

**Town of West Springfield  
Health Department**

**3-6-07**

**Regulations for a Permitted Private Hauler of Rubbish and Recyclables**

The Town of West Springfield has a mandatory recycling ordinance that requires all residential, commercial, institutional and industrial properties to recycle. All Private Haulers providing rubbish and/or recycling collection services within the Town shall be licensed by the Health Department and shall obtain the necessary permit(s) to perform said collections. Any such licensee or permit holder must comply with the following Board of Health Regulations.

**A. RULES -- GENERAL:**

1. Collection vehicles shall carry a copy of the Town of West Springfield Hauler Permit at all times.
2. Private Haulers shall comply with the Town of West Springfield's Rubbish and Recycling Rules and Regulations.
3. Improper disposal of waste shall be cause for immediate and permanent revocation of the hauler's permit in addition to any other remedies and penalties that may be applicable. Improper disposal shall include knowingly disposing of *Waste Ban Materials and Recyclable materials with trash*.
4. In the event that the hauler refuses to collect any materials, the hauler will notify such customers of the reason(s) for refusal to collect the waste.

**B. RULES -- RECYCLING:**

1. Hauler must submit, along with permit application, a recycling plan detailing how the hauler will comply with the terms of the recycling regulations. For purposes of the 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. The Hauler's Recycling Plan must include a description of how customers will be notified of improper recycling or rubbish disposal methods. Hauler must distribute educational materials on an annual basis and immediately to all new customers promoting recycling and proper disposal of items banned from the waste stream. Said materials shall be approved in writing by the Health Department.
2. Haulers must recycle all materials banned for disposal at solid waste disposal facilities according to Massachusetts Recycling Regulations 310 CMR 19.017 (3) as amended from time to time.
3. Recycling services must be provided to customers as a part of the hauler's provision of integrated waste management services that includes the collection of both rubbish and recyclable materials, and the delivery of these materials to an appropriate facility
4. Haulers are required to provide each customer receptacles for the storage of recyclables pending collection of all materials accepted at the Springfield MRF.

Exemptions will be allowed for those businesses that elect to self-haul recyclables, do not generate recyclable materials or qualify for town-sponsored services.

5. Haulers will provide notification by email or mailing to town officials concerning multi-family and business customers that are non-compliance with the Town's Rubbish and Recycling Regulations
6. Haulers must provide a semi-annual report, broken out by month, of the following data: actual tonnage of rubbish 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 for solid waste, 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 permit.
7. The fee for an annual Hauler Permit shall be \$100 per vehicle except those vehicles that are under contract to provide services on behalf of the Town.
8. The Board of Health, through its Agents or designees, may monitor collection vehicles, loads, and routes at reasonable times in order to ensure that all hauler services comply with all applicable state laws, ordinances and regulations.

**C. VEHICLE REQUIREMENTS, ENFORCEMENTS and REVOCATION:**

1. No vehicle shall be driven or moved on any street or highway within the Town unless such vehicle is so constructed and so loaded as to prevent its contents from spilling, dropping, shifting, leaking or otherwise escaping there from. Vehicles loaded with any material, which may be blown about by the wind, shall be suitably covered to prevent the contents from being blown upon the streets or highways. Penalties are punishable by a fine and possible loss of driver's license, subject to MGL Ch. 270 Sec. 16.
2. The individuals empowered to enforce the provision of these regulations shall be the Director of the Health Department or his designee, any person so designated by the Health Department, or any Police Officer of the Town.
3. Violations of these rules and regulations, ordinances or state law, shall be cause for suspension or revocation of the hauler's permit.

**D. SEVERABILITY:** In the event that any court of competent jurisdiction shall deem any provision of these regulations invalid or unenforceable, such provision shall be stricken from these regulations and the remaining provisions of these regulations shall continue in full force and effect.