

**ENVIRONMENTAL HEALTH SERVICES
(COLLECTION AND DISPOSAL OF WASTE)
REGULATIONS, 2004**

S.I. 22/2004

(SECTION 17)

[Commencement 1st April, 2004] S.I. 23/2004

1. These Regulations may be cited as the Environmental Health Services (Collection and Disposal of Waste) Regulations, 2004. Citation.

2. In these regulations — Interpretation.

“Act” means the Environmental Health Services Act; Ch. 232.

“ashes” means the residue and cinders from any substances used for fuel and from incineration of waste;

“bulky waste” means furniture, large household appliances, discarded auto parts or such other large discarded material that cannot be placed in domestic waste receptacles;

“collector” means any person who is the holder of a valid certificate of approval issued by the Director for the collection and transportation of waste;

“collection day” means the day, or days designated by the Director on which waste is regularly collected from specific premises;

“commercial or institutional establishment” means any room or building other than a single family residential development or multiple family residential development, in or at which people work, congregate, attend or are housed or accommodated, and includes, but is not limited to barracks, common lodging houses, factories, hospitals, hotels, restaurants, places of worship, schools, stores, shops and supermarkets;

“commercial waste” means ashes, garbage, refuse, rubbish and yard waste generated from the operation of a multiple family residential development, commercial or institutional establishment if the total amount of waste is greater than 12 cubic feet per regularly scheduled pick-up, and is properly placed in domestic waste receptacles or containerized

storage bins, but does not include bulky waste, construction and demolition waste, abandoned vehicles or abandoned appliances, medical waste, special waste, or street waste;

“construction and demolition wastes” means waste such as wood, pipes, concrete, brick, masonry, asphaltic materials, metals, and other materials from the construction, renovation, repairs and demolition of any buildings or other works;

“containerized storage bin” means any waste storage receptacle which is of such a size that it requires mechanized collection;

“Department” means the Department of Environmental Health Services;

“Director” means the Director of the Department of Environmental Health Services;

“abandoned vehicle” or “abandoned domestic appliance” means a vehicle or appliance or part thereof, as the case may be, that by reason of its condition, has been or appears to have been abandoned;

“domestic waste” means ashes, garbage, refuse, rubbish, and yard waste generated from the operation of any single family residential development, multiple family residential development, commercial or institutional establishment, if the total amount of waste is less than 12 cubic feet per regularly scheduled pick up, and is properly placed in a domestic waste receptacle, but does not include bulky waste, construction and demolition waste, abandoned vehicles or abandoned appliances, medical waste, special waste or street waste;

“domestic waste receptacle” means

- (1) one or more rust-free containers with a water tight cover, and having the following specifications —
 - (a) between 16 inches and 17 inches in diameter at the top, and tapered to a lesser diameter at the bottom;
 - (b) between 20 inches and 30 inches high; and

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- (c) having a capacity between 3 cubic feet and 5 cubic feet; or
 - (2) a plastic bag having the following specifications —
 - (a) securely tied at the top when ready for collection;
 - (b) being no more than 30 inches in height;
 - (c) no more than 18 inches in width; and
 - (d) capable of holding no more than 70 pounds of contents when lifted;
 - (3) dry cardboard boxes, wooden boxes or other containers that can be placed out for pick up, less than 70 pounds in weight and can be taken away by the collector;

“garbage” includes animal or vegetable waste or other matter that results from the preparation, consumption, decay, dealing in or storage of meats, fish, fowl, bird, fruit or vegetable, including cans, containers or wrappers that are wasted along with such material;

“industrial waste” for the purposes of these regulations means the discarded material and waste products of any industry, trade or manufacturer, and include but is not limited to food processing wastes, lumber scraps, metal scraps, and shavings, and does not include medical waste or special waste;

“medical waste” means waste generated by clinics, medical facilities, veterinary clinics or any other facilities from the provision of medical diagnosis or treatment;

“Minister” means the Minister responsible for the Department of Environmental Health Services;

“multiple family residential development” means public or private developments which are either occupied or intended to be occupied by more than two families living independently of one another upon the same premises and may be either—

- (a) licensed boarding houses, lodging houses and rooming houses, terraces of dwellings and any other type of premises where more than two families reside; or

(b) hotels, motels and other type of premises where the occupants normally sojourn for limited periods;

“person” means any person, firm, partnership, association, corporation, company or organization of any kind;

“premises” means any land, and includes water courses and drains;

“road” includes any thoroughfare, street, trail, avenue, parkway, lane, alley, square, bridge, causeway, or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles;

“refuse” means all material subject to putrefaction resulting from the handling, preparation, cooking, consumption and storage of food, along with the following materials; broken dishes, tins, glass, rags, discarded clothing, waste paper, excelsior, cardboard, sawdust, food containers, conch shells, and plastic;

“rubbish” includes house sweepings, wood, leaves, trimmings from shrubs, sawdust, paper, cardboard, grass, rags, old shoes, and all other combustible material;

“single family residential development” means any public or private development which is either occupied or intended to be occupied by single families, but does not include multiple family residential development;

“special waste” means waste that requires special or extraordinary management to maximize the protection of human health and the environment, including, but not limited to hazardous waste, sewage sludge, auto hulks, tires, aerosol containers, animal blood, grease trap pumping and skimming, lead acid batteries, septage, imported waste, used lubrication oil and medical waste;

“street waste” means any street sweepings, dirt, leaves, contents of litter, receptacles, bird excreta and any other discarded matter which rest on public roads and public premises;

“waste” means any substance which constitutes a scrap material or other unwanted surplus substance arising from an application or process, and any substance or article which is required to be disposed of as being broken, worn out, contaminated or otherwise spoiled;

“waste management facility” means a facility designed, constructed and operated for the collection, processing, transferring, disposal or recycling of waste stream or the components thereof, including hazardous waste disposal sites, transfer stations, composing facilities, recycling facilities, commercial incinerators and any other facilities utilized for the disposal or re-use of waste;

“yard waste” means all organic waste generated from public and privately owned yards, gardens, and grounds and highways including, grass, leaves, tree prunings, shrub prunings, nuts, fruit, seed pods and other miscellaneous plant material.

3. (1) The Department may, at the public expense, provide a waste collection service for the collection and disposal of certain types of waste or may designate persons or agencies authorized to collect waste, and shall by notice published in the Gazette designate the types of waste for the collection and disposal of which service is available.

Provision of waste collection service.

(2) The Department may enter into agreement with the responsible authorities in the Family Islands for the provision of collection service for waste.

(3) The Department shall, by notice published in the Gazette make known the towns, districts or areas for which a waste collection service is provided and such notice shall specify the days and hours during which such collection will be carried out, and any alteration in the collection shall be notified in like manner.

PART 2 GENERAL COLLECTION OF WASTE

4. All domestic waste shall be collected at least once per week, or at such frequency as provided by the Director.

Domestic waste.

Commercial
Waste.

5. (1) All commercial waste shall be collected at least once per week, or at such frequency as provided by the Director.

(2) At the discretion of the Director, commercial waste which is not collected by the Department, shall be collected at the owner's expense, from the premises upon which it accumulates by a collector, in accordance with these regulations.

Separation of
waste.

6. When commercial and domestic waste is placed out for collection, yard waste shall be separated from all other waste in accordance with these regulations.

Domestic waste
receptacle.

7. The owner or occupier of the premises from which domestic waste is collected shall place all domestic waste for collection in domestic waste receptacles.

Commercial
waste containers.

8. (1) The owner or operator of any commercial or institutional establishment, or industry, shall place domestic and commercial waste for collection in —

- (a) the manner provided for in regulation 6 and 7;
- (b) a containerized storage bin, constructed for the purpose of waste containment;

(2) All domestic waste receptacles and containerized storage bins must be fitted with covers which can be closed. The covers must be suitable to prevent waste from spilling or blowing from receptacles or bins.

(3) No person shall use, or permit to be used, domestic waste receptacles or containerized storage bins for waste disposal purposes from which any waste can spill or blow when waste is being dumped or stored in the receptacles or bins, or emptied therefrom.

Residential
developments.

9. Public or private multi-family residential developments and single family residential developments will receive domestic or commercial waste collection service at the discretion of the Director provided that domestic waste receptacles or containerized storage bins are used and are located at an accessible pick-up location, as specified in these regulations.

Failure to pick up
spilled waste.

10. The owner of any waste who fails to immediately pick up any waste which is spilled from his domestic waste receptacles or containerized storage bins commits an offence under these regulations.

Location of
waste.

11. For ease and efficiency of collection, all persons shall place waste only in domestic waste receptacles or

containerized storage bins, and place the receptacles or bin as close as practical to a road, without obstructing pedestrian or vehicular traffic, for pick up by a collector.

12. A domestic waste receptacle or containerized storage bin shall have sufficient strength and rigidity to withstand the wear and tear to which it may be subjected under normal collection procedures. Container required.

13. A collector is not required to collect domestic and commercial waste from — Waste not collectable.

- (a) any waste receptacle which, with the weight of its content, exceed 70 pounds;
- (b) any waste receptacle which due to the compaction of waste, accessibility, or any other reason cannot be emptied by the collectors in a normal “free-flowing” manner; or
- (c) any waste receptacle which is not suitable for holding such waste.

14. A person shall not put out or cause or permit to be put out domestic or commercial waste for collection unless; Prohibited methods of disposal.

- (a) clippings from shrubs and trees are compactly and securely tied in bundles not exceeding 4 feet in length or 70 pound in weight, and placed beside the waste receptacles;
- (b) any waste containing any liquid is thoroughly drained and wrapped in paper before being put into waste receptacles for collection;
- (c) rags and discarded clothing are tied securely in bundles and placed within or beside waste receptacles for removal;
- (d) waste paper, newsprint, and cardboard is securely tied in bundles and placed within or beside waste receptacles for removal;
- (e) ashes are cooled and put into sealed disposable containers;
- (f) sawdust is put into sealed disposable containers;
- (g) animal feces are placed in a securely tied double plastic bag before being put into a waste receptacle.

15. A person shall not place, permit to be placed, or mix with any material for removal as domestic or commercial waste — Improper methods of disposing.

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- (a) any highly combustible or explosive waste, including, but without limiting the generality thereof, such materials as powder, dynamite, motion picture film, hot ashes, or toxic materials;
 - (b) hypodermic needles unless packaged so they can be handled in safety;
 - (c) luminescent gas filled tubes, unless such tubes are encased in a container of sufficient size and strength to protect such tubes from breakage and allow safe handling;
 - (d) sharp objects or broken glass unless packaged to allow safe handling;
 - (e) bulky waste, construction and demolition waste, medical waste, and industrial waste, except as required or directed by the Director.

Filled receptacles and bins.

16. A person shall not fill or permit to be filled, any domestic waste receptacle or containerized storage bin to a greater height than 2 inches below the top of such receptacle or containerized storage bin, or compact the waste in the receptacles or bins such a manner that the waste cannot be removed from the receptacle or bin in free flowing manner by the collectors.

Bulky waste.

17. (1) All bulky waste shall be removed from all premises upon which it accumulates at such frequency, and in such manner as may be specified by the Director.

(2) At the discretion of the Director, bulky waste shall be removed at the owner's expense by a collector, from the premises upon which it accumulates, in accordance with these regulations.

Construction and demolition waste.

18. Every owner, agent, building contractor or sub-contractor engaged in the construction, repair or demolition of any building or structure or path thereof shall, at their expense, remove and dispose of all construction and demolition wastes deposited on any public or private road or premises, as provided by the Director.

Industrial waste.

19. (1) All industrial waste shall be removed from all premises upon which it accumulates at such frequency, and in such manner as may be specified by the Director. All industrial wastes must be sampled, tested and characterized by the generator for hazardous quantities.

(2) At the discretion of the Director, industrial waste shall be removed at the owner's expense by a collector,

from the premises upon which it accumulates, in accordance with these regulations.

20. No person shall dispose of special waste except as specified by the Director. Special waste.

21. (1) All street waste shall be removed from all premises upon which it accumulates at such frequency, and in such manner as may be provided by the Director. Street waste.

(2) At the discretion of the Director, street waste shall be removed at the owner's expense by a collector, from the premises upon which it accumulates, in accordance with these regulations.

22. No person shall collect or dispose of any waste as defined herein except under the provision of these regulations. Prohibition on collection and disposal of any waste.

PART 3 DUTY OF COLLECTORS

23. Collectors shall exercise reasonable care not to damage or misuse any domestic waste receptacle or containerized storage bin. Damaging receptacle.

24. Collectors shall replace emptied waste receptacles, the lids and containerized storage bins in approximately the same location where picked up. Replacement of receptacles.

25. Collectors shall pick up waste which has spilled on the ground from the waste receptacle, the containerized storage bin, or the collection vehicle while in the process of collection. Method of collection.

26. A person employed in the collection of waste shall not pick, sort over, or remove any waste from the collection vehicle, the owner's premises, or the sanitary waste management facility, except as directed by the Director. Duty of Employees.

27. A person, other than a collector of waste or the person who placed waste in a domestic waste receptacle or containerized storage bin, shall not interfere with or disturb the contents of any domestic waste receptacle or containerized storage bin after it has been placed for collection. Interference with waste receptacle.

**PART 4
TIME OF COLLECTION**

Licensed collection services.

28. The Director or licensed collection services shall schedule the collection of domestic waste, commercial waste, and bulky waste.

Notification of collection.

29. The Director or licensed collection services shall ensure that all residents and other persons are notified of the collection and any changes made thereto.

Collection day.

30. The collection day is the day designated by the Director or licensed collection services on which domestic and commercial waste are regularly collected from specific premises in accordance with the following —

- (a) domestic and commercial waste shall be at the pick-up location by 6:00 o'clock on the morning of the collection day or during any other time designated by the Director or licensed collection services; and
- (b) if a holiday occurs on the collection day, collection will be made on either the preceding day or the next day at the discretion of the Director or licensed collection service.

**PART 5
LOCATION OF RECEPTACLES**

Location of Receptacles.

31. A person shall not place or keep or permit to be placed any domestic waste receptacles or containerized storage bins upon any road or sidewalk and domestic waste receptacles may be placed for collection in a location, on any private premises if such location does not interfere with vehicular or pedestrian traffic and the location allows for the efficient collection of waste.

Placement where there is no road at the rear.

32. In cases where no road exists at the rear of any building or premises, or where other special conditions exist such as unimproved lanes, steep grades, any requirement for collection vehicles to back up or any condition which makes the collection impractical or hazardous, then the owner, tenant or occupant of any single family residential development, multiple family residential development, institutional or commercial establishment, or industry shall maintain a storage and pick-up location for domestic waste receptacles in accordance with the following provisions —

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- (a) the storage location shall be between the wall of the building, which is closest to the road, and the property line;
 - (b) the pick-up location serving a building shall not be further from the road than the property line of the dwelling, and as close to the property line and pick-up location as possible to allow for the efficient collection of waste;
 - (c) domestic waste receptacles shall be placed for collection on the day preceding the collection day;
 - (d) domestic waste receptacles must be returned to their storage location within 12 hours of being emptied.

33. Where there is a retaining wall, steep slope or other obstruction between the location from which the domestic waste receptacles are stored and where the domestic waste receptacles are located for pick-up, the domestic waste receptacles shall be placed at a convenient height and location to allow for the efficient collection of waste by the collector.

Location of receptacles.

34. A person, being the owner, occupant, tenant or person in charge of any property or premises shall maintain or ensure that the storage locations of the domestic waste receptacles on the property are maintained in a clean, tidy and orderly condition.

Maintenance of storage location.

35. Collection shall not be made from inside any building except when, in the sole judgment of the Director or the licensed collection service, that it is impractical to place the domestic waste receptacles outside the building to await collection.

Collection in buildings.

36. All collectors of waste may enter private yards and premises of any person at all reasonable times for the purpose of carrying out their duties.

Entry on premises.

37. Any person, being the owner, occupant, tenant or person in charge of any property or premises who puts out waste for collection shall provide unobstructed and convenient access for collection of such waste.

Access for collection.

38. A person shall not use or permit to be used any vehicle for the conveyance or storage of waste unless such vehicle is fitted with a suitable cover capable of preventing the dropping, spilling or blowing off of waste while it is being transported.

Transportation of waste.

**PART 6
PRIVATE COLLECTION CONTRACTS**

Collection
Contracts.

39. The Department may enter into a contract or contracts with any person for the provision of private waste collection services.

**PART 7
CERTIFICATES OF APPROVAL**

Applications to
operate
collection
services.

40. All applicants for a certificate of approval to operate a collection service shall complete an application including —

- (a) the applicant's name;
- (b) the applicant's address;
- (c) the applicant's telephone number;
- (d) the applicant's business license number;
- (e) the applicant's methods of operation;
- (f) a description of any vehicle to be used for the transportation of waste, including:
 - (i) vehicle make, year, model, type and serial number;
 - (ii) vehicle license number;
- (g) the types of waste that will be collected and transported, including —
 - (i) domestic waste;
 - (ii) commercial waste;
 - (iii) bulky waste;
 - (iv) construction and demolition waste;
 - (v) industrial waste;
 - (vi) medical waste;
 - (vii) special waste;
 - (viii) street waste; and
 - (ix) abandoned vehicles or abandoned domestic appliances;
 - (x) a description of the cover, fastening mechanism and any other equipment that will be used to cover waste being transported to prevent the droppings, spilling or blowing off waste during transport;
 - (xi) the type of collection schedule, if any, that may be implemented and methods of

- notifying customers of the schedule and any changes made to it;
- (xii) payment of an application fee in the amount of one hundred dollars per vehicle listed in the application;
 - (xiii) a signed statement that the collection service will operate in accordance with the provisions of these regulations and any other regulations, directives or by-laws, including, but not limited to those issued by the Director with regard to the collection and transportation of waste.

41. A fee of five hundred dollars for every vehicle listed in the certificate of approval shall be paid by the applicant before a certificate of approval is issued by the Director. Fees.

42. (1) An applicant for a certificate of approval to construct or operate a waste management facility shall provide the Director with written notice of intent to make an application for a certificate of approval and an application fee in the amount of five hundred dollars. Fee application to construct waste management facility.

(2) Within 30 days of receiving a written notice of intent to make an application for a certificate of approval, the Director shall prescribe the information required in the application.

(3) The Director may consider the following when prescribing the information required in an application to construct a waste management facility —

- (a) the necessity for an environmental impact assessment;
- (b) soil characteristics;
- (c) water table and underground water location and uses;
- (d) dust control;
- (e) land use of the proposed site and adjacent areas;
 - (i) topography;
 - (ii) geology;
 - (iii) noise control;
- (f) pollution control system;
- (g) operational requirements;
- (h) site reclamation and restoration;

- (h) reports and recommendations made by consultants or experts; and
 - (j) regulations, standards and guidelines implemented in other jurisdictions;
- (4) The Director may consider the following when prescribing the information required in an application to operate a waste management facility —
- (a) type of facility;
 - (b) operational plans;
 - (c) pollution control systems;
 - (d) land use of the proposed site and adjacent areas;
 - (e) site reclamation and restoration;
 - (f) reports and recommendations made by consultants or experts; and
 - (g) regulations, standards and guidelines implemented in other jurisdictions.

PART 8 WASTE MANAGEMENT FACILITIES

Waste management facilities.

43. A person shall not deposit waste at any waste management facility site unless the following conditions are met —

- (a) the waste is deposited in accordance with the directions of the waste management facility or attendant and in accordance with the appropriate signs at the sites;
- (b) all waste is deposited in a manner which will minimize scattering by the wind.

Entry to waste management facility.

44. No person shall enter a waste management facility for the purpose of salvaging, picking over, scattering, searching or burning any material without the permission of the Director.

Conditions regarding disposal of waste.

45. The Director shall specify conditions and times of disposal for waste at a waste management facility, and may deny the disposal of any wastes which the Director, in his sole discretion, deems to be unsuitable for disposal at a waste management facility.

Prohibited acts.

46. No person shall dispose of special waste at any waste management facility without a certificate of approval, and in accordance with regulations which specifically address the disposal of special waste.

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- 47.** The following conditions shall apply to industrial waste —
- Conditions regarding industrial waste.
- (a) all generators and carriers of industrial waste shall correctly complete any manifest required by the Director and all instructions associated with the use of a manifest shall be strictly obeyed;
 - (b) the generator of industrial waste that requires special handling or is a hazard or potential hazard to health, safety or the environment shall, in writing, satisfy the Director that the waste can be safely handled and disposed of;
 - (c) no industrial waste shall be accepted at a waste management facility when its contents are unknown or the disposal procedure is in doubt;
 - (d) generators and carriers of industrial waste shall cooperate with the Director in taking samples of the waste.
- 48.** A person in breach of these regulations may be denied entry to any waste management facility. Entry may be denied.
- 49.** (1) Waste brought to the waste management facility may be subject to a disposal charge as prescribed by the Director in the Schedule to these Regulations. Fee based on weight.
- (2) When the weigh scales are inoperative, charges shall be applied on an estimated weight basis.

PART 9 GENERAL

- 50.** The Director may, at his sole discretion, provide suitable waste receptacles for the deposit of waste. Provision of disposal for waste.
- 51.** (1) The owner, occupier or person in charge of a multiple family development or commercial or institutional establishment shall — Premises to be kept free of waste.
- (a) at all times keep his premises in all respects clean and free from waste and other offensive matter and shall collect or cause to be collected all waste and place it in domestic waste receptacles;
 - (b) provide for the storage of waste receptacles in one or more storage shelters, or open enclosures, capable of storing the domestic waste receptacles on the premises;

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- (c) in towns, districts or areas in the Family Islands where a waste collection service is provided —
 - (i) provide a place for removal of its content any domestic waste receptacle provided under paragraph (b) as near to the adjoining road as is reasonably possible; or
 - (ii) deposit all waste in domestic waste receptacles provided for the collection thereof on such days and at such times as the Director may specify.
 - (2) Storage enclosures provided for the purposes of paragraph (1) (b) must be —
 - (a) provided with suitable doors or covers if it is a storage shed;
 - (b) kept covered or have the doors closed when waste is stored inside if it is a storage;
 - (c) constructed to prevent animals from getting into the domestic waste receptacles; and
 - (d) kept in good repair.

Removal of waste by department.

52. Where the owner, occupier or person in charge of a single family residential development, multiple family residential development, commercial or institutional establishment, or industry, fails or refuses to deposit waste in accordance with these regulations the Department shall cause such waste to be removed from the premises of the owner, occupier or person in charge and any expenses incurred may be recovered from such person as a civil debt due to the Department.

Private deposit of waste.

53. (1) The owner, occupier or person in charge of a single family residential development, multiple family residential development, commercial or institutional establishment, or industry may, with the approval of the Director, make his own arrangements for the disposal of waste.

(2) The owner, occupier or persons in charge of a single family residential development, multiple family residential development, commercial or institutional establishment, or industry that is situated in any town, district or area in which no waste collection service is provided shall at least once in every week dispose of waste from his premises in a manner approved by the Director.

54. The Director may, on application being made for the purpose of incinerating waste, approve the installation and operation of incinerators of such type and size, and of such terms and conditions as the Director may specify.

Installation of incinerators.

55. (1) An owner or occupier of any premises shall, at his own expense, remove any abandoned vehicle or abandoned domestic appliance if ordered to do so by the Director.

Removal of abandoned vehicles, etc.

(2) No person shall, except with the written approval of the Director place or cause to be placed in any road or premises any abandoned vehicle or abandoned domestic appliance.

(3) No owner or occupier of premises shall permit to remain on such premises any abandoned vehicle or abandoned domestic appliance.

56. (1) No person shall, except with the permission of the Director:

Prohibitions respecting waste.

(a) disturb, remove or carry away any waste placed in any domestic waste receptacle;

(b) remove any waste from a waste management facility.

(2) No person shall, by any means, hinder or obstruct any person lawfully engaged in cleaning or removing waste in any public place.

(3) No person shall place, deposit or cause or permit to be placed or deposit any waste on any road, or other public premises, or on or about any private premises.

57. (1) No person employed to drive a vehicle engaged in a waste collection and disposal service shall sell or give away or permit to be sold or given away any waste without the permission of the Director.

Prohibition against sale, etc. of waste.

(2) No person shall place or deposit or cause to be placed or deposited any waste in any place other than at a waste management facility approved by the Director.

(3) No person shall take or receive any waste from a vehicle engaged in a waste collection and disposal service or induce any person, by any means, to deal with any waste otherwise than prescribed by these regulations.

58. No person shall deposit or place or cause to be deposited or placed any aerosol containers in or with any waste that is intended or is likely to be burned, but shall

Disposal of certain types of waste.

dispose such waste in a manner determined or approved by the Director.

Prohibition against the lighting of fire, etc.

59. (1) No person, except a person employed by the Department and approved by the Director, shall cause any fire to be lit in any waste receptacle provided by the Director or at any waste management facility.

(2) No person shall —

- (a) burn waste at any place or in any manner that is likely to create a health hazard or a nuisance; or
- (b) burn any material that is likely to cause excessive smoke or produce a noxious odour or to discharge any toxic substances which on combustion are likely to affect the occupants of any premises, except under conditions approved by the Director.

Transportation of waste.

60. (1) No waste shall be transported along any road unless —

- (a) the vehicle is so constructed or loaded in such a manner that no waste can fall from such vehicle;
- (b) the vehicle is protected by a closed-in top or canvas cover;
- (c) the waste is placed in containers and kept tightly closed while being transported; and
- (d) the vehicle is fitted with suitable watertight floor and sides capable of preventing any liquid drainage from the waste material and the vehicle while it is being transported.

(2) When waste and any liquid drainage from the waste material falls from a vehicle in the course of being transported, the driver of that vehicle shall cause the waste that has fallen to be removed immediately from the public or private road.

Service of notice to remove waste, etc.

61. (1) Without prejudice to any proceeding, these regulations or any other law, where any person deposits or causes to be deposited any waste, abandoned vehicle or abandoned domestic appliance on any public or private premises or other place, the Director may serve or cause to be served on that person or on the owner of the premises a notice requiring him, within the time specified in the notice, to remove and dispose of the waste, abandoned vehicle or abandoned domestic appliance in such manner as the Director specifies in the notice.

(2) Where a person on whom a notice under paragraph (1) is served fails to comply with the notice, the Director may —

- (a) authorize any person in writing to enter the premises or other place to remove the waste, abandoned vehicle or abandoned domestic appliance; and
- (b) recover, as a civil debt from the person on whom the notice is served, any expenses reasonably incurred.

(3) Where the person on whom a notice under paragraph (1) may be served is unknown or cannot be found, the Director may, without serving notice, cause the waste, abandoned vehicle or abandoned domestic appliance to be removed and sold or disposed of in any manner the Director deems fit.

(4) Where the Director disposes of any abandoned vehicle or abandoned domestic appliance that is removed under paragraph (2) or (3) by way of sale, the proceeds of that sale shall be paid into the Consolidated Fund.

62. No person shall place, deposit, or cause or permit to be placed or deposited, any waste (including food or drink packaging, tissues or paper generated by a residence or business) on any pavement, street, road, lane, roadside, path, beach, gully, and any other public places or on about the premises of another person.

Littering
Prohibited.

63. Waste shall only be deposited at a waste management facility licensed for that purpose in accordance with the Act.

Illegal dumping.

64. A person who contravenes any provision of these regulations commits an offence and is liable on summary conviction to a fine not exceeding five thousand dollars or imprisonment for a period not exceeding twelve months.

Offence and
penalty.

SCHEDULE (Regulation 49)**WASTE DISPOSAL CHARGES FOR WASTE****BROUGHT TO A WASTE MANAGEMENT FACILITY**

A waste disposal fee will be assessed and shall be paid by all private collectors for each load of waste in excess of 300 pounds at the following rates:

Weight of Load	Waste Disposal Fee
300 pounds or less	No charge
Between 300 and 999 pounds	\$5.00 per load
Between 1,000 and 1,999	\$10.00 per load
2,000 pounds (1 ton) or greater	\$10.00 per ton