



YOUR PARTNER FOR
SOLID WASTE SOLUTIONS

The Solid Waste Authority of Palm Beach County (SWA) Governing Board approved Rule IV – Standards and Criteria for Roll-off Collection Services – formally implementing the powers granted to the Authority under the Palm Beach County Solid Waste Act (Chapter 201-331) and Florida Statute. Unless exempted under Rule IV, all Roll-off Collection haulers must be permitted by the Solid Waste Authority, and comply with Rule IV.

We have enclosed an application and a copy of Rule IV for your review. If your business provides Roll-off Collection services within Palm Beach County and is not specifically exempted under the rule you are required to complete this application in its entirety and return it with a check made payable to Solid Waste Authority of Palm Beach County for \$500.00. Please review the rule carefully, in particular the definitions and exemptions, to determine if you qualify for an exemption. If you are unsure whether the requirement to obtain a permit applies to you, please contact our office so we can assist you. The SWA staff will review your application and notify you in writing within 30 days if your application has been approved.

You are advised that providing Roll-off Collection services within Palm Beach County without this permit, or other violations of Rule IV, will subject you to costly daily fines and other penalties, so please familiarize yourself with the rule.

Should you have any questions or concerns please contact our office at (866) 792-4636 toll-free. We will be pleased to assist you.



***ROLL-OFF COLLECTION SERVICES
HAULER APPLICATION PACKET
RULE IV***

Instructions for completing this application packet

This application is based on the information required by Rule IV, “roll-off collection services for collection of construction and demolition debris and yard waste”.

To assist in processing your application, please:

1. Type or print the information.
2. Provide one original and one copy of the application.
3. Submit a non-refundable \$500.00 annual registration fee by October 1 (Term expires September 30 of each year).
4. Provide an email address for our files.

Your completed application should be mailed or hand delivered to the following:

Customer Information Services
Attn: Roll-off Collection Services Permit
Solid Waste Authority of Palm Beach County
7501 North Jog Road
West Palm Beach, FL 33412

Please allow five working days for processing.

If you have any questions, please call 561-697-2700 or 866-792-4636 toll-free.



***RULE IV APPLICATION TO PROVIDE ROLL-OFF
COLLECTION SERVICES IN PALM BEACH COUNTY***

Applicant:
(Firm Name) _____

Address: _____

Email: _____

Telephone: _____ Fax: _____

1. Applicant Information: (name of the owner or operator of the dealer or company). List general or limited partners, if a partnership. List corporate officers and directors if corporation. State permanent place of business:

2. Brief description of business that firm is engaged in:

3. Equipment Yard Address:

4. This application shall be accompanied by a check in the amount of \$500.00 payable to the Solid Waste Authority of PBC.

5. Applicant shall provide a copy of current Palm Beach County business tax receipt.

6. Applicant acknowledges receipt of a copy of Rule IV and agrees to comply with the terms thereof as approved by the Solid Waste Authority Governing Board, as may be amended from time to time.

Rule IV Application for
Roll-off Collection Services
in Palm Beach County
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7. Applicant certifies that all construction and demolition debris and yard waste collected in Palm Beach County will be disposed of at a Solid Waste Authority owned or designated disposal facility (locations are listed at swa.org).

8. Applicant acknowledges that permit or the renewal of permit shall not be construed as a grant or franchise or a vested right.

Applicant's Signature: _____

Title: _____ Date: _____

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 Yard Waste. 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 2001-331, Laws of Florida, 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. **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.
- G. **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.
- H. **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 Yard Waste, but only when the customer chooses to use roll-off containers for Yard Waste.
- I. **Yard Waste** shall mean vegetative matter resulting from landscaping maintenance or land clearing operations and includes materials such as tree and shrub trimmings, grass clippings, palm fronds, trees and tree stumps, and associated rocks and soils.

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 Yard 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 within Palm Beach County before a Permit is issued.
- 6.3 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.
- 6.4 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.
- 6.5 All C&D and Yard Waste shall be transported to a Designated Facility.
- 6.6 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.
- 6.7 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 2001-331, Laws of Florida.
- 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 be required 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 The Authority will charge and collect a permit application fee and annual permit renewal fee at rates established by the Board as part of the annual budget. The fees shall be paid by check, payable to "Solid Waste Authority of Palm Beach County". The fee is non-refundable except in the event the permit application is denied, or a determination that the activity is exempt from permitting. Permits expire September 30 of each year and applications for renewal with the application fee must be submitted 30 days prior to the expiration date.

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 approved or denied within 60 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.