

TOWN OF SHELBURNE
REGULATIONS FOR A REFUSE HAULER'S PERMIT

THE TOWN OF SHELBURNE HAS A MANDATORY RECYCLING ORDINANCE THAT REQUIRES ALL RESIDENTIAL, COMMERCIAL, INSTITUTIONAL AND INDUSTRIAL PROPERTIES TO RECYCLE. ALL PERSONS COLLECTING, REMOVING AND/OR TRANSPORTING SOLID WASTE AND/OR RECYCLABLES, MUST OBTAIN AN ANNUAL PERMIT FROM THE BOARD OF HEALTH, AND MUST COMPLY WITH THE FOLLOWING BOARD OF HEALTH REGULATIONS.

1. Collection vehicles shall prominently display the Town of Shelburne Refuse Hauler Permit Sticker on the front driver side.
2. Vehicle safety violations shall be cause for immediate revocation of hauler's permit. The Board will consider reinstatement after review of such safety violation(s).
3. No vehicle shall be driven or moved on any street or highway unless such vehicle is so constructed or loaded as to prevent its contents from spilling, dropping, shifting, leaking or otherwise escaping therefrom. Vehicles loaded with any material, which may be blown about by wind, shall be suitably covered to prevent the contents from being blown upon the streets or highways. Failure to comply with the requirements of this regulation could result in the loss of your refuse haulers permit and a complaint filed with the courts. Penalties are punishable by a fine of not more than one thousand dollars (\$1,000.00) per incident.
4. Improper disposal of waste may be cause for immediate and permanent revocation of the hauler's permit and prosecution to the fullest extent of the law. "Improper disposal" shall include disposal of recyclable materials with trash.
5. Haulers shall request their customers to put refuse in secured containers to prevent littering by animals. All storage bins/dumpsters provided to customers for storage of refuse shall be covered. The Board of Health retains the right to define and determine "nuisance" conditions.
6. Hauler shall only collect for disposal those items acceptable for disposal according to 310 CMR 19.017(3). Acceptable wastes shall be defined as household garbage, trash, rubbish. Everything else picked up for collection must be recycled and/or composted. Please refer to the attached list of items banned from acceptance at Massachusetts disposal facilities.

In the event that the hauler refuses to collect any materials, hauler will notify such Customers of the reason(s) for refusal to collect the waste. The Board of Health will, where possible, assist hauler in helping customers come into compliance with these regulations.

Haulers must submit along with a permit application, a recycling plan detailing how the hauler will comply with the terms of these recycling regulations. For purposes of these regulations, incineration of waste is not considered recycling. Composting of certain biodegradable elements of the waste stream may be acceptable as recycling. Hauler must demonstrate, in the recycling plan, a method for ensuring that customers exclude from the waste stream all items banned from disposal at solid waste disposal facilities. Hauler's Recycling Plan must include a description of how customers will be notified of improper recycling or trash disposal methods. Hauler must distribute, minimally on an annual basis, educational materials to customers, in an effort to

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promote recycling and proper disposal of items banned from the waste stream.

- A. Haulers must recycle all materials banned for disposal at solid waste disposal facilities by the Massachusetts Recycling Regulations 310 CMR 19.017 (3).
- B. Recycling services must be provided to customers as a part of the hauler's provision of integrated waste management services that include the collection of both solid waste and recyclable materials, and the delivery of these materials to an appropriate disposal facility (in the case of solid waste) and recycling processing facility (in the case of recyclable materials).
- C. Haulers are required to collect recyclable paper products and recyclable container materials (glass, plastic, aluminum and metal).
- D. A list of the total number of residential, municipal, institutional, and commercial/industrial customers must be provided within thirty days of the receipt of application for a haulers permit, and annually thereafter prior to renewal of annual permit. This information must be provided broken out by month and by generator sector (i.e, residential, municipal, institutional, industrial).
- E. Haulers must provide a semi-annual report, broken out by month and generator sector, of the following data: actual tonnage of refuse collected and disposed of, recyclables collected (in tons), and name and location of the approved facility to which said materials are brought. Copies of weight slips supporting this data must be provided. If actual weights are not available, a verifiable per-unit average is acceptable. To figure the average, hauler should divide the total amount collected during the time period, divided by the total customer count served during the period. All recyclables shall be reported by category and tonnage. Failure to submit this report is cause for non-renewal of license. Please note: Haulers are exempted from this requirement if all collected solid waste and recyclables are brought to the town's transfer station.
- F. The Board of Health reserves the right to impose reasonable fees pursuant to these regulations, subject to applicable State regulations.
- G. The Board of Health reserves the right, through its Agents, to monitor collection vehicles, loads, and routes at reasonable times in order to ensure that all hauler services comply with all applicable state and local laws, by-laws and regulations.
- H. The individuals empowered to enforce the provision of these regulations shall be Agent of the Board of Health, any member of the Board of Health, or any Police Officer of the town. A refuse/recycling permit may be suspended, modified or revoked by the Board of Health upon receipt of evidence satisfactory to the Board that the hauler has not conformed with the requirements of these regulations or such further regulations as may be adopted, or to any applicable state or federal statute, regulation, rule or order regarding collection, transportation or disposal of solid waste and recyclable materials. Appeals of such suspensions, modifications or revocations may be directed to the Board of Health within ten (10) business days of said suspension, modification or revocation.