
	<p><b>Atacama Pathfinder EXperiment</b></p> <p>Visitor Waiver and Release Agreement</p>	<p>APEX-APX-PRO-0003</p> <p>Revision: 1.1</p> <p>Release: 2008-11-25</p> <p>Category: 1</p> <p>Author: L.-A. Nyman</p>
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# APEX Visitor Waiver and Release Agreement

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<b><u>Keywords:</u></b>		
Safety, Visitor, Waiver		
Author Signature:		Date: 2004.08.03
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Institute:	Chairman of the APEX Board	Date: 2004.09.27
Released by:	R. Güsten	Signature:
Institute:	APEX Project Manager	Date: 2004.08.17
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Institute:		
Institute:		

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### Change Record


REVISION	DATE	AUTHOR	SECTIONS/PAGES AFFECTED	REMARKS
0.0	5.5.2004	L.-A. Nyman	new issue	
0.1	14.07.04	R. Kurz	All	edit for APEX
0.2	27.07.04	S. Berrington	all	
0.3	03.08.04	R. Kurz	All	more editing
1.0	27.09.04			approval of R0.3 by Board
1.1	25.11.08	D. Rabanus	Last section	Added counter indications for work at high altitude

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### Purpose


The purpose of this document is to provide a waiver and release agreement to be signed by persons visiting the APEX telescope located at the 5000-m altitude ALMA/APEX site in Chile.

Signing this **Waiver and Release Agreement** acknowledges that you fully understand that you are entering a closed, private area at high altitude, which has risk which can be potentially fatal. Your signature acknowledges that you are doing so **entirely at your own risk**. You are assuring by your signature that you are doing so **without any recourse** (by you, your heirs or assigns), and are waiving all rights to any recourse to APEX, the legal responsible, or APEX representative or any other entity referred to in the Waiver and Release Agreement.

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### Waiver and Release Agreement

1. The APEX telescope is located at an elevation of 5000 meters (16,500 feet) above sea level. At this elevation the reduced level of oxygen in the air may generate potentially hazardous health conditions, some of which are described in the High Altitude Fact Sheet attached to this Agreement.
2. I hereby declare that I have read and understood the High Altitude Fact Sheet attached here-to which is an integral part of the Waiver and Release Agreement. In particular, I understand and am aware and hereby acknowledge and agree that:
  - a) visiting a high altitude site and participating in programs, works or other tasks at high altitude can be dangerous and can expose participants to many risks or hazards, some of them being described in the attached High Altitude Fact Sheet. Some of these risks are inherent in the very nature of the area and high altitude. Others may result from human error and negligence on the part of the persons involved in preparing, organizing and staging programs, and other activities;
  - b) as a result of the aforesaid risks and hazards, I may suffer serious personal injury, even death, as well as property loss;
  - c) some of the aforesaid risks and hazards are foreseeable, but others are not.
3. I understand the potential hazards and the possible harmful effects of altitude referred to in Clauses 1-2 above and I hereby agree to expressly assume and accept any and all risks of injury, loss or death directly or indirectly related to effects of altitude, whether or not referred to in the High Altitude Fact Sheet.
4. I will familiarize myself with and agree to abide by all safety information provided to me by APEX personnel or their designees.
5. I confirm and hereby further declare that I do not suffer from any condition, impairment, disease or other illness which would render my stay hazardous in the specific conditions of the APEX telescope (altitude, atmospheric conditions). I accept that the Released Entities (defined in Clause 6 below) shall not be held responsible for any adverse effects to me resulting from my presence at the ALMA/APEX Site.
6. In consideration of being granted permission to visit the following locations in Chile as defined in the attached ALMA/APEX Site Map: the APEX Base at Sequitor, the ALMA Operations Support Facility, the ALMA Array Operations Site, including the APEX Telescope, and the interconnecting roads and highways (collectively referred to as the "ALMA/APEX Site"), and taking into account what has been said above, I do hereby waive, release and forever discharge APEX, its partner organizations (Max-Planck-Institute fur Radioastronomie, European Southern Observatory, Onsala Space Observatory, and Ruhr-Universitat Bochum/Astronomisches Institut), their governing bodies, officers, staff, independent contractors and agents or representatives, the Associated Universities Inc., Radioastronomy Chajnator Ltd. or their successors in title and all others (collectively referred to as the "Released Entities") from any and all responsibilities of liability for death, injuries or damages that I may suffer participating in or attending visits, programs, activities, etc., including injuries or losses that may have been caused solely or partly by the negligence of the Released Entities or any other persons or entities acting on their behalf.

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6. I do also hereby release and agree to indemnify the Released Entities and any other entities acting on their behalf from any responsibility or liability for any injury or damage to myself, including those caused by the negligent act or omission of any of the Released Entities or other persons or entities acting on their behalf,
7. I am 18 years of age or older and I am competent to contract in my own name. I have read this Waiver and Release Agreement before signing below and I fully understand its contents and the contents of the High Altitude Fact Sheet, their meaning and impact of the release.
8. Any question, difference, dispute or claim arising out of or in connection with this Waiver and the Release Agreement shall be settled by negotiations between myself and the Released Entities. Failing reaching an amicable settlement within 30 days after first conferring, I and the Released Entities hereby agree that all disputes arising out of or in connection with the present agreement shall be finally settled under the Rules of Arbitration of the International Chamber of Commerce by one or more arbitrators appointed in accordance with the said Rules.
9. For the purposes of the arbitration referred to in Article 8, it shall be assumed that German law applies.
10. In case of an accident or sudden illness, I authorize the APEX staff or their designees to seek and provide such emergency or medical services as may be deemed necessary at the time.
11. I have read and voluntarily agree to sign this Waiver and Release Agreement. I acknowledge and agree that this **Waiver and Release Agreement** is binding on myself, my successors, personal representatives and delegates.

Name: \_\_\_\_\_

Address: \_\_\_\_\_ Telephone: \_\_\_\_\_

Nationality: \_\_\_\_\_ Passport Number: \_\_\_\_\_

*In case of an accident/emergency, please notify:*


Name: \_\_\_\_\_

Relationship: \_\_\_\_\_

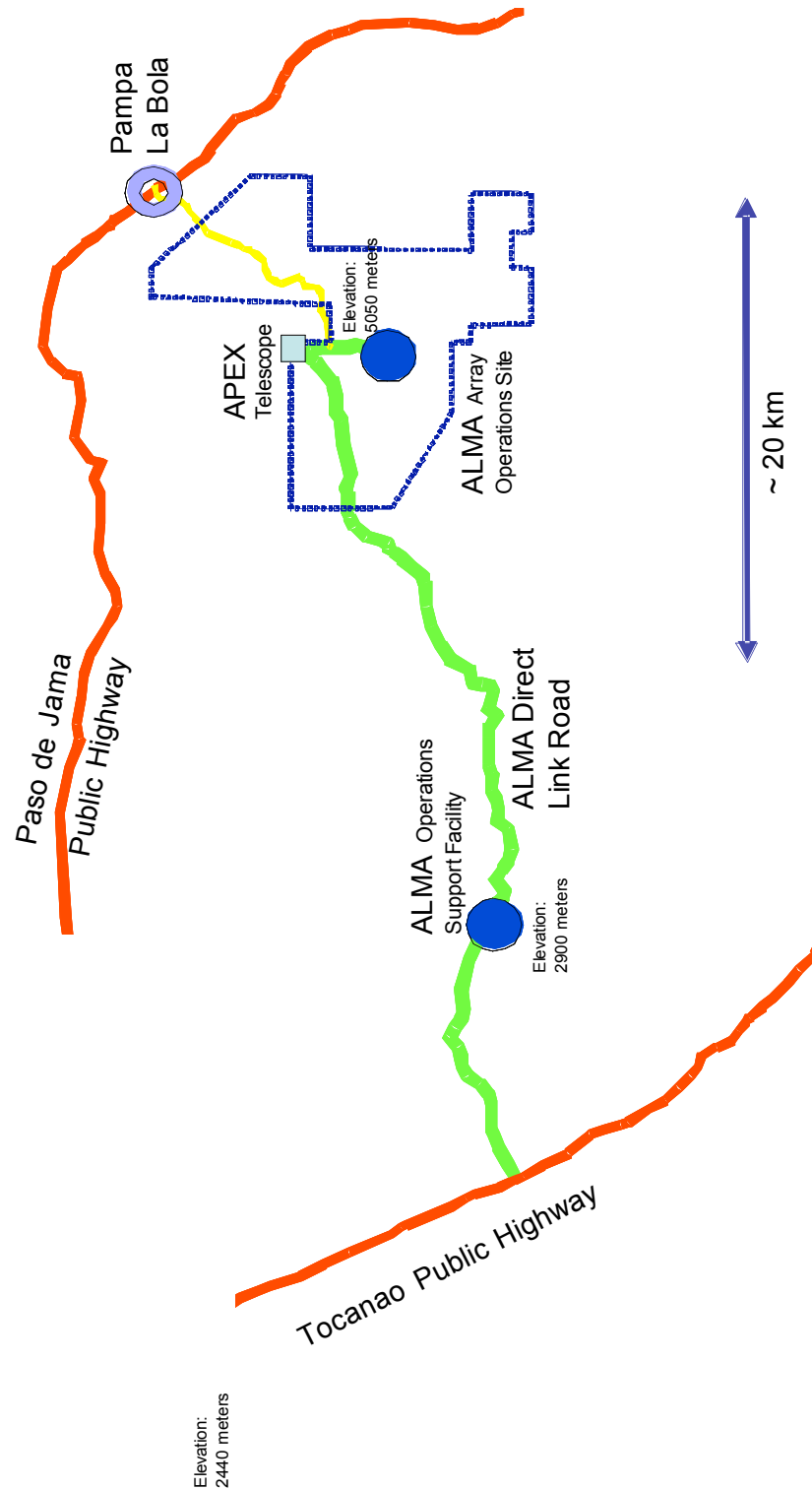
Phone: \_\_\_\_\_


e-mail: \_\_\_\_\_

**SIGNATURE** \_\_\_\_\_ **DATE** \_\_\_\_\_

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### ALMA/APEX Site Map



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### High Altitude Fact Sheet

***There are inherent risks in traveling at high altitude. This text is designed for general information only, and is not a substitute for specific training or experience and does not constitute a clinical document.***

When visiting the ALMA/APEX site, which is located at an elevation of 5000 meters (16,500 feet), you should be prepared to recognize and respond to the symptoms of altitude illness caused by the lower level of oxygen available at high altitudes.

#### Types and Symptoms of Altitude Illness

The symptoms of **Acute Mountain Sickness (AMS)** may include one or many of the following:

- headache
- insomnia
- irritability
- dizziness
- muscle aches
- fatigue
- loss of appetite
- nausea or vomiting
- swelling of the face, hands and feet

If you experience mild AMS symptoms, please inform APEX personnel immediately and limit your activity level. If appropriate for your medical status, aspirin or ibuprofen can be used for headache. If symptoms become worse during the visit, it is very important to descend until you begin to improve.


**High Altitude Cerebral Edema (HACE)** can be thought of as a worsening of AMS symptoms, with the addition of changes in consciousness and/or a loss of coordination as intracranial pressure increases. Those affected may appear confused and begin to stumble or stagger. They can have severe headaches and incapacitating fatigue. This is a dangerous form of altitude illness. It is crucial for the victim to descend and receive drug and oxygen treatment. Watch each other for symptoms, since victims may be unable to grasp the problem. People who have experienced HACE should not visit the high site.

**High Altitude Pulmonary Edema (HAPE)** is a buildup of fluid in the lungs that can occur along with HACE or as a separate illness. Those affected will be breathless and very tired when walking, and have a sense of fullness or pressure in the chest. Eventually victims will be short of breath even while resting. Victims must be guided back down and receive drug and oxygen treatment as soon as their illness is recognized as HAPE.

Consult your health care provider or travel medicine specialist for specific recommendations about prevention and treatment.

#### Prevention

The human body can adjust to changes in altitude by the process called acclimatization. Each person has their own "acclimatization altitude". Below it you probably won't experience altitude illness, but going above it causes symptoms to begin.

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The simplest way to avoid or reduce the symptoms of altitude illness is to *ascend slowly* (less than 2500 m altitude gain per hour) to give your body time to become accustomed to changes in oxygen concentration. It's also important to increase your fluid intake to counteract symptoms of dehydration induced by dry mountain air and increased respiratory rate. Sufficient bottled water should be carried. Spending a night at the altitude of San Pedro de Atacama (2400 m or 8000 ft) may also help your body adjust.

### Recommendations

Prior to your visit inform your health care provider that you plan to travel to an altitude of 5000 meters and request an examination or consultation to get their advice and recommendations.

Symptoms of altitude illness occur during ascent, not descent. If you or a member of your party becomes ill during ascent, you should always assume the problem is due to altitude illness and act accordingly.

Avoid using alcohol or any unnecessary medications, since their effects may be increased at high altitudes. Sleeping pills, tranquilizers and narcotic-based pain relievers, in particular, can cause serious problems at high altitudes because they can decrease breathing rate. Consult your health care provider about any medications you plan to bring with you.

### Health Conditions

There is a good chance that those who have had altitude illness once will have it again at high altitudes. If you have had altitude problems previously, if you have heart or lung problems, or if you are planning to go to extremely high altitudes, consult your health care provider to discuss your options for prevention and treatment of illness. We want your visit to be safe and pleasant.


Further information can be found on the ESO web page – Work at High Altitude, which is located at: [http://www.eso.org/safety/high\\_alt.html](http://www.eso.org/safety/high_alt.html).

### Absolute and relative counter indications for work at high altitude

Absolute counter indications (permanent or non modifiable conditions in useful or relatively short time. A single one is enough):

1. Antecedents of cerebral ischemy (diminution of the sanguine flow)
2. Chronic respiratory insufficiency
3. Severe renal insufficiency
4. Unstable coronary disease
5. Malignant arterial hypertension. Diastolic pressure superior to 110mm Hg. (low pressure or minima as it is commonly denominated)
6. Pulmonary arterial hypertension of any etiology
7. Severe anemia (Hb smaller than 8gr/100ml)
8. Greater Hemoglobinemia of 18,7g/dl in men and 18 g/dl in women
9. Thromboemboly and coagulopathy
10. Antecedents of resistant pulmonary and/or cerebral edema to the prophylactic use of treatment
11. Epilepsy with antecedents of crisis during 1 year previous to the examination
12. Morbid obesity (IMC greater 0 = 40)
13. Not treated cardiac arrhythmias



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14. Pregnancy
15. Acute infarct to the recent myocardium (of less than 6 months)
16. Decompensate cardiac insufficiency

Relative Contraindications (modifiable in a short term)

1. Epilepsy without well controlled crisis in the last year
2. Compensated psychiatric pictures
3. Presence of factors of cardiovascular risk
4. Diabetes mellitus insulin-employee (to evaluate isolation of task)
5. Decompensate diabetes mellitus type 2
6. Severe hypertriglyceridemia (greater than 800mg/dl)
7. Arterial hypertension systematic decompensate
8. Any non evaluated cardiopathy
9. Other anemias (with Hb greater than 8g/dl)