

Sebastian County Regional Solid Waste Management District Regulations for Licensing Haulers of Solid Waste Program

PURPOSE:

The Sebastian County Regional Solid Waste Management Board is required by Act 752 of 1991 to enact and enforce a licensing program for all haulers who collect or transport solid waste in the Sebastian County Regional Solid Waste Management District. The purpose of this licensing program is to better manage and monitor the collection and transportation of solid waste by haulers in the District.

DEFINITIONS:

Person - Any state agency, municipality, and governmental subdivision of the state or the United States, public or Private Corporation, individual, partnership, association or other entity.

Hauler - A person engaged in the collection and/or transportation of solid waste for disposal or storage. Hauler does not include a person transporting the person's household waste to a permitted facility.

New Hauler - A person who has not previously engaged in the collection and/or transportation of solid waste for disposal or storage in the District.

Solid Waste - Any refuse resulting from industrial, commercial, agricultural, and community and residential activities. Waste identified in LICENSING REQUIREMENTS Section (B) 4 shall not be defined as solid waste. Also, solid waste does not include materials to be recycled through the systematic collection, sorting, decontamination and returning of these materials to commerce as commodities for use or exchange.

SCOPE:

- (A) A person who regularly (more than five (5) times a year) engages in the business of hauling solid waste must obtain a license from the Sebastian County Regional Solid Waste Management Board if the person:
1. Is engaged in the collection of solid waste within the District; or
 2. Is engaged in the transportation of solid waste for disposal or storage in the District.
- (B) A license will only be issued to a person, partnership, corporation, association, the State of Arkansas, a political subdivision of the state, an improvement district, a sanitation authority, or another regional solid waste management district. The

District may in the future engage in the hauling of solid waste within its own district without licensure but will comply with all applicable standards required under this section.

For the purpose of this program a license shall not be required for an individual hauling their own household waste to a permitted facility.

LICENSING STANDARDS AND REQUIREMENTS:

- (A) Any person who transports solid waste shall:
1. Hold the appropriate driver's license as defined by Arkansas State Law.
 2. Annually register all collection vehicles with the Sebastian County Regional Solid Waste Management Board providing:
 - (a) Name, address, and telephone number of registrant
 - (b) Description of each vehicle to be registered including:
 - (1) Make, model, and year of vehicle
 - (2) Vehicle ID number
 - (3) License plate number
 - (4) Name of vehicle owner
 - (c) Description of the nature of wastes and size of loads.
- (B) All collection and transportation systems shall meet the conditions outlined below. Failure to comply with these conditions may result in a revocation of the hauler's license.
1. Solid waste shall be collected and transported so as to prevent public health hazards, environmental hazards, safety hazards and nuisances.
 2. Collection and transportation equipment shall be designed and constructed so as to be as leak-proof as practical. The waste shall be suitably enclosed or covered so as to prevent roadside littering, attraction of vectors or creation of other nuisances.
 3. Collection and transportation vehicles shall be kept in a sanitary condition.
 4. Collection and transportation of chemicals, poisons, explosives, medical "red-box" wastes, radiological wastes and other hazardous materials shall be in accordance with the requirements of state and federal regulatory controls. **These wastes are specifically prohibited from**

disposal at the City of Fort Smith Sanitary Landfill.

5. All solid waste collected shall be transported to a State permitted facility.

(C) Any hauler applying for a license must establish and maintain financial responsibility to the Board. Proof of contractor/vehicle liability insurance with minimum coverage as required by (Arkansas State Law) (ACA § 27-19-605 of 1999 - \$75,000) will be required to demonstrate financial responsibility. **The Sebastian County Regional Solid Waste Management District shall be shown as a Certificate Holder on the certificate of insurance.**

(D) No permit holder shall be deemed an employee or an agent of the District.

FEES:

The Sebastian County Regional Solid Waste Management Board shall assess the following annual fees for licensing the collection and transportation of solid waste in the District.

By January of each year all current haulers subject to this program, a minimum license fee of \$100.00 will be assessed for one or two vehicles registered.

A licensee with more than two vehicles shall pay an additional fee of \$50.00 per vehicle registered up to a maximum fee of \$1,000.00.

Upon payment of the fee, and vehicle inspection by Sebastian County Solid Waste District personnel, each vehicle registered will be provided with a license to collect and transport solid waste in the District.

If a new hauler is issued a license after January the fees will be prorated based on the number of full months remaining in the calendar year.