FINAL DRAFTING INSTRUCTIONS

PERMITING AND LICENSING OF SEPTAGE HAULERS AND PORTABLE TOILET OPERATORS

Submitted to
Pan American Health Organisation (PAHO)
2-4 King Street
Kinston
Jamaica

Prepared by
Forrest & Associates
4 Chelsea Avenue
Kingston 10
Jamaica

JULY 28, 2005
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**TABLE OF CONTENTS**

1.0 INTRODUCTION ........................................................................................................ 4  
  1.1 Background ............................................................................................................ 4  
  1.2 Approach ............................................................................................................... 5  
2.0 IMPLEMENTATION OF REGULATIONS ................................................................ 6  
  2.1 Priority Issues ...................................................................................................... 6  
  2.2 Implementation Issues ......................................................................................... 6  
3.0 DRAFTING INSTRUCTIONS .................................................................................... 7  
  3.1 Purpose ................................................................................................................. 7  
  3.2 Definitions .............................................................................................................. 8  
  3.3 Scope and Applicability .......................................................................................... 8  
  3.4 Prohibitions .......................................................................................................... 8  
  3.5 Permitting and Licensing Requirements ............................................................... 9  
  3.6 Haulage Vehicles (Tanks) ..................................................................................... 12  
  3.7 Record Keeping and Reporting Requirements ..................................................... 13  
  3.8 Accidental Release ............................................................................................... 14  
  3.9 Offences ................................................................................................................. 14  
REFERENCES ................................................................................................................. 15  
APPENDIX I .................................................................................................................... 16  
SCHEDULES ................................................................................................................... 20  
  Schedule A – Application for Septage Haulage License .............................................. 20  
  Schedule B – Renewal Reporting Format ................................................................. 20  
  Schedule C – Application for Portable Toilet Permit ............................................... 20
1.0 INTRODUCTION

1.1 Background

The 2001 census reported that approximately 72.5% of households\(^1\) in Jamaica have on-site systems for the disposal of excreta. These systems are emptied by cesspool operators however; the MOH has no regulations or guidelines to effectively manage the collection, transportation, treatment and disposal of septage in the country.

The Ministry of Health (MOH) with the support of the Pan American Health Organisation (PAHO) is currently working to regularise the management and disposal of septage and biosolids in Jamaica. In this regard, a consultant was contracted to develop in consultation with key stakeholders and interested parties guidelines, standards, and regulations for the management of septage and sludge in Jamaica.

The Scope of Work (SOW) for the project was as follows.

Specifically the consultant was required to:

1) Conduct a situational analysis to determine the present operational system and management of management of septage in Jamaica.

2) Collaborate with stakeholders in the regulatory agencies and private sector to develop a regulatory and monitoring system for operators and other persons involved in collecting, transporting, treating and disposing of domestic septage, industrial septage, sludge and temporary systems.

3) Review policies, guidelines, standards and regulations obtaining in other regional and international jurisdictions on septage management.

4) Develop drafting instructions to be sent to the Chief Parliamentary Council (CPC) for regulating domestic and industrial septage, industrial sludge, temporary treatment systems, licensing of cesspool servicing companies, and permit for transport operators.

5) Prepare guidelines and standards for the management of domestic and industrial septage, industrial sludge, temporary treatment systems, licensing of cesspool servicing companies, and permit for transport operators (this to include occupational health and safety standards)

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\(^1\) Draft Report, The Collection, Transport and Disposal of Septic Tank and Absorption Pit Waste in Jamaica – Trans Caribbean Engineering & Management Consultants
6) Make presentation(s) on the guidelines to at least three public consultations.

This document contains the proposed guidelines which will govern the management of septage and biosolids in Jamaica.

1.2 Approach

These drafting instructions have been developed as a result of a series of activities commencing with a situational analysis of the management of septage in Jamaica as well as the experiences in other jurisdictions. The completion of the situational analysis was followed by the development of guidelines for septage and biosolids management. The guidelines were in part used to develop the drafting instructions. Finally, stakeholders were asked to comment on the drafting instructions. Stakeholder consultations involved both circulation of the document for comment as well as the staging of two workshops on July 12 and 22, 2005 in Montego Bay and Kingston respectively. The list of participants is found in Appendix I.
2.0 IMPLEMENTATION OF REGULATIONS

2.1 Priority Issues

During the stakeholder consultations the consultant guided the participants through a process from which a set of priority actions were identified to strengthen and further develop the management of septage in the country. The following is a list agreed action in order of priority.

(i) Strengthening of the institutional framework
(ii) Development of a network of approved regional treatment and disposal site
(iii) Development of effective implementation, monitoring and evaluation mechanisms
(iv) Beneficial use of by products from septage treatment and disposal

2.2 Implementation Issues

The development of the drafting instructions and the coming into law of the regulations will be a significant achievement. However, the regulations will not be effective standing on its own there are a number of actions which will be required to ensure that the law provides an effective legal framework for the management of septage. These are summarised as follows.

- The waste treatment facilities to treat septage must be expanded. Regional treatment facilities must be established. The GOJ must ensure (in the interest of public health) that selected facilities operated by government agencies can accept septage. Additionally, incentives must be established to encourage the private sector to make direct investment or through public private partnerships in treatment facilities. Available, functional and efficient treatment facilities are at the center of the proposed regulations.

- The Public Health Departments must be placed in a position to manage the system. This will include not only training but the provision of data management systems to help track the data.

- A training programme to sensitize workers who work in the sector in good practices should be developed to certify persons who work in the sector.

- Fines for birches under the regulations should be developed and be established at a level to influence the regulated sector to abide by the requirements of the legislation.
3.0 DRAFTING INSTRUCTIONS

3.1 Purpose

The development of regulations for the permitting and licensing of septage haulers and portable toilet operators are intended to allow for the safe transportation of septage.

These regulations are limited to the transportation of septage however, the overall management of septage its treatment and disposal are linked to other regulations as listed below. These pieces of legislation are in various stages of preparation.

- Natural Resources Conservation Authority (NRCA) Act
- NRCA Wastewater and Sludge Regulations
- NRCA Permit and Licensing Regulations
- National Solid Waste Management Act
- Public Health Act

The regulations are designed to encourage the proper transportation of septage to approved disposal sites.

The regulation:

- Establish requirements for persons transporting septage and persons requiring the services of septage haulers
- Establish requirements for portable toilet operators
- Establish requirements for permitting licensing, and record keeping

Summary of Features of Septage Permitting and Licensing Regulations

1. Definitions
2. Scope and Applicability
3. Prohibitions
4. Permitting and Licensing Requirements
5. Haulage Vehicles
6. Record Keeping and Reporting Requirements
7. Accidental Releases
8. Offences
3.2 Definitions

Land Disposal
Application of biosolids where beneficial use is not an objective and normally at rates which exceed the nutrient requirements of crops/pastures or plants, or the requirement for organic matter.

Land Application
Spraying or spreading of biosolids on to the land surface or their injection below the land surface.

Landfill
A waste disposal area that has been approved for the purpose and licensed by the EPA.

Septage
Septage, the informal term for hauled sewage, classifies all matter (liquids and solids) that is pumped out of septic tanks and holding tanks. Such tanks are found on residential, commercial and industrial properties. Septage is raw and untreated sewage, and must not be confused with sewage biosolids, which is the term applied to municipal sewage from a sewage treatment plant (STP) that meets specific standards.

Sludge
Sludge is residual waste or the byproduct of wastewater treatment processing.

Wastewater Treatment Plant
The processing facility that treats wastewater to render it acceptable for discharge to the environment and which as a result produces biosolids and minor residuals.

3.3 Scope and Applicability

These regulations apply to:

(i) Any person or entity who transports septage
(ii) Any person or entity who operates portable toilets
(iii) Any person or entity receiving septage for treatment and or disposal

3.4 Prohibitions

(i) No person can transport septage without a license from the Ministry of Health (Public Health Department)
(ii) No person can operate portable toilets without a permit from the Ministry of Health (Public Health Department)
(iii) No person may dispose of septage to land or the any area other than a waste water treatment plant.
3.5 Permitting and Licensing Requirements

(a) Persons who transport septage

(i) No person shall be engaged in the business of septic tank, absorption or soak away pits cleaning or the transportation of septage or sewage unless they are in compliance with these regulations.

(ii) Persons who own or operate vehicles that transport domestic septage or materials removed from portable toilets are required to have a Septage Transportation License.

(iii) Application for a license shall be made using the form in Schedule A and upon payment of the non refundable application fee.

(b) Requirements for License

The haulers of septage should apply through the Public Health Department in their locale for a permit to transport septage. The applicant will be required to provide the following information:

(i) The names, address, and telephone number(s) of the applicant and owner; individual;

(ii) The vehicle identification number and license plate number for the vehicle(s) which will be used to transport the tanks and tank identification number(s), if applicable;

(iii) The name, principal place of business, and telephone number of the septage hauler or septage transporting company that will appear on both sides of the vehicle or tank which will be used to transport the septage;

(iv) A mechanical report verifying that the vehicle(s), tank(s) and fittings meet the national standards;

(v) Haulers must possess an agreement with a permitted/licensed sewage/waste treatment plant(s) to accept septage;

(vi) The anticipated service area(s);

(v) The location of each site, facility, or wastewater treatment facility to which septage is proposed to be taken;

(vi) The name of the workers and verification that the workers have received training in good practices for the handling of septage;

(vii) The provision of health records verifying that the workforce has been vaccinated for Hepatitis B and Tetanus; and
(viii) The provision of appropriate safety equipment for the workforce in accordance to Public Health Department guidelines and Occupationally Health and Safety Regulations.

The application must be accompanied by a non refundable processing fee of (to be decided) dollars

The application shall be accompanied by a statement signed by the operator or authorized agent of the septage disposal facility or sewage treatment plant, to which the applicant proposes to transport septage, which acknowledges the applicant's intent to use or dispose of septage at the facility and authorises such activity.

The applicant must provide information on the number and size of tanks.

The tank(s) are to be used solely for transporting septage

Each application shall be accompanied by a statement signed by the applicant stating that all vehicles and tanks proposed to be used to transport septage have met all applicable national motor vehicle requirements.

(c) Requirements for Revoking License

The license can be suspended or revoked if the licensee fails to conform to the conditions granted under the license.

(i) The license will be suspended for the following reasons;
   - the vehicle transporting the septage is unlicensed
   - any member of the workforce is not appropriately trained
   - provision of incorrect information on the application form
   - inadequate record keeping

(ii) The license will be immediately revoked for disposal of septage in an unauthorised location.

(d) Requirements for License Renewal

The license shall be granted for two years and will be subject to review before renewal. The renewal process will be carried out by the Public Health Department and will be granted based on the following determinations.

(i) All required reporting has been received including the required health records for the workforce (Schedule B);

(ii) All applicable requirements of these rules have been met;

(iii) All vehicles proposed to transport septage comply with all national motor vehicle requirements;
(iv) A mechanical report verifying that the vehicle(s), tank(s) and fittings meet the national standards;

(v) The treatment facilities confirm the use of its sites to dispose of septage; and

(vi) The applicant has paid all fees and administrative, civil penalties owed to the Public Health Department.

(e) Requirements for Permit – Portable Toilets

(i) No person shall be engaged in the business of rental of portable toilets unless they are in compliance with these regulations.

(ii) Persons who operate portable toilets are required to have a Portable Toilet Operating Permit.

The permit shall be granted for two years and will be subject to review before renewal. The renewal process will be carried out by the Public Health Department.

(iii) Application for a permit shall be made using the form in Schedule C and upon payment of a non refundable application fee.

The suppliers of temporary toilet facilities should apply through the Public Health Department to provide this service. The applicant will be required to provide the following information:

(i) The name, addresses, and telephone number(s) of the applicant and owner; individual;

(ii) The name, principal place of business, and telephone number of the units in operation;

(iii) The name of licensed septage hauler(s) who will transport the septage from the portable system;

(iv) Whenever a permit holder obtains an additional or replacement sanitary units, the permit holder shall notify the department in writing within 10 days;

(v) The name of the workers and verification that the workers have received training in good practices for the handling of septage;

(vi) The provision of health records verifying that the workforce has been vaccinated for Hepatitis B and Tetanus; and

(vii) The provision of appropriate safety equipment for the workforce in accordance to Public Health Department guidelines and Occupationally Health and Safety Regulations.
The application must be accompanied by a non refundable processing fee of (to be decided) dollars.

The application shall be accompanied by a statement signed by a licensed septage hauler (s) whom the applicant proposes to transport septage.

(f) Requirements for Revoking Permit

The permit can be suspended or revoked if the permit holder fails to conform to the conditions granted under the permit.

(i) The permit will be suspended for the following reasons:

- the operator has not informed the Public Health Department re changes in number of sanitary units.
- any member of the workforce is not appropriately trained
- provision of incorrect information on the application form
- inadequate record keeping

(ii) The permit will be immediately revoked if the permit holder is found disposing of the waste from the portable systems in an illegal manner.

3.6 Haulage Vehicles (Tanks)

(a) Vehicle Identification

(i) A copy of the septage hauler issued shall be retained in the vehicle at all times;

(ii) Each septage hauler shall display in permanent and legible lettering the name, principal place of business, and telephone number of the septage hauler or transporting company on both sides of the vehicle or tank used to transport septage. The size of the lettering will be specified on granting the license;

(iii) The Public Health Department shall issue a plate that shall be mounted permanently on the rear of the transporting unit.

(iv) Whenever a permit holder obtains an additional or replacement vehicle or tank for transporting the tank(s), the holder shall:

   (a) Notify the Public Health Department which issued the license in writing within 10 days of using the vehicle to transport septage; and
   (b) Supply the vehicle identification number and license plate number for the vehicle.

No truck/tank will be allowed to transport septage without a license.
(b) Vehicle and Tank Maintenance

Any hauler who has been issued a license shall maintain all vehicles and tanks used to transport septage in accordance with the following:

(i) Each vehicle and tank shall be maintained so as not to create unreasonable malodors or public health hazards;

(ii) Each tank shall be watertight;

(iii) All piping, valves, and connections shall be accessible and capable of being cleaned;

(iv) All inlet and outlet connections shall be constructed and maintained such that no material will leak, spill, or run out of the tank during transfer or transportation;

(v) Discharge outlets shall be designed to control the flow of discharge without spraying or flooding the receiving area;

(vi) The tanker driver shall prior to transport on public roads ensure that septage will not leak, spill, or run out of the tank; and

(vii) All vehicles used to transport the tanks shall be equipped, at all times, with spill control or absorbent materials and disinfectant materials, first aid kit and safety equipment for the workers.

3.7 Record Keeping and Reporting Requirements

Each septage hauler license holder shall maintain the following information in the vehicle used to transport the septage whenever the vehicle is in transit to a site or treatment facility.

(i) The name, address, and phone number of the client(s) from where the septage was transported. The Client must sign on the record sheet verifying collection of the material;

(ii) The volume of septage, in gallons, received from the client in (i) above, the date and time collected and the treatment facility to which the septage is to be delivered. The treatment facility must sign verifying delivery of septage. Manifest must reflect collection and disposal.

(iii) Every septage hauler permit holder shall maintain the following records of each load of septage transported:
   (a) The date received or picked up;
   (b) The name and address of the client(s);
   (c) The volume of the septage transported, in gallons;
   (d) The treatment facility to which the load was discharged; and
(e) The date on which the load was discharged.
(f) Records shall be retained for a minimum of seven years.

(iv) Maintain record of each load from licensed waste water treatment plants.

The license holders’ records will be subject to an annual audit at Public Health Department.

3.8 Accidental Release

In the event of an accidental release of septage, the license holder shall:

(i) Immediately take action to contain the septage, minimize the environmental impact, and begin clean-up procedures; and

(ii) Notify the Public Health Department and NEPA within 24 hours of the release with the following information:

(a) The date, time, and location of the spill;
(b) The volume of septage spilled and the volume of septage recovered;
(c) The final disposition of the septage that was not recovered;
(d) The hauler's permit number and the name and telephone number of the driver involved in the incident;
(e) The name and telephone number of the client(s); and
(f) The actions taken to contain the spill, minimize the environmental impact and to clean up the area.

Septage shall be transported in ways that avoid public nuisance, particularly with respect to odour and spillages.

3.9 Offences

It will be an offence to:

- discharge septage at any location other that those approved by the NEPA.
- transport septage without a license
- operate portable toilets without a permit
- employ worker without required training and vaccinations
REFERENCES


   Http://ohioline.ag.ohiostate.edu/b854_1.html.


6. What is Septage, Ontario Guidelines

7. Drafting Instructions – Additions to Sewage Regulations – Sewage Sludge – NEPA March 2004

8. Canadian Environmental Protection Act RSO 1990

9. Commonwealth of Virginia State Board of Health Sewage Handling and Disposal Regulations
APPENDIX I
# SEPTAGE CONSULTATION WORKSHOP
**HILTON- KINGSTON, JULY 22,2005**

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<tr>
<th>NAME</th>
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Note: List of participants for July 12th workshop available from MOH ECD
SCHEDULES

Schedule A – Application for Septage Haulage License

Schedule B – Renewal Reporting Format

Schedule C – Application for Portable Toilet Permit
Schedule A – Application for Septage Haulage License

License Application Form

1. APPLICATION FOR: YES NO 
DATE OF RECEIPT: ____/__/__

INITIAL LICENSE _ _ (yyyy/mm/dd)

RENEWAL _ _ (yyyy/mm/dd)

GENERAL OWNER AND VEHICLE AND TANK INFORMATION

2. Company’ legal name and address

Company name:
Company mailing addressLine1:
Company mailing addressLine2:
Company mailing addressLine3:
Company Phone No.: ( )
Company FAX No.: ( )
Company email address:

3. Owner name and address

Owner’s name:
Owner’s mailing addressLine1:
Owner’s mailing addressLine2:
Owner’s mailing addressLine3:
Owner’s Phone no.: ( )
Owner’s FAX no.: ( )
Owner’s electronic mail address:

4. Vehicles

No of Vehicles and Lc #Plant name:

5. Tanks:

No of tanks and Sizes

6. Name of Employees:

Employee name:
Title:
Phone no.: ( )
FAX no.: ( )
Electronic mail address:
Date of last training
List of vaccinations

7. Name of Treatment Plant(s):

Plant name:
Plant mailing addressLine1:
Current permits for the facility issued by NRCA

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ATTACHMENTS

(i) Letter(s) of Agreement Treatment Facility
(ii) Road License and fitness transport vehicles
(iii) Mechanical Report(s) Vehicle(s) and Tank(s)
(iv) Vaccination records of employees
Schedule B – Renewal Reporting Format

1. APPLICATION FOR: YES NO  DATE OF RECEIPT: ___/___/___

INITIAL LICENSE _ _ (yyyy/mm/dd)

RENEWAL _ _ (yyyy/mm/dd)

2. Company’ legal name and address

Company name:
Company mailing addressLine1:
Company mailing addressLine2:
Company mailing addressLine3:
Company Phone No.: ( )
Company FAX No.: ( )
Company email address:

3. Owner name and address

Owner's name:
Owner’s mailing addressLine1:
Owner’s mailing addressLine2:
Owner’s mailing addressLine3:
Owner’s Phone no.: ( )
Owner’s FAX no.: ( )
Owner's electronic mail address:

4. Summary of Haulage Records

<table>
<thead>
<tr>
<th>Name of Plant</th>
<th>Number of Trips</th>
<th>Quantity of Septage</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note must be accompanied by completed License Application Form
Schedule C – Application for Portable Toilet Permit

Permit Application Form

1. APPLICATION FOR: YES NO

INITIAL PREMIT _ _ (yyyy/mm/dd)

RENEWAL _ _ (yyyy/mm/dd)

2. Company’ legal name and address

Company name:
Company mailing addressLine1:
Company mailing addressLine2:
Company mailing addressLine3:
Company Phone No.: ( )
Company FAX No.: ( )
Company email address:

3. Owner name and address

Owner's name:
Owner’s mailing addressLine1:
Owner’s mailing addressLine2:
Owner’s mailing addressLine3:
Owner’s Phone no.: ( )
Owner’s FAX no.: ( )
Owner's electronic mail address:

4. Portable Units

No of Units and Capacity:

5. Name of Employees:

Employee name:
Title:
Phone no.: ( )
FAX no.: ( )
Electronic mail address:
Date of last training
List of vaccinations

7. Name of Septage Hauler(s):

Company name:
Company mailing addressLine1:
Company mailing addressLine2:
Company mailing addressLine3:
Company Phone No.: ( )
Company FAX No.: ( )
Company email address:
Current septage haulage license issued by Public Health Department
ATTACHMENTS
(i) Letter(s) of Agreement Septage Haulers
(ii) Vaccination record employees