

721 PENALTIES

- 721.1 A solid waste collector who disposes of solid waste at a disposal facility owned by, operated by, or under contract with the District shall pay its disposal fees in advance by certified check or credit card, or by establishing an escrow account with a financial institution for monthly drawdowns by the District to pay for the collector's solid waste disposal fees. The escrow account shall maintain a balance equivalent to sixty (60) days of estimated disposal fees. Estimated disposal fees shall be based on the average of the solid waste collector's disposal cost from the preceding six (6) month period. If the disposal cost information for the preceding six (6) month period is not available, the Mayor shall reasonably determine the balance to be maintained in the escrow account. All escrow accounts shall be reconciled within five (5) business days after the date on which the solid waste disposal collector is notified of any deficiency in an escrow account. If the escrow account is not reconciled within five (5) business days, the Mayor shall impose a five percent (5%) penalty based on the amount due in the escrow account.
- 721.2 [REPEALED].
- 721.3 The Mayor may impose a fine of up to five hundred dollars (\$500) against any solid waste collector who delivers any materials, required to be recycled pursuant to District law or regulation, for disposal at any waste-handling facility as defined in § 799.
- 721.4 If a person refuses to provide access to authorized DPW inspector pursuant to D.C. Official Code § 8-803, the Director may impose a fine of five hundred dollars (\$500). Any person subject to a fine under this subsection may contest the legality of the DPW inspectors' request for access at the administrative hearing adjudicating the proposed fine.
- 721.5 If the Director finds that any collector or an agent of a collector, violates any provision of this chapter, the Director may (in addition to any other remedy available) deny the collector or its agent access to the District of Columbia's solid waste facilities for a period not to exceed thirty (30) days for each violation.
- 721.6 If the Director finds that a solid waste collector has committed three (3) or more violations of this chapter within a twelve (12) month period, the Director may (in addition to any other remedy available) suspend the collector's registration for up to twelve (12) months.
- 721.7 If the Director finds that a solid waste collector has committed six (6) or more violations of this chapter within a twelve (12) month period, the Director may (in addition to any other remedy available) revoke the solid waste collector's registration.

District of Columbia Municipal Regulations

SOURCE: Final Rulemaking published at 37 DCR 4238, 4241 (June 29, 1990); as amended by § 116 of the Omnibus Budget Support Act of 1995, effective September 26, 1995 (D.C. Law 11-52; 42 DCR 3684, 3697 (July 21, 1995)); as amended by Final Rulemaking published at 52 DCR 10959 (December 16, 2005); as amended by Final Rulemaking published at 65 DCR 13076 (December 22, 2017).