



**The
Authority**
ONEIDA-HERKIMER SOLID WASTE AUTHORITY

**SOLID WASTE
COLLECTION AND DISPOSAL
PERMIT
RULES AND REGULATIONS**

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These rules and regulations apply to the collection and disposal of all solid waste and recyclables generated in Oneida County and/or Herkimer County. In addition, the provisions of Local Law #1 of 1990 for Oneida County and Local Law #1 of 1990 for Herkimer County (the “Local Laws”) shall be applicable to all permits issued hereunder and must be fully complied with by the permit holder.

I. Solid Waste Collection and Disposal Permit

All persons, companies, partnerships, municipalities or other entities engaged in the commercial collection, pick-up, transfer, removal, and/or disposal of solid waste and/or recyclables in Oneida County and/or Herkimer County shall obtain a permit issued by the Oneida-Herkimer Solid Waste Management Authority (the “Authority”) (“Permit”) authorizing the Permit holder to engage in the commercial collection, pick-up, transfer, removal, and/or disposal of solid waste and/or recyclables in Oneida County and/or Herkimer County.

- A. Any Permit issued by the Authority shall be in the nature of a privilege and shall not be deemed to create a property interest with respect to said Permit by the Permit holder. Any Permit issued by the Authority shall be subject to the terms, conditions, rules and regulations set forth hereunder, in the Authority’s Facility Rules and Regulations, the Local Laws, as well as any other applicable laws, statutes, ordinances, rules, regulations and procedures.
- B. Failure to obtain a Permit shall prohibit any person, company, partnership, municipality, or other entity from engaging in the commercial collection, pick-up, transfer, removal and/or disposal of solid waste and/or recyclables within Oneida County and/or Herkimer County.
- C. The Authority reserves the right to deny a Permit to any person, company, partnership, municipality or other entity that it deems unfit to engage in the commercial collection, pick-up, transfer, removal and/or disposal of solid waste and/or recyclables in Oneida County and/or Herkimer County based upon prior activities, information submitted in the Permit application or obtained from other reliable sources.

- D. The Authority reserves the right to revoke any Permit for failure to comply with the terms, conditions, rules and regulations set forth hereunder, and/or set forth in the Authority Facility Rules and Regulations, the Local Laws, as well as any other applicable laws, statutes, ordinances, rules, regulations and procedures.
- E. The Authority reserves the right to refuse to renew a Permit in the event the Permit holder has failed or is failing to comply with terms, conditions, rules and regulations set forth hereunder, and/or set forth in the Authority Facility Rules and Regulations, the Local Laws, as well as any other applicable laws, statutes, ordinances, rules, regulations and procedures or, if such renewal conflicts with any other applicable provision of law regulating the commercial collection, pick-up, transfer, removal and/or disposal of solid waste and/or recyclables within Oneida County and/or Herkimer County.

II. Terms and Conditions of Permit

- A. This Permit shall be renewed in accordance with the provisions set forth in these procedures.
- B. The Permit holder shall comply with all Federal, State, County, municipal and Authority requirements, statutes, laws, ordinances, rules and regulations.
- C. The Permit holder shall respond to any notice it receives from the Authority which requests a response in the fashion and within the time set forth in any such notice.
- D. The Permit holder agrees that the Authority shall have the right, but shall in no way be obligated to inspect all collection vehicles and equipment as well as solid waste facilities owned or operated by Permit holder and used for the processing of solid waste and/or recyclables collected in Oneida County and/or Herkimer County at any time without prior notice to determine whether the Permit holder is in compliance with all solid waste and/or recyclable transfer and disposal rules and regulations and Permit conditions.
- E. All loads of solid waste, green waste and recyclables shall be covered and/or tarped at the time of delivery to Authority facilities. Failure to tarp or cover loads arriving at Authority facilities will result in additional fees charged.

- F. Solid waste and recyclables shall not be commingled at any time.
- G. All waste collected in Oneida County and/or Herkimer County shall be delivered to a facility designated by the Authority. All recyclables collected in Oneida County and/or Herkimer County at the curbside or delivered to a transfer station for recycling shall be delivered to a facility designated by the Authority. The facilities currently designated by the Authority include the following:

For Recyclables: **Authority Recycling Center**

80 Leland Avenue
Utica, New York, 13502

For Solid Waste: **Authority's Western Transfer Station**

575 Perimeter Road
Rome, New York 13440; and/or

Authority's Eastern Transfer Station

80 Leland Avenue
Utica, New York 13502; and/or

Authority's Regional Landfill [With Special Approval]

7044 NYS Route 294
Boonville, New York 13309

For Green/Yard Waste: **Oneida-Herkimer Municipal Yard Waste**

Compost Facility

80 Leland Avenue
Utica, New York 13502

Each instance in which solid waste and/or recyclables is delivered to a non-designated facility shall constitute a violation of Local Law #1 of 1990 for Oneida County and/or Local Law #1 of 1990 for Herkimer County.

- H. The Permit holder shall procure and maintain vehicle liability insurance throughout the term of the Permit.

III. Procedure

- A. Any person seeking a Permit for the business of commercial collection, pick-up, transfer, removal and/or disposal of solid waste and/or recyclables shall file an application for a Permit on a form provided by the Authority. The form shall be filled out completely and submitted along with the appropriate fees and additional required documentation, or it will be returned or denied, at the Authority's discretion. Applicants shall supply a Certificate of Insurance to the Authority documenting the insurance required in paragraph II. H. above at the time the Permit application is submitted.
- B. Upon receipt of the Permit application, Authority staff shall review the application for completeness and accuracy. If information presented by the applicant is accurate and complete, and applicant is deemed fit to be issued a Permit, the Permit will be granted.
- C. If a Permit is denied based upon applicant's unfitness, the applicant may be provided an opportunity to be heard as determined by the Authority Board.

IV. Enforcement

Failure to comply with any provision of relevant Federal, State, or Local Law, the terms, conditions, rules and regulations, and requirements of a Permit issued hereunder, the Authority's Facility Rules and Regulations, may subject the Permit holder to Permit revocation as well as any penalties applicable, including, but not limited to the penalties set forth in Section 12 of Local Law #1 of 1990 for Oneida County and Section 13 of Local Law #1 of 1990 for Herkimer County.

V. Severability

If any section or part of a section, paragraph, sentence, clause, phrase or work of these rules and regulations is, for any reason, held or declared to be unconstitutional, inoperative or void, such holding shall not affect the remaining portions of these Rules and Regulations.