



YOUR PARTNER FOR
SOLID WASTE SOLUTIONS

Thank you for your interest regarding the roll-off permitting process in unincorporated Palm Beach County. In October 1998, the Solid Waste Authority Governing Board voted to adopt Rule IV and the permitting process.

Enclosed, please find an application and Rule IV. To be approved for a permit, you must fill out the enclosed application and return it, along with a check for \$10,000 (made out to the Solid Waste Authority of Palm Beach County). Please read Rule IV carefully. Solid Waste Authority staff will review your application within 30 days. If approved, your check will be cashed and you will be notified; otherwise it will be returned to you.

If you collect roll-off containers in unincorporated Palm Beach County without a permit, you may be subject to fines up to \$500 per day per occurrence, through the Palm Beach County Environmental Control Hearing Board.

Send your application and check to:

Solid Waste Authority of Palm Beach County
Customer Information Services
7501 North Jog Road
West Palm Beach, FL 33412

If you have any questions, please feel free to contact our office at 561-697-2700.

Sincerely,
John Archambo, Director
Customer Information Services



Application to Provide Roll-Off Collection Services in Unincorporated Palm Beach County

- 1. Application Date: _____
- 2. Applicant: _____
 Owner(s) _____
 Principals _____
 Corporate Officers _____
- 3. Mailing Address: _____

 Authorized Agent _____
 Phone Number _____
- 4. Equipment Yard Address _____

5. References and Years of Experience (include name, address, phone number and description of roll-off collection experience for no less than three (3) references:

- Reference 1: _____

- Reference 2: _____

- Reference 3: _____

- 6. List Trucks, Manpower and Containers to be used in the operations of the roll-off collection services.

(If necessary, list additional resources on separate sheet and attach)

Please include application fee with application



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Rule IV

Standards and Criteria for Roll-Off Collection Service

1. Scope of Rule.

- 1.1 This Rule sets forth the standards and criteria to be used in evaluating Permit applications for the collection of construction and demolition debris and horticultural or agricultural wastes. The roll-off collection service in unincorporated Palm Beach County shall be exclusive to the Permits granted by the Authority.

2. Definitions.

- 2.1 All definitions contained in Chapter 75-473, Laws of Florida, as amended, and Solid Waste Authority of Palm Beach County Rules I and III, to the extent they are consistent with the definitions of this rule, are applicable to the terms used in this rule.
- 2.2 When used in this rule, unless the context clearly indicates otherwise, the term:
- A. **Collection** shall mean the process whereby materials collected are removed and transported to a Designated Facility.
 - B. **Construction and Demolition Debris (C&D)** shall mean materials generally considered to be not water soluble and non-hazardous in nature, including, but not limited to, steel, glass, brick, concrete, roofing material, pipe, gypsum wallboard, and lumber from the construction or destruction of a structure as part of a construction or demolition project. Mixing of a de minimis amount of waste other than C&D from the construction site will not automatically cause it to be classified as other than C&D.
 - C. **Designated Facility** shall mean an Authority owned disposal, processing, recovery, recycling or transfer facility which receives such material, or another facility if permitted or specifically designated in writing by the Authority.

- D. Equipment Yard** means a real property location that shall be utilized by the Permittee for the storage and keeping of all equipment needed by the Permittee to provide all services under this Agreement in the Service Area.
- E. Hazardous Waste** shall mean solid waste as defined by the State of Florida Department of Environmental Protection as a hazardous waste in the State of Florida Administrative Codes, or by any future legislative action.
- F. Horticultural or Agricultural Waste** shall mean vegetative wastes attendant to the operation of horticultural or agricultural nurseries. Horticultural or Agricultural waste shall not include any other type of waste, including, but not limited to, Special Wastes or Garbage.
- G. Permit Administrator** shall mean the Authority's designated agent who shall act as the Authority's representative during the term of the Roll-off Collection Permits.
- H. Permittee** shall mean that person or entity that has entered into a Roll-off Collection Permit with the Authority to provide Roll-off Collection Services.
- I. Roll-off Collection Service** shall mean the Collection of only C&D roll-off containers, or the Collection of C&D by other mechanical means, at temporary locations in the Service Area, limited to new construction sites and remodeling or refurbishment sites. Such service shall not include Special Wastes, Garbage or Recyclable Materials. Roll-off Collection Service shall also mean the collection of Horticultural or Agricultural wastes, but only when the customer chooses to use roll-off containers for Horticultural or Agricultural waste.

3. Conflict of Definitions

- 3.1 In case of conflict between definitions contained herein and as they may be stated elsewhere, the definitions stated herein shall prevail. Definitions stated elsewhere may be used to clarify the meaning of terms used in this rule, unless use of such definitions would defeat the purpose or alter the intended provisions of this rule.

4. Prohibitions

- 4.1 No person shall provide Roll-off Collection Service in unincorporated Palm Beach County or any other area in which the Authority administers collection services without first obtaining a Roll-off Collection Service Permit from the Authority.
- 4.2 Collection of Garbage, Special Waste or any waste other than Construction and Construction and Demolition Debris, and Horticultural or Agricultural Waste, as

defined in this rule, in a roll-off container, is prohibited. Mixing of wastes is prohibited.

5. Exemptions

- 5.1 The following activities are exempted from the permit requirements of this rule. This exception does not provide relief from any other requirements of the Authority or any other agency.
- (a) Collection and transportation, for recycling or disposal, of construction and demolition debris at a residence by the occupants of that residence.
 - (b) Collection and transportation, for recycling or disposal, of land clearing debris.
 - (c) Collection and transportation, for recycling or disposal, of source separated recovered material.

6. Standards and Criteria

- 6.1 Permittee shall be allowed to provide Roll-Off Collection Services within unincorporated Palm Beach County.
- 6.2 Permittee shall maintain an Equipment Yard and office in Palm Beach County where complaints shall be received. An Equipment Yard and office must be established and maintained within Palm Beach County within six (6) months of the commencement of the Permit until October 14, 1999. Effective October 15, 1999, an Equipment Yard and office must be established within Palm Beach County before a Permit is issued.
- 6.3 The term of the Permits shall be for three years unless terminated by the Authority or the Permittee.
- 6.4 The Authority shall be paid \$10,000 per year by the Permittee for each year of the Permit, beginning on the date of Permit application, with \$10,000 to be paid by the Permittee on the effective date of the permit during the second and third year of the Permit.
- 6.5 The Permittee shall, during the term of this Permit, and any extensions hereof, maintain in full force and effect commercial general liability insurance and automobile liability insurance, which specifically covers all exposures incident to the Permittee's operations under this Permit. Worker's Compensation coverage must be maintained in accordance with statutory requirements as well as Employer's Liability Coverage in an amount not less than \$100,000.00 per each accident, \$100,000.00 by disease and \$500,000.00 aggregate by disease.

- 6.6 The Permittee shall obtain, at their own expense, all Permits and licenses required by law or ordinance and maintain the same in full force and effect. Any changes of the licenses or Permits shall be reported to the Authority within ten (10) working days of the change.
- 6.7 All C&D and Horticultural and Agricultural Waste shall be transported to a Designated Facility.
- 6.8 The Permittee shall collect waste with as little disturbance as possible and shall leave any receptacle at the same point it was collected. The Permittee shall not litter or cause any spillage to occur upon the premises or the right-of-way wherein the collection shall occur. During transportation, all waste shall be contained, tied, or enclosed so that leakage, spillage, and litter is prevented. In the event of any spillage or leakage caused by the Permittee, the Permittee shall promptly clean up all spillage or leakage at no cost to the Authority or the customer.
- 6.9 For all collection services, the charges shall be determined through open competition, by agreement between the Permittee and the customer. The Permittee shall be responsible for billing and collecting, transportation, disposal and container rental charges for this service. However, the Permittee may not improperly dispose of waste if the customer does not pay their bill. The Permittee shall pay the Authority and/or the Authority Permitted processor for all solid waste disposal costs incurred for disposing of solid waste at the Designated Facilities.

7. Reporting Requirements

- 7.1 All Permittees shall report their roll-off collection activities on a quarterly basis and on Authority approved report forms.
 - (a) All Collection Report Forms shall be submitted to the office Customer Information Services by the fifteenth day of each month and shall document the previous quarter's collection activities.

8. Permit Conditions

- 8.1 Each Permit shall be issued subject to the General Conditions embodied in Solid Waste Authority Rule I, Section 17.
- 8.2 The General permit conditions may be supplemented with Specific permit conditions.

9. Enforcement and Fines

- 9.1 The conditions of a Permit issued pursuant to this rule shall be enforced as set forth in of Chapter 75-473, Laws of Florida, as amended.
- 9.2 Fines or loss of Permit will be incurred by the Permittee for non-compliance of Permit conditions, as set forth in the special terms and conditions.
- 9.3 A Permit issued under this rule may be suspended or revoked under the terms of Solid Waste Authority Rule I, Section 1.
- 9.4 The failure of the Authority at any time to require performance by the Permittee of any provisions hereof shall in no way affect the right of the Authority thereafter to enforce the same. Nor shall waiver by the Authority of any breach of any provisions hereof be taken or held to be waived of any succeeding breach of such provisions or as a waiver of any provision itself.

10. Indemnification

- 10.1 The Permittee will hold the Authority harmless from any and all liabilities, losses or damages the Authority may suffer as a result of claims, demands, costs or judgments against the Authority arising out of the wrongful acts or omission of the Permittee or its employees, which said liabilities, losses, damages, claims, demands, costs or judgment arise directly out of the matters which are the subject of this Rule and the work to be performed thereby. The Permittee shall not be responsible for nor require to indemnify or hold the Authority harmless for any act, omission, negligence or other liability to the extent caused by the act or omission in whole or in part of the Authority or any one of its employees or agents.

11. Title to Waste

- 11.1 The Permittee shall have no right to take, keep, process, alter remove or otherwise dispose of any collected waste without specific written authorization from the Permit Administrator.

12. Procedures to Obtain Permit; Application, Processing and Standards for Issuing or Denying Permits.

- 12.1 Any person desiring to obtain a permit from the Authority shall apply on forms prescribed by the Authority and shall submit the number of completed applications and such additional information as the Authority may require.

- 12.2 To be considered by the Authority, each application must be accompanied by the proper Permit fee, as specified in Section 4 of this Rule. The fee shall be paid by check, payable to the Solid Waste Authority of Palm Beach County. The fee is non-refundable except as provided in this section.
- 12.3 In addition to the requirements listed in Section 4 of this Rule, the applicant must have at least one year of roll-off collection experience. Other considerations such as references, criminal and civil litigation history, and other matters deemed pertinent to the Authority will be evaluated as part of the application review.
- 12.4 Within 30 days after receipt of an application for a Permit and the Permit fee, the Authority shall review the application and shall request submittal of additional information required by this Rule or any other rules or regulations.
- 12.5 Within 30 days after receipt of such additional information, the Authority shall review it and may request only that information needed to clarify such additional information or to answer new questions raised by or directly related to such additional information,
- 12.6 Permits shall be presented to the Governing Board of the Authority to be approved or denied within 90 days after receipt of the original application, the last item of timely requested additional material, or the applicant's written request to begin processing the permit application, whichever occurs last.
- 12.7 A Permit shall be issued to the applicant upon such conditions as the Authority may direct, only if the applicant affirmatively provides the Authority with reasonable assurance that all the terms of this Rule, as may be supplemented by specific terms and conditions, have been met and will be maintained.
- 12.8 The applicant shall be promptly notified if the Authority intends to deny the application and shall be informed of the reasons for the intended denial, and of the right to request a hearing before the Governing Board of the Authority.
- 12.9 The issuance of a Permit does not relieve any person from complying with the requirements of Chapter 403, Florida Statutes, Department of Environmental Protection Rules, OSHA rules, Department of Transportation rules, and federal, state, and local rules and ordinances.

13. Transfer of Permits

- 13.1 A permit is issued in the name of a person. Upon sale or legal transfer of a permitted facility, the new owner must apply by letter for a transfer of permit within thirty (30) days. Unless the transferor notifies the Authority of the transfer and to whom transferred, the transferor will remain liable for performances in accord with the permit until the transferee applies for a transfer of permit. Transfer of permits shall not become final until

approved by the Governing Board of the Authority. The transferee shall be subject to the permit conditions and financial responsibility provisions contained in the permit.

- 13.2 Once transferred, the permit will remain in effect until the original expiration date. A permit may not be transferred to a new operational location. Relocation of facilities shall require the Permittee to apply for a new Permit.

14. Modification of Permit Conditions

14.1. For good cause and after notice, the Authority may require the Permittee to conform to a new or additional condition. The Authority shall allow the Permittee a reasonable time to conform to the new or additional conditions and on application of the Permittee the Authority may grant additional time.

14.2. For the purpose of this Section, good cause shall include, but not be limited to, any of the following:

- (a) Adoption or revision of Florida Statutes, local ordinances, rules or standards that require the modification of a permit condition for compliance.
- (b) Adoption or revision of the Palm Beach County Solid Waste Act, the Solid Waste Authority of Palm Beach County Comprehensive Plan or Authority Rules which require the modification of a permit condition for compliance.

14.3. A Permittee may request a modification of a permit by applying to the Authority.

15. Suspension and Revocation

15.1 Permits shall be effective until suspended or revoked by the Governing Board of the Authority, surrendered, or expired and shall be subject to the provisions of the Palm Beach County Solid Waste Act, the Solid Waste Authority of Palm Beach County Integrated Solid Waste Management Plan, Authority Rules or other applicable law.

15.2 A Permit issued to this rule shall not become a vested property right in the Permittee. The Governing Board of the Authority may revoke any permit issued by it if it finds that the permit holder or his agent:

- (a) submitted false or inaccurate information in his application or operation reports;
- (b) has violated law, Palm Beach County Health Department orders, rules or permit conditions;
- (c) has failed to submit operational reports or other information required by Authority Rules;
- (d) has refused lawful inspection.

- 15.3 A violation of any Permit condition shall be grounds for immediate suspension or revocation of this permit at the election of the Governing Board of the Authority
- 15.4 No revocation shall become effective except after notice is served by personal service or certified mail, upon the person or persons named therein and a hearing held if requested within the time specified in the notice. The notice shall specify the provision of the law, or rule alleged to be violated, or the permit condition or Department of Health Unit order alleged to be violated, and the facts alleged to constitute violation thereof.



**RULE IV PERMITTED PALM BEACH COUNTY ROLL OFF HAULER
QUARTERLY REPORT**

Reporting Period _____ through _____
Month/Year Month/Year

Permittee: _____

Address: _____

Phone: () _____ **Contact Person:** _____

TOTAL DEBRIS COLLECTED IN UNINCORPORATED PALM BEACH COUNTY

(Specify the following information in tons or cubic yards)

Construction debris _____

Vegetative waste _____

Total _____

The above debris has been delivered to the following Solid Waste Authority designated/permited recycling facilities:

Name of Facility _____ percentage delivered

Site Address

Name of Facility _____ percentage delivered

Site Address

If permitted hauler owns/operates a SWA designated/permited recycling facility – please complete the following:

Total amount (tons/cubic yards) of above debris recycled at facility **only.**

Construction debris: _____

Yard Waste/Agricultural _____

Amount of residue from above delivered to SWA _____