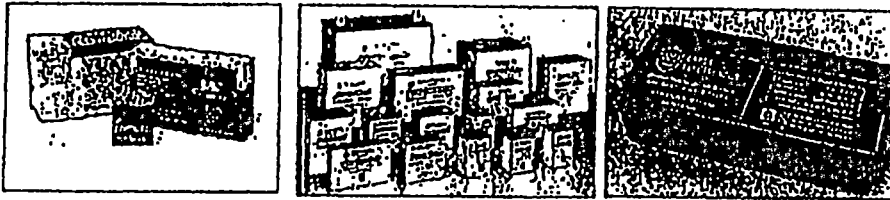
#### GEL CELL BATTERIES

##### Shipping Instructions:

1. Use poly drums only (No Metal Drums with Poly-Liners).
2. In order for a battery to be shipped under this section it must be marked "NONSPILLABLE" or "NONSPILLABLE BATTERY" by the manufacturer. Otherwise it must ship as a standard lead acid battery subject to the above protocols.
3. The outer packaging must be plainly and durably marked "NONSPILLABLE" or "NONSPILLABLE BATTERY."
4. Place 2 inches of speedy-dry on the bottom of each drum.
5. Stack gel cells providing 3 inches of vermiculite between layers of batteries.
6. Fill any void head-space in the drum with vermiculite.
7. Batteries limited to 50 pounds each. Total gross weight of drum not to exceed 300 pounds.
8. All terminals must be covered with duct tape or other insulator to prevent short circuiting per 49 CFR 173.159.
9. Shipping Information:
  - a. UN2800, Batteries, wet, non-spillable, 8, PGIII or
  - b. UN2800, Waste Batteries, wet, non-spillable, 8, PGIII (D002, D008)\*

*\*Universal waste rules may be utilized where applicable.*
10. Affix appropriate label to the container.
11. DOT corrosive (8) diamond is required.
12. Packing slips are required.
13. When drums are pre-packed, top MUST be left off the drum and do not add vermiculite until material is reviewed by the Clean Harbors Chemists/Driver prior to shipment. If not packed according to guidelines, the drum must be repacked. Drums cannot be shipped if not packaged to this protocol.
14. Larger Gel Cell batteries may also be palletized as outlined above for intact lead acid batteries.

##### Examples:



## Attachment 2



### CLEAN HARBORS BATTERY PACKAGING PROTOCOL (V12.2009)

#### LITHIUM BATTERIES

##### Shipping Instructions:

All types of Intact Lithium Batteries; Hermetically Sealed, Unsealed and Small Tab Type Lithium Cells; excluding Lithium Ion MUST be packaged under mineral oil to prevent exposure to moisture. Batteries must be packaged as to remain completely submerged within the mineral oil, thus eliminating the potential of being exposed to air during shipment/transportation.

- All drums shall be combination packaging, consisting of one or more inner packages secured in a non-bulk outer packaging.
- Inner containers shall be of rigid poly.
- Outer container must be steel and DOT approved for the packaged materials.
- Maximum size of inner container is 5-gallons.
- Exposed battery terminals must be covered with tape to prevent short-circuiting per 49 CFR 173.185
- Maximum 20 pounds of Lithium batteries per inner container.
- Free liquid (oil) must be < 3 gallons per inner container.
- Any void space in the outer container must be filled with vermiculite.
- Containers must be closed securely.

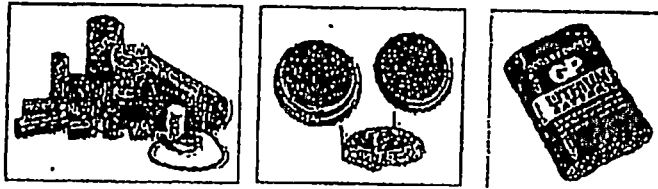
##### 1. Shipment Information

- a. If it is known that there is no reactive lithium present, then ship as:  
UN3090, Lithium Battery, 9, PGII OR
- b. If the presence of reactive lithium cannot be determined, then ship the batteries as:  
UN3090, Waste Lithium Battery, 9, PGII (D001, D003)\*
- c. Note: Lithium batteries cannot be commingled with other material.
- d. Material must be manifested directly to end disposal facility only.  
- Clean Harbors authorized lithium disposal facilities are:

Clean Harbors El Dorado, LLC  
309 American Circle  
El Dorado, AR 71730  
EPA: ARD069748192

Clean Harbors Aragonite, LLC  
1160 North Aptus Road  
Aragonite, UT 84028  
EPA: UTD981552177

##### Examples:



\*Universal waste rules may be utilized where applicable.

## Attachment 2



### CLEAN HARBORS BATTERY PACKAGING PROTOCOL (V12.2008)

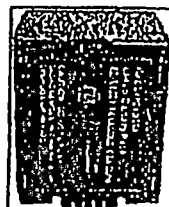
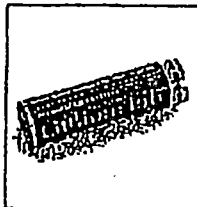
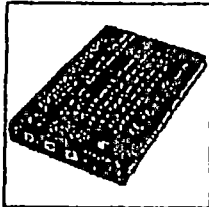
#### INTACT LITHIUM ION BATTERIES

Lithium Ion Batteries Only

##### Shipping Instructions:

- Sources- Rechargeable Cell Phones, Laptops, etc.
- Batteries must be intact, never involved in a fire, and absent of any rise in temperature.
- Do not pack batteries with visual evidence of swelling or bulging.
- All batteries must be insulated from each other & have terminals protected to prevent short circuit per 49 CFR 173.185.
- Batteries may not be connected in series to one another (No two batteries may be connected by a common terminal or wire)
- Full 55G drums must be steel. Poly acceptable for 5 thru 30G drums only
- Batteries must be clearly labeled as "Lithium-Ion" to qualify for these packaging specifications. If Lithium battery type is questionable, ship as standard lithium batteries and follow applicable guidelines
- If terminals are raised, weight cannot be superimposed upon the terminals.
- When drums are prepacked, top **MUST** be left off the drum and do not add vermiculite until QC'ed by Chemists/Driver prior to shipment. If not packed according to guidelines, drum is to be repacked. Drum cannot be shipped if not packaged to the guidelines.
- Shipping name: UN3090, Lithium Battery, 9, PGI
- Waste codes do not apply

##### Examples:



## Attachment 2



### CLEAN HARBORS BATTERY PACKAGING PROTOCOL (V12.2009)

#### NICKEL COMPOUND BATTERIES

##### Shipping Instructions:

1. Full 55G drums must be steel for dry cells. Poly acceptable for 5 thru 30G drums and full 55G drums of wet cells only.
2. Except for dry cell batteries  $\leq 8V$ , batteries must be insulated from each other & have terminals protected to prevent short circuit per 49 CFR 172.102 Special Provision 130 and 173.159.
  - a. Spent dry cell batteries  $\leq 8V$  are exempt from the insulating/taping requirements provided they are shipped separately from other battery sizes and types. These batteries must fall under the description "Batteries, dry, sealed, n.o.s."
    - Note this exemption does not apply to those battery chemistries specifically covered by another proper shipping name.
3. Batteries may not be connected in series to one another (No two-batteries may be connected by a common terminal or wire)
4. Acceptable battery types included:
  - a. Nickel Cadmium, Wet cells (D002, D008)\*
  - b. Nickel Hydroxide Batteries (D002)\*
  - c. Nickel Cadmium Batteries (D008)\*
  - d. Nickel Iron Batteries
  - e. Rechargeable Ni-Cad Batteries (D006)\*
  - f. Non-Mercury Alkaline Batteries
  - g. Nickel Metal Hydride
  - h. Nickel Zinc
  - i. Non-Mercury Alkaline Dry-cell

*\*Universal waste rules may be utilized where applicable.*

5. Shipping Information:

Proper shipping name will vary based on specific battery type. If assistance is required contact your Clean Harbors' Customer Service Representative at (800)444-4244.
6. When drums are pre-packed, top MUST be left off the drum and do not add vermiculite until material is reviewed by the Clean Harbors Chemists/Driver prior to shipment. If not packed according to guidelines, the drum must be repacked. Drums cannot be shipped if not packaged to this protocol.

##### Examples:



## Attachment 2



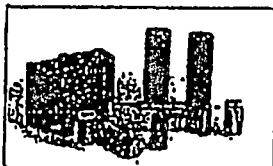
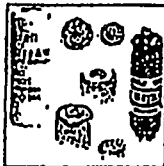
### CLEAN HARBORS BATTERY PACKAGING PROTOCOL (V12.2009)

#### ALKALINE MERCURY BATTERIES

##### Shipping Instructions:

1. Batteries must be intact
2. Full 55G drums must be steel, Poly acceptable for 5 thru 30G drums only
3. Batteries may not be connected in series to one another (No two batteries may be connected by a common terminal or wire)
4. Except for dry cell batteries  $\leq 9V$ , batteries must be insulated from each other & have terminals protected to prevent short circuit per 49 CFR 172.102 Special Provision 130 and 173.159.
  - a. Spent dry cell batteries  $\leq 9V$  are exempt from the insulating/taping requirements provided they are shipped separately from other battery sizes and types. These batteries must fall under the description "Batteries, dry, sealed, n.o.s."
    - Note this exemption does not apply to those battery chemistries specifically covered by another proper shipping name.
5. Acceptable battery types:
  - a. Alkaline Batteries
  - b. Mercury Batteries
  - c. Mercury Oxide Batteries
  - d. Zinc-Air Battery
  - e. Silver Oxide
6. Shipping Information:
  - a. Proper shipping name will vary based on specific battery type. If assistance is required contact your Clean Harbors' Customer Service Representative at (800)444-4244.
    - \*Universal waste rules may be utilized where applicable.*
7. When drums are pre-packed, top MUST be left off the drum and do not add vermiculite until material is reviewed by the Clean Harbors Chemists/Driver prior to shipment. If not packed according to guidelines, the drum must be repacked. Drums cannot be shipped if not packaged to this protocol.

##### Examples:



## Attachment 2



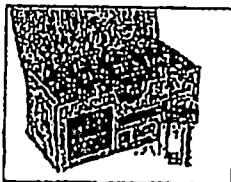
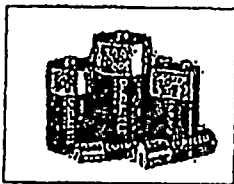
### CLEAN HARBORS BATTERY PACKAGING PROTOCOL (V12.2009)

#### ALKALINE BATTERIES











##### Shipping Instructions:

1. Material must be Non-RCRA/Non-EPA regulated
2. Batteries must be intact
3. Except for dry cell batteries  $\leq$  9V, batteries must be insulated from each other & have terminals protected to prevent short circuit per 49 CFR 172.102 Special Provision 130 and 173.159.
  - a. Spent dry cell batteries  $\leq$  9V are exempt from the insulating/taping requirements provided they are shipped separately from other battery sizes and types. These batteries must fall under the description "Batteries, dry, sealed, n.o.s."
    - Note this exemption does not apply to those battery chemistries specifically covered by another proper shipping name.
  - b. Alkaline batteries in Canada are currently exempt from the insulating/taping requirement provided they are not intended for export to the US.
4. Full 55G drums must be steel, Poly acceptable for 5 thru 30G drums only
5. Batteries may not be connected in series to one another (No two batteries may be connected by a common terminal or wire)
6. Shipping Information:
  - a. Spent 1.5 volt alkalines- Non DOT Regulated Material (spent alkaline batteries)
  - b. All other alkalines- Batteries, dry, sealed, n.o.s. (alkaline batteries)
7. When drums are pre-packed, top MUST be left off the drum and do not add vermiculite until material is reviewed by the Clean Harbors Chemists/Driver prior to shipment. If not packed according to guidelines, the drum must be repacked. Drums cannot be shipped if not packaged to this protocol.

##### Examples:



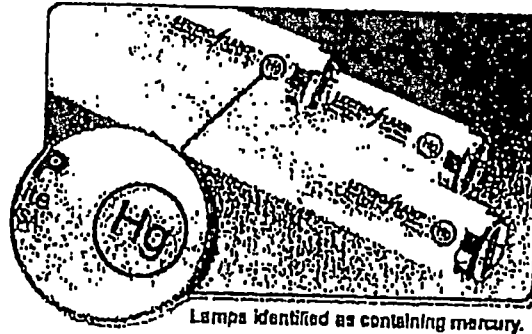
**Attachment 3**

	Type of Battery	Common Sizes	Hazard(s)	Identification	Handling Instructions
Single Use Batteries	Alkaline	9V, AA, AAA, AAAA, C, D, F, J, Lantern, N, Other		 Classic; Super Heavy Duty, Industrial; Hercules Energizer, Duracell, etc	Dry cell batteries ≤ 9 volts are exempt from the insulating/taping requirements provided they are shipped separately from other battery sizes and types Container – Poly (5 thru 30G drums only) or steel
	Lithium	Hermetically Sealed, Unsealed and Small Tab Type Lithium Cells	Reactive	 	Tape terminals Inner Container – ≤ 5-gal rigid poly, max 20 lbs batteries per inner container, completely submerge batteries in mineral oil (free liquid < 3 gallons per inner container) Outer Container – steel DOT approved
	Lithium Ion	Rechargeable Proprietary Battery Pack (Cell Phone, Laptop, etc.)	Reactive	 Look for "Li-Ion" or this RBRC recycling symbol on the battery: 	Tape terminals Container – Poly (5 thru 30G drums only) or steel Other – batteries must be intact, never involved in a fire, absent of any rise in temperature, and with no visual evidence of swelling or bulging
Rechargeable Batteries	Nickel-Compound (dry & wet cells)	9V, AA, AAA, C, D, Battery Pack	Cadmium, Nickel	 Look for "Ni-Cd" or "Ni-MH" or these RBRC recycling symbols on the battery:  	Dry cell batteries ≤ 9 volts are exempt from the insulating/taping requirements provided they are shipped separately from other battery sizes and types, terminals of all wet cell & dry cell batteries > 9V must be taped Container – Poly acceptable for 5 thru 30G drums and full 55G drums of wet cells only. Full 55G drums must be steel for dry cells.
	Small Sealed Lead-Acid (i.e., gel cells)		Lead, Corrosive (Sulfuric Acid)	 Look for "Pb" or this RBRC recycling symbol on the battery. 	Tape terminals Container – Poly only Other – 2 inches of speedy-dry on the bottom of each drum, stack providing 3 inches of vermiculite between layers, individual batteries limited to 50 pounds each. Total gross weight of drum not to exceed 300 pounds.

## Attachment 4

### SEGREGATING LAMPS THAT CONTAIN MERCURY

Mercury-added lamps manufactured after November 30, 2003 will bear a label, which states, "Contains Mercury," or it will have the symbol "Hg" within a circle on the lamp (Hg is the scientific symbol for mercury on the periodic table of elements). This signifies that the bulb contains mercury. Incandescent and halogen lamps are nonhazardous and may continue to be discarded in the trash.



Segregate mercury-added lamps into the following categories and containers:

1. Fluorescent tubes, including low mercury tubes.

- A. All diameters of straight fluorescent tubes up to 4-feet in length;
- B. All diameters of straight fluorescent tubes up to 8-feet in length;



2. Compact Fluorescent Lamps, (CFL), Short (< 2 ft) Straight, U - Bend, & Circular Fluorescent Tubes, including low mercury lamps.

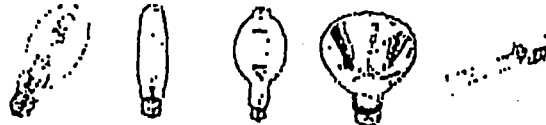


3. High Intensity Discharge lamps (HID). These bulbs are commonly used in security, outdoor and warehouse lighting. HID lighting is becoming popular for indoor use in commercial settings. The following are HID bulbs:

- A. Mercury Vapor, such as those sometimes used for street lighting.



- B. Metal Halide, such as floodlights for large indoor and outdoor areas and gymnasiums.



- C. High & Low-Pressure Sodium, such as those sometimes used as security and outdoor floodlights.



4. Ultraviolet ("Black Light") & Neon lamps



5. Scattershields and Coated Lamps



6. Broken lamps of all types



## Attachment 5

### UNIVERSAL WASTE LAMP OPERATIONS - RECOMMENDED BEST PRACTICES SMALL QUANTITY UNIVERSAL WASTE HANDLERS

**DESIGNATING AN ACCUMULATION AREA.** While an area should be set aside for accumulating spent lamps, you do not need to follow all of the strict rules for access, signs, formal training, and container technical standards that you do for a hazardous waste accumulation area. If located outside, please secure location after hours to prevent vandalism, and store boxes under overhead cover or plastic sheeting to protect from rain.

**TRAINING EMPLOYEES.** Small quantity handlers of universal waste must inform their employees in proper management of those universal wastes. A small quantity handler is one that never has 5,000 Kg (11,000 pounds or 5 ½ tons) of universal waste on hand at any one time.

- **Training requirements.** Small quantity handlers must "inform all employees who handle or have responsibility for managing universal waste." The information must describe proper handling and emergency procedures for lamps. At a minimum, the training should inform employees of the following:
  - o The fact that spent lamps are regulated and **MUST** be recycled, not discarded in the trash.
  - o Where to store spent lamps.
  - o How to package spent lamps.
  - o How to label spent lamps or containers of spent lamps.
  - o How to indicate the proper accumulation time.
- **Methods for conducting training requirements:**
  - o Posting requirements on the wall of the facility where employees will see them.
  - o Handing out photocopied pages to employees.
  - o A short training session delivered at an employee meeting or safety meeting.
  - o Any other method that "informs" the employee.
- **Demonstrating compliance with training requirement.** It is important to document compliance with the training requirements. Keep a record of the dates that this guidance or other store procedures for handling universal waste are posted or distributed. You may also want to have the employee sign and date a record of the training.

#### **ACCUMULATING LAMPS.**

- **Containers.** All spent lamps must be placed in containers while in storage (and for shipment). Containers must be "that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps." The original boxes in which the lamps were sold are acceptable if they are structurally sound and in good condition. The COUNTY will provide the following containers:

## Attachment 5

- o Containers for all diameters of straight fluorescent tubes up to 4-feet in length;
- o Containers for straight fluorescent tubes from 4-feet to 8-feet in length;
- o Containers for straight fluorescent tubes up to 2-feet in length, U-bend tubes, circular tubes, and compact fluorescent lamps (CFL);
- o Containers for all categories of high intensity discharge lamps (HID), including Mercury Vapor, Metal Halide, and High & Low-Pressure Sodium lamps;
- o Containers with liners for all categories of broken lamps.

Additional containers may be obtained by calling the Tulare County Environmental Health Services contact at (559) 624-7400 to schedule a pickup.

- **Segregation.** It is important to properly segregate universal wastes into the proper packaging categories prior to placing. Refer to the attached guidance *SEGREGATING LAMPS THAT CONTAIN MERCURY* to properly identify, segregate and package each category of universal waste. Incandescent and halogen lamps are nonhazardous and may be discarded in the trash.
- **Containerizing.** Spent lamps should be placed into the appropriate container immediately upon arrival. Do not tape lamps together. This results in excess handling of lamps and additional charges. When the container is full, write the number of lamps placed within it on the outside. The container should then be closed to prevent lamps from falling out of it, and placed into the designated accumulation area where it will be safe from accidental breakage.
- **Labels.** Labels should be affixed to the spent lamps or the container of spent lamps as soon as spent lamps are generated. Each container of spent lamps must be labeled with one of the following: "Universal Waste-- Lamp(s)," or "Waste Lamp(s)," or "Used lamp(s)." The COUNTY will provide a supply of appropriate labels for all containers. Additional labels may be obtained by calling John Macedo at (559) 733-6441 extension 2824. The label may also be written on the container as long as it is clearly visible to persons entering the area.
- **Accumulation time limits.** You may accumulate spent lamps for up to one year prior to shipment to a recycler (or intermediary). You must be able to demonstrate that you are in compliance with the one-year time limit.
- **Recording accumulation dates.** Mark each container with the date that the first spent lamp was placed into the container.
- **Maintaining the accumulation area.** The accumulation area should be kept clean and free of obstacles and debris that could cause an employee to trip or stumble, breaking lamps.

### LAMP TRANSPORT

- **Arranging for transport.** Call the Tulare County Environmental Health Services contact at (559) 624-7400 to schedule a pickup. The accumulated lamps will either be transported to the Visalia HHW Collection Facility by Tulare County Environmental Health Services personnel or we will have our contractor pick them up directly from your facility. The Tulare County Environmental Health

## Attachment 5

Services will be responsible for complying with applicable Department Of Transportation requirements for labeling, marking, placarding, and shipping papers.

### **RESPONDING TO BROKEN LAMPS.**

Everyone that works with fluorescent tubes and other lamps occasionally breaks one. The Universal Waste Regulations allow accidentally broken lamps to be cleaned up and the residue managed as universal waste alongside the intact spent lamps. If a tube or other lamp is broken, carefully sweep up the pieces and place them in a dedicated drum with a poly liner. If the public drops off broken tubes, handle them in the same fashion as lamps accidentally broken at the collection facility:

#### **Cleaning up one or a few broken spent lamps:**

- Gently sweep up debris with a small broom to avoid suspending the phosphor powders in the air.
- Place the debris in a lined, labeled container or drum. Keep the container closed except when adding broken lamps.
- **DO NOT VACUUM** broken lamp debris. Vacuuming will disperse mercury throughout the area in the exhaust from the vacuum.

#### **Response to breaking a large number of tubes:**

If a more serious incident breaks a significant number of spent lamps, it may be necessary to close off the area until cleanup is completed. If a box of lamps break, place the entire box in a plastic bag immediately. **DO NOT** open the box..Close and seal the bag.

Figure 1. 18"x24" Stop! It's Illegal to Abandon Used Oil... Language: English and Spanish

# STOP!

**IT'S ILLEGAL**  
**To Abandon Used Oil**  
**Or Other Hazardous**  
**Substances Outside**  
**This Facility**

**TO REPORT ILLEGAL DISPOSAL OF USED OIL OR OTHER HAZARDOUS MATERIALS AT THIS LOCATION, PLEASE CALL:**  
**1-800-698-6942**

**UNDER PENALTY OF LAW, IHS CODE SECTIONS 25189.5 (a, c) and 25250.5 (a) and PENAL CODE SECTION 374.0**

# ¡ALTO!

**ES ILEGAL**  
**Dejar Su Aceite Usado**  
**O Otras Substancias**  
**Peligrosas Afuera**  
**De Este Negocio**

**Para reportar cualquier disposicion de aceite usado o otros desechos peligrosos, por favor llame al:**  
**1-800-698-6942**

**BAJO PENA DE LA LEY, S&S SECCIONES DE CODIGO 25189.5 (a, c) y 25250.5 (a) Y CODIGO PENAL SECCION 374.0**

Figure 2. 9"x11" Stop!...Remember Used Oil Cannot be Mixed With... English and Spanish

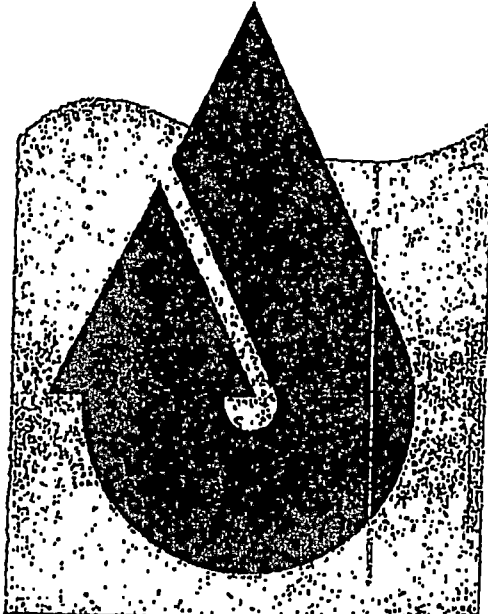
# STOP!

**Remember**  
**Used oil CANNOT**  
**be mixed with:**

# ¡ALTO!

**Recuerde**  
**El aceite usado NO DEBE**  
**mezclarse con:**

Figure 3. 24"x36" Informational and Symbolic; Language: English only



**State of California Certified**

# Used Oil Collection Center

**Used Oil Accepted from  
the Public at No Charge**

Recycling Incentive Paid for Used Lubricating Oil in  
Containers During Business Hours from Members of the  
Public Who Change Their Own Oil

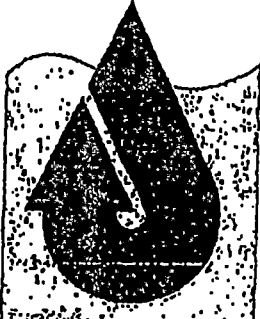
Contaminated oil, or oil suspected of contamination may  
not be accepted

For more information or complaints concerning this center  
please call the California Integrated Waste Management  
Board at 916-341-6457

*Zero Waste - You Make It Happen*

Center Hours: \_\_\_\_\_ Center ID# \_\_\_\_\_

Figure 4. 18"x24" Symbolic; Language: English and Spanish



**State of California Certified**

# Used Oil

# Collection Center

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD  
P.O. Box 900000  
Sacramento, CA 95829



**State of California Certified**

# Aquí Aceptamos

# Aceite Usado

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD  
P.O. Box 900000  
Sacramento, CA 95829

Figure 5. 11"x16" Recycle Used Oil Filters Here; Language: English and Spanish

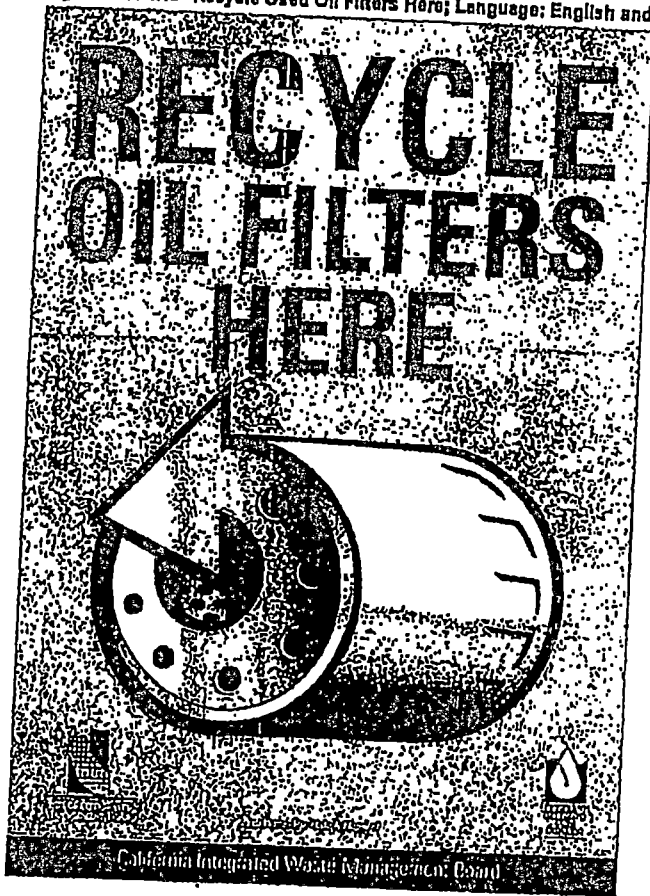


Figure 6. Persons Keep Out / Area De Almacenamiento De Desperdicios



**HAZARDOUS WASTE  
STORAGE AREA  
UNAUTHORIZED PERSONS  
KEEP OUT**

Product	Material	Size
H-38105	Material: Aluminum	Size: 14 x 10
H-39505	Material: Fiberglass	Size: 20 x 14
H-38605	Material: Plastic	Size: 14 x 10
H-90542	Material: Self Stick	Size: 14 x 10



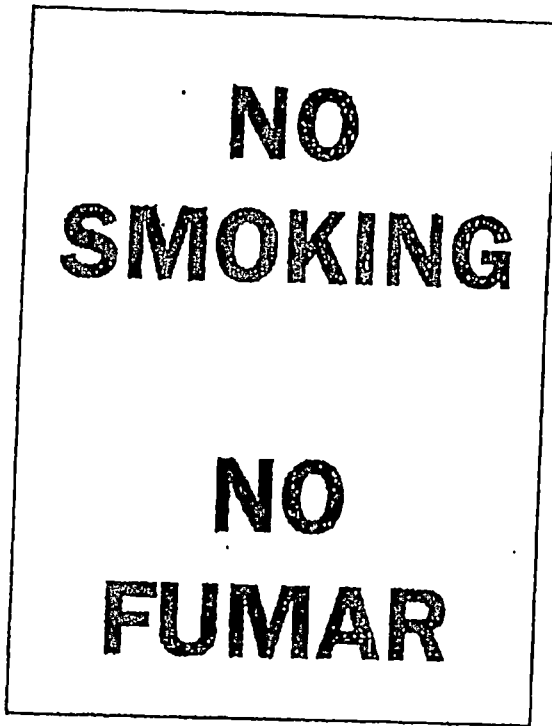
**AREA DE ALMACENAMIENTO  
DE DESPERDIGIOS PELIGROSOS  
PERSONAL NO AUTORIZADO  
MANTENGASE AFUERA**

Figure 7. Help Keep This Place Clean / Ayude A Mantener Esta Area Limpia



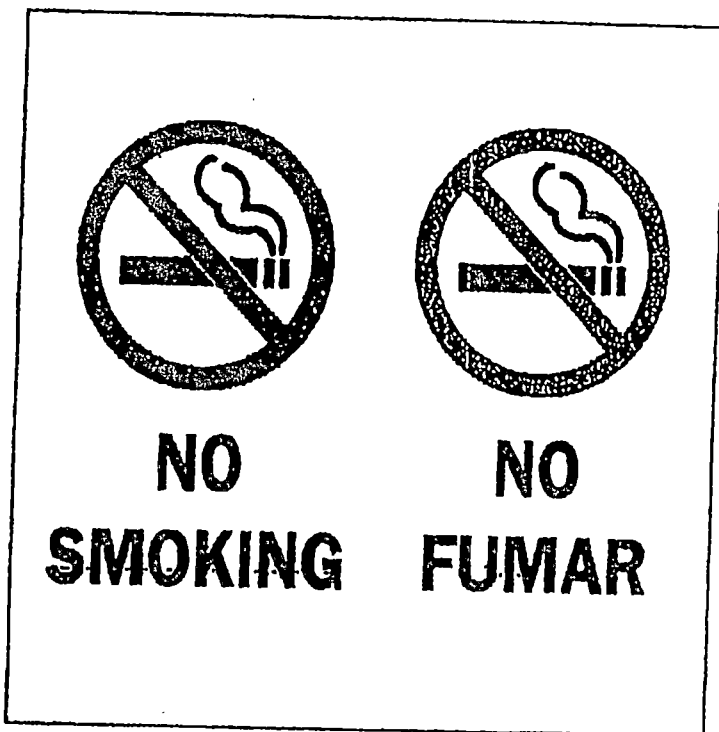
Product	Material	Size
H-38349	Material: Aluminum	Size: 14 x 10
H-39742	Material: Fiberglass	Size: 20 x 14
H-38850	Material: Plastic	Size: 14 x 10
H-90791	Material: Self Stick	Size: 14 x 10

Figure 8. No Smoking / No Fumar



Product	Description
H-38420	Material: Alumihum Size: 10 x 14
H-39820	Material: Fiberglass: 20 x 14
H-38931	Material: Plastic: 10 x 14

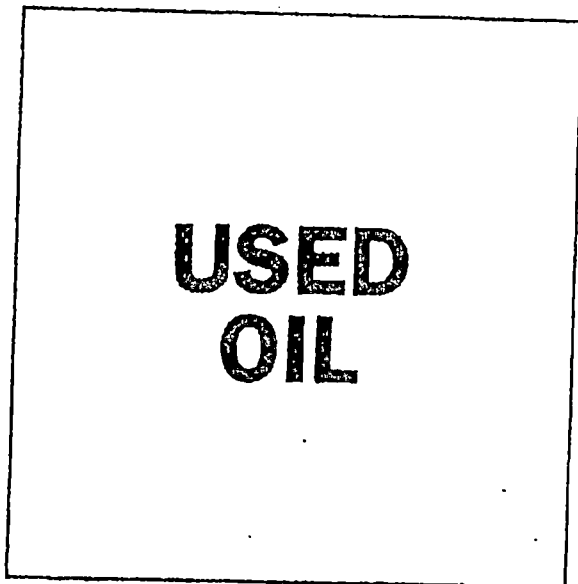
Figure 9. No Smoking / No Fumar



Product	Description
H-39821	Material: Fiberglass: 20 x 14
H-38933	Material: Plastic: 10 x 14
H-90822	Self Sticking: 10 x 14



Figure 10. Used Oil Sign



Product	Description
H-60350	Material: Aluminum Size: 10 x 14
H-43983	Material: Self Slick Size: 7 x 10

Figure 11. All Visitors Report To Site Office Sign



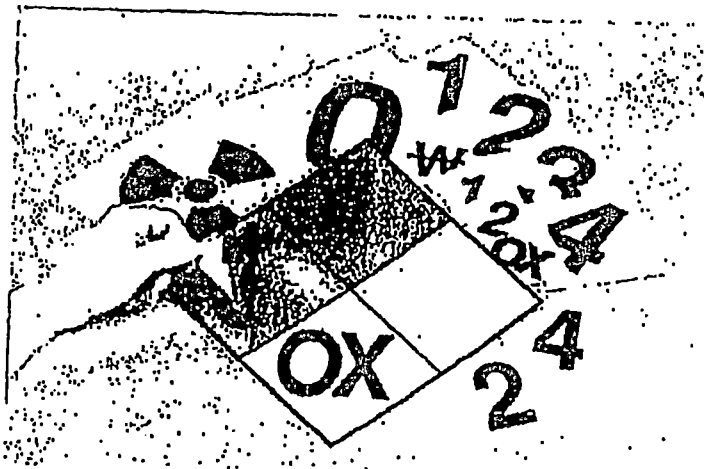
Product	Description
All Visitors Report To Site Office Sign	Material: Plastic Size: 18 x 24

**Figure 12. Diamond Only-Magnetic Sign**



The NFPA system is used for rating materials under emergency situations. This sign is printed on magnetic backing. It includes the distinctive NFPA diamond only. Sign measures 15" x 15". Sold per each.

**Figure 13. 6" Clear Vinyl Numbers**



Use these clear vinyl numbers to add hazard ratings to any NFPA sign. Each kit contains 3 each of numerals 0, 1, 2, 3, and 4 and one oxidizer, use no water and radioactive symbol. Available in your choice of sizes: 1", 2", 3", 4" or 6". Sold per kit.

## EXHIBIT B

### **NON-PROFESSIONAL SERVICES** **INSURANCE REQUIREMENTS**

CONTRACTOR shall provide and maintain insurance for the duration of this Agreement against claims for injuries to persons and damage to property which may arise from, or in connection with, performance under the Agreement by the CONTRACTOR, his agents, representatives, employees and subcontractors, if applicable.

#### A. Minimum Scope & Limits of Insurance

1. Commercial General Liability coverage of \$1,000,000 on an occurrence basis, including products and completed operations, property damage, bodily injury and personal & advertising injury (occurrence Form CG 00 01). If a general aggregate applies, either the general aggregate limit shall apply separately to this project/location (ISO CG 25 03 or 25 04) or the general aggregate limit must be no less than \$2,000,000.
2. Insurance Services Office Form Number CA 00 01 covering Automobile Liability, (any auto) of no less than \$1,000,000 per accident for bodily injury and property damage. If an annual aggregate applies it must be no less than 2,000,000.
3. Workers' Compensation insurance as required by the State of California, with Statutory Limits, and Employer's Liability Insurance with limit of no less than \$1,000,000 per accident for bodily injury or disease.

#### B. Specific Provisions of the Certificate

1. If any of the required insurance is written on a claims made form, the retroactive date must be before the date of the contract or the beginning of the contract work and must be maintained and evidence of insurance must be provided for at least three (3) years after completion of the contract work.
2. CONTRACTOR must submit endorsements to the General Liability reflecting the following provisions:
  - a. *The COUNTY OF TULARE, its officers, agents, officials, employees and volunteers are to be covered as additional insureds as respects: liability arising out of work or operations performed by or on behalf of the Contractor including materials, parts, or equipment furnished in connection with such work or operation.*
  - b. *For any claims related to this project, the CONTRACTOR's insurance coverage shall be primary insurance as respects the COUNTY, its officers, agents, officials, employees and volunteers. Any insurance or self-insurance maintained by the COUNTY, its officers, agents, officials, employees or volunteers shall be excess of the CONTRACTOR's insurance and shall not contribute with it.*
  - c. *Each insurance policy required by this agreement shall provide that coverage shall not be canceled, except with written notice to the COUNTY.*
  - d. *CONTRACTOR hereby grants to COUNTY a waiver of any right to subrogation which any insurer of the CONTRACTOR may acquire against the COUNTY by virtue of the payment of any loss under such insurance. CONTRACTOR agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation, but this provision applies regardless of whether or not the COUNTY has received a waiver of subrogation endorsement from the insurer.*

3. The Workers' Compensation policy shall be endorsed with a waiver of subrogation in favor of the COUNTY for all work performed by the CONTRACTOR, its employees, agents and subcontractors. CONTRACTOR waives all rights against the COUNTY and its officers, agents, officials, employees and volunteers for recovery of damages to the extent these damages are covered by the workers compensation and employers liability.

C. Deductibles and Self-Insured Retentions

Deductibles and Self-insured retentions must be declared and any deductible or self-insured retention that exceeds \$100,000 will be reviewed by the COUNTY Risk Manager for approval.

D. Acceptability of Insurance

Insurance must be placed with insurers with a current rating given by A.M. Best and Company of no less than A-:VII and a Standard & Poor's rating (if rated) of at least BBB and from a company approved by the Department of Insurance to conduct business in California. Any waiver of these standards is subject to approval by the County Risk Manager.

E. Verification of Coverage

Prior to approval of this Agreement by the COUNTY, the CONTRACTOR shall file with the submitting department, certificates of insurance with original endorsements effecting coverage in a form acceptable to the COUNTY. Endorsements must be signed by persons authorized to bind coverage on behalf of the insurer. The COUNTY reserves the right to require certified copies of all required insurance policies at any time.

WAIVERS:

I represent and attest that I am a person authorized to make representations on behalf of the CONTRACTOR, and represent the following:

(mark X if applicable)

Automobile Exemption: I certify that \_\_\_\_\_ does not own nor use vehicles in the performance of the agreement for which this insurance requirement is attached.

Workers' Compensation Exemption: I certify that \_\_\_\_\_ is not required to carry workers' compensation coverage or has filed an exemption with the State of California as required by law.

I acknowledge and represent that we have met the insurance requirements listed above.

Print Name Rick McConnell Date: 8/26/19

Contractor Name Pena's Disposal Inc

Signature 