

THE CITY OF NEW YORK
BUSINESS INTEGRITY COMMISSION
100 CHURCH STREET, 20TH FLOOR
NEW YORK, NEW YORK 10007

INSTRUCTIONS

APPLICATION FOR EXEMPTION FROM LICENSING REQUIREMENTS FOR REMOVAL OF CONSTRUCTION AND DEMOLITION DEBRIS (Class 2 Registration Application)

PLEASE READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THIS APPLICATION.

Definitions of terms used in the application are set forth in Title 16-A, Chapter 1 of the Administrative Code of the City of New York ("Local Law 42 of 1996") and in Title 17, Chapter 1 of the Rules of the City of New York. Certain of these definitions have been excerpted and attached as Appendix A to the application. Before completing this application, the principals of the applicant should read and familiarize themselves with all of Local Law 42 and the related rules. These instructions are not a substitute for such a complete review and may not be relied on in lieu of the law and rules. Copies of Local 42 and the rules are available at the office of the New York City Business Integrity Commission ("Commission") or from the Commission's website, www.nyc.gov/html/bic/html/home/home.shtml.

Attached is the application for exemption from licensing requirements to engage solely in the business of removal of waste material resulting from building demolition, construction, alteration or excavation. To apply for a Class 2 Registration, the applicant must complete each and every question set forth therein. If a question is not applicable, write "not applicable" or "N.A." Applications that have not been completed properly may be denied, or the application may be returned to the applicant without being processed. An application returned as incomplete will not be deemed submitted.

DOCUMENTS TO BE SUBMITTED FOR A CLASS 2 REGISTRATION APPLICATION

In addition to the application form, a number of documents must be submitted to the Commission in order for the application to be considered. The applicant must submit the following documents (to the extent applicable), some of which are described in these instructions, some in the body of the application and attachments, and some in the applicable rules:

- Application for exemption from Licensing
- Signed and Notarized Certifications (on behalf of applicant business and by each principal)
- Signed and Notarized Releases (on behalf of applicant business and by each principal)
- Documents related to the organization of the applicant business¹
- Photographs (Each Principal): Notifications will be mailed with information to schedule an appointment with the Licensing Unit of the Commission.
- Payment by credit card, money orders, or checks made **Payable to the "New York City Business Integrity Commission"** to cover the registration fee of \$3,500.00

• ALL FEES NON-REFUNDABLE

THE APPLICANT MUST SUBMIT AN ORIGINAL PLUS ONE COPY OF THE APPLICATION AND ALL ATTACHED DOCUMENTS.

CLASS 2 REGISTRATION APPLICATION

Each page submitted by the applicant must contain the applicant's social security number or tax identification number and each page must be numbered sequentially as "Page ___ of ___ pages" (e.g., if a twenty-five page application is submitted, the first page should be marked: "Page 1 of 25 pages").

If additional space is required to complete any answer, the applicant may attach additional pages to the application. The top of each such additional page must indicate the Part and question number to which the additional page relates. The Schedules in the application also may be copied if additional schedule pages are needed. All additional pages and Schedules also must be identified in the lower left-hand corner with the applicant's social security or tax identification number. Each added page must be numbered sequentially like the rest of the application (e.g., "Page ___ of ___ pages").

In addition to the information required on this application, an applicant may submit any materials or explanations relevant to the application. If the explanations or materials relate to a question on the application, the applicant should identify the Part(s) and question(s) to which it has provided additional materials or explanations.

¹ If a sole proprietorship, a certified copy of the Certificate of Doing Business filed with the County Clerk. If a partnership, a certified copy of the Certificate of Partnership filed with the County Clerk and a copy of the current partnership agreement. If a corporation, a certified copy of the Certificate of Incorporation and copies other current bylaws and last annual report, including financial statement.

The applicant is under a continuing obligation to update answers to application questions marked with an asterisk (*). Any change in the answer to such a question, must be provided to the Commission in writing, no later than ten (10) business days after the change occurs. The applicant's continuing obligation begins upon submission of the registration application and extends throughout the processing period and any registration term.

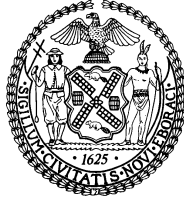
NOTARIZED CERTIFICATIONS

Upon completion of the application and all of its Schedules and attachments, the applicant business and **each** principal must complete a signed and notarized certification form and a signed and notarized release form.

THE COMMISSION WILL NOTIFY THE APPLICANT BUSINESS IF THE APPLICATION IS APPROVED AND WILL SCHEDULE AN APPOINTMENT FOR A PRINCIPAL OF THE APPLICANT BUSINESS TO APPEAR AT THE OFFICES OF THE COMMISSION TO SIGN A REGISTRATION ORDER AND REGISTER VEHICLES TO BE USED FOR WASTE REMOVAL. AT THAT TIME THE PRINCIPAL MUST BRING ONE COPY OF THE FOLLOWING INSURANCE CERTIFICATES AND DOCUMENTS:

1. Current vehicle registration and insurance cards for each vehicle that will operate under the registration.
2. Proof of insurance (certificate of liability) covering vehicles with limits of no less than \$100,000 for personal injury to any one person, \$300,000 for personal injury to 2 or more persons, and \$25,000 for damage to property for all vehicles and naming the Business Integrity Commission as the certificate holder.
3. Current New York State Department of Environmental Conservation Waste Transporter Permit, if applicable.
4. Proof of Workers Compensation insurance coverage for your employees naming the Business Integrity Commission as the certificate holder or proof of exemption from coverage.
5. Copies of driver's licenses for each vehicle operator for the applicant.
6. Payment by credit card, money orders, or checks made **Payable to the "New York City Business Integrity Commission"** to cover the following fees: **\$500 for each truck used to remove and transport trade waste.**

If you have any questions about this application, please call 212-676-6222.



THE CITY OF NEW YORK
 BUSINESS INTEGRITY COMMISSION
 100 CHURCH STREET, 20TH FLOOR
 NEW YORK, NEW YORK 10007

**APPLICATION FOR EXEMPTION FROM LICENSING REQUIREMENT
 FOR REMOVAL OF CONSTRUCTION AND DEMOLITION DEBRIS
 (Class 2 Registration Application)**

-----OFFICE USE ONLY-----

APPLICATION #: _____ **DATE RECEIVED:** _____

RECEIVED BY: _____

PART I – APPLICANT BUSINESS IDENTIFYING INFORMATION

*1. Name of applicant business. Also list trade name and registration application name, if different:

Business Name: _____

Trade Name: _____

*2. Main Office Address: _____

*3. Mailing Address: _____

*4. Garage Address: _____

*5. Business telephone number(s): _____ Fax Number: _____

*6. Cellular Number(s): _____

*7. Electronic Addresses:

Website: _____ E-mail Address: _____

*** (Asterisk) denotes material information on the application. Any change in material information must be reported to the Business Integrity Commission, in a notarized writing, within ten (10) business days of the change.**

Tax ID or SSN: _____

***8. Agent for Service of Process in New York City.** State the name, address, and telephone number of the person of suitable age and discretion who shall be designated as the applicant business' agent for service of process in New York City. **In order for the Commission to serve documents official documents regarding a license or registration, the agent for service of process must be located within the five boroughs of New York City. The agent for service of process may be a principal of the applicant if the principal is located within the five boroughs of New York City. If the applicant is located within the five boroughs of the New York City, no agent of service of process need be designated.**

Name: _____

Address: _____

Telephone Number: _____ Fax Number: _____

9. Type of Organization (check one):

a. _____ Sole Proprietorship (i.e., company is not incorporated and does business under the name of a person having ownership interest or under an assumed name, doing-business-as name, or trade name). **Attach a certified copy of the Certificate of Doing Business filed with the County Clerk in the county in which the business is located.**

b. _____ Partnership. (Check one). **Attach copy of current partnership agreement and Certificate of Partnership, certified by the County Clerk in the county in which the business is located.**

_____ General Partnership

_____ Limited Partnership (L.P.)

_____ Limited Liability Partnership (L.L.P.)

c. _____ Corporation. **Attach copy of the Certificate of Incorporation filed with the Secretary of State. If the applicant business is not incorporated in New York State, also attach a certified copy of the Authority to Do Business certificate issued by the New York Secretary of State.**

d. _____ If not one of the above, describe the applicant business

10. If applicant business is a corporation, provide the tax identification number(s). Or if the applicant business is a partnership or sole proprietorship, provide the social security numbers of all principals.

***11. Does the applicant business share any office space, staff or equipment (including, but not limited to, telephone lines) with any other business or organization?**

_____ Yes _____ No

If "Yes," provide details below:

Tax ID or SSN: _____

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***12. CURRENT PRINCIPALS OF APPLICANT BUSINESS – SCHEDULE A.** On Schedule A, identify all individuals who are principals of applicant business and provide the information requested. **Each current principal must appear at the Business Integrity Commission to be photographed prior to consideration of this application for exemption. (Notices will be mailed to schedule appointments for photographs)**

13. PAST PRINCIPALS OF THE APPLICANT BUSINESS – SCHEDULE B. On Schedule B, identify all individuals who have been principals of applicant business at any time during the past ten (10) years and provide the information requested.

*14. Currently, or at any time during the past ten (10) years, has the applicant business or any current or past principal of the applicant business been issued a license, permit, registration or authorization to operate in the trade waste industry, including but not limited to waste removal companies, transfer stations, recycling centers, and landfills, in New York City, New York State, New Jersey, and/or Connecticut?
 _____ Yes _____ No

If “yes,” provide the requested information below. If additional space is needed, attach pages as addendum.

Name and Address of Holder of License, Permit, Authority to Operate	Name of Issuing Agency and State	Type of Trade Waste Business	Status of License, Permit, Authority to Operate	Was a Deposition Conducted by the Issuing Agency? If yes, provide date(s) of deposition and name of deponent

15. Has the applicant business, any of its parents, subsidiaries, affiliates or any of the applicant’s current or past principals ever had a license, permit, registration or authority to operate from any government agency denied, suspended or revoked?
 _____ Yes _____ No

If “yes,” provide the requested information below.

Name of Holder	Date of Denial, Suspension or Revocation	Agency	Reason

16. **PRINCIPALS WHO ARE/WERE PRINCIPALS IN ANOTHER TRADE WASTE BUSINESS – SCHEDULE C.** At any time during the past ten (10) years, has the applicant business or any current principal or past principal of the applicant business ever been a principal in another trade waste business?

_____ Yes _____ No

If “yes,” provide the requested information on Schedule C.

17. How many individuals (not including the principals of the applicant business) does the applicant currently employ? _____

*18. **OPERATORS OF VEHICLES – SCHEDULE D.** For each employee or principal who will operate a vehicle transporting trade waste for the applicant’s business, provide the operator’s name, driver’s license number, license class and expiration date in Schedule D.

*19. **VEHICLES – SCHEDULE E.** For each vehicle to be used for the transport of trade waste for the applicant’s business, list vehicle identification number, registration number and license plate number on Schedule E **and attach a copy of the vehicle registration card.**

20. Describe the nature of the work the applicant business plans to perform.

21. Describe the types of waste applicant business plans to remove.

22. Describe the types of sites from which the applicant business plans to remove waste.

23. Explain how and where the applicant business will dispose of the waste collected.

*24. Will the applicant business transport asbestos?

_____ Yes _____ No

If “yes,” attach a copy of the applicant business’ New York State Department of Environmental Conservation Waste Transporter Permit.

Tax ID or SSN: _____

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25. The applicant business and its principals affirm that the applicant business will remove no waste other than materials resulting from building demolition, construction, alteration or excavation.
 _____ Yes _____ No

If “no,” explain what other trade waste materials the applicant business will remove.

26. Has the applicant business, any current principal of the applicant business, or any past principal of the applicant business ever been convicted of a crime in any jurisdiction?
 _____ Yes _____ No

If “Yes,” provide the details below. **Do not include information relating exclusively to traffic violations.**

Principal or Business Name	Date of Arrest	Date of Conviction	Indictment, Docket or Index No.	Charges and Sentence	Court and Jurisdiction

*27. Are there any criminal charges pending against the applicant business or any principal of the applicant business in any jurisdiction?
 _____ Yes _____ No

If "Yes," provide the details below. If additional space is needed, attach pages as addendum.

Principal/Business Name	Date of Arrest	Indictment No., Index No., or Docket No.	Charges	Status	Court and Jurisdiction (County/State)

28. During the past ten (10) years, has the applicant business or any current or past principal of the applicant business been found in violation of the administrative rules or regulations of any municipal, state or federal agency where the violation related to the conduct of a business that removes or recycles trade waste, a trade waste broker business or the operation of a dump, landfill or transfer station where the penalty imposed for the violation resulted in the suspension or revocation of any license, permit or registration, the imposition of a fine of \$5,000 or more or the imposition of an injunction of six (6) months or more?
 _____ Yes _____ No

If "Yes," provide the details below. If additional space is needed, attach pages as addendum.

Principal/Business Name	Agency or Court and Docket No.	Nature of the Investigation/Charges	Outcome

Tax ID or SSN: _____

*29. Are there any administrative charges brought by a municipal, state or federal agency, relating to the conduct of a business that removes or recycles trade waste, a trade waste broker business or the operation of a dump, landfill or transfer station, presently pending against the applicant business or any current or past principal of the applicant business where the applicant business or any current or past principal of the applicant business faces the possible sanction of suspension or revocation of any license, permit or registration or where a fine of \$5,000 or more, or an injunction of six (6) months or more could be imposed?

_____ Yes _____ No

If "Yes," provide the details below. If additional space is needed, attach pages as addendum.

Principal/Business Name	Agency or Court and Docket No.	Nature of the Investigation/Charges	Outcome

*30. Has judgment been entered against the applicant business or any current or past principal of the applicant business in any civil case related to the conduct of a business that removes or recycles trade waste, a trade waste broker business or the operation of a dump, landfill or transfer station, in any jurisdiction?

_____ Yes _____ No

If "Yes," provide the details below. If additional space is needed, attach pages as addendum.

Principal/Business Name	Agency or Court and Docket No.	Nature of Action	Opposing Party or Agency	Outcome

31. During the past ten (10) years, has the applicant business or any current or past principal of the applicant business:

a. been the subject or target of any investigation involving an alleged violation of criminal law?
_____ Yes _____ No

b. been charged with any criminal offense in any jurisdiction?
_____ Yes _____ No

c. been the subject or target of any investigation regarding an alleged violation of any other federal, state or local statute?
_____ Yes _____ No

d. received a subpoena or been asked to testify before any court, grand jury, or legislative, civil, criminal or administrative body involving any criminal matter or any other matter related to the trade waste industry?
_____ Yes _____ No

e. received a subpoena requiring the production of documents in connection with a federal, state or local investigation related to the trade waste industry?
_____ Yes _____ No

f. been cited for contempt of any court, grand jury, or legislative, civil, criminal or administrative body?
_____ Yes _____ No

g. entered a plea of nolo contendere or been granted an adjournment in contemplation of dismissal, or the equivalent to any felony or misdemeanor charge?
_____ Yes _____ No

h. entered into a judicial consent decree, administrative order on consent or similar agreement or been the subject of a default decree, related to the trade waste industry?
_____ Yes _____ No

i. been subject to an injunction in any judicial action or proceeding with respect to the trade waste industry?
_____ Yes _____ No

j. been granted immunity from prosecution for any conduct constituting a crime under state or federal law?
_____ Yes _____ No

32. Has the applicant business or any of its past principals ever:

a. filed with a government agency or submitted to a government employee a written instrument that the applicant or any of its principals knew contained a false statement or false information?

_____ Yes _____ No

b. made or caused a false entry in the business records of an enterprise or otherwise falsified business records?

_____ Yes _____ No

c. given, or offered to give, money or any other benefit to a labor official with intent to influence that labor official with respect to any of his or her official acts, duties or decisions as a labor official?

_____ Yes _____ No

d. given any money or thing of value to a labor union or labor official or representative that was not expressly permitted by section (c) of the Taft-Hartley Act, 29 U.S.C. Section 186?

_____ Yes _____ No

e. given, or offered to give, money or any other benefit to a public servant with intent to influence that public servant with respect to any of his or her official acts, duties or decisions?

_____ Yes _____ No

f. given, or offered to give, money or other benefit to an official or employee of a private business with intent to induce that official or employee to engage in unethical or illegal business practices?

_____ Yes _____ No

g. agreed with another trade waste business not to compete in the conduct and furnishing of trade waste services?

_____ Yes _____ No

h. agreed with another trade waste business to divide or allocate customers or to respect an existing division or allocation of customers by geography, territory or otherwise?

_____ Yes _____ No

i. discussed with another trade waste business the prices to be submitted for a trade waste contract bid?

_____ Yes _____ No

j. associated with any person that you knew, or should have known, was a member or associate of an organized crime group?

_____ Yes _____ No

33. Name of the person who prepared or assisted in the preparation of this application. If not a current principal, disclose the person's address.

Name: _____

Address: _____

34. Has the applicant or any principal been a member of any trade association in the last 10 years?

____ Yes ____ No

If "Yes," provide the details below. If additional space is needed, attach pages as addendum.

Name of Trade Association Member	Name of Trade Association	Years of Membership	Positions Held

Tax ID or SSN: _____

SCHEDULE A – PRINCIPALS OF APPLICANT BUSINESS

	Current Principal #1	Current Principal #2
Name (last, first and middle, including maiden name where applicable)		
Home Address		
Home Telephone Number		
Fax Number(s)		
Cellular Number(s)		
E-mail Address		
Date of Birth		
Social Security Number		
Business Address(es)		
Business Telephone Number(s)		
Title or Position		
From (Date)		
To (Date)		
% of Ownership, if applicable		
Number of Shares		
How Ownership Was Acquired		

Tax ID or SSN: _____

SCHEDULE A (cont'd) – PRINCIPALS OF APPLICANT BUSINESS

	Current Principal #3	Current Principal #4
Name (last, first and middle, including maiden name where applicable)		
Home Address		
Home Telephone Number		
Fax Number(s)		
Cellular Number(s)		
E-mail Address		
Date of Birth		
Social Security Number		
Business Address(es)		
Business Telephone Number(s)		
Title or Position		
From (Date)		
To (Date)		
% of Ownership, if applicable		
Number of Shares		
How Ownership Was Acquired		

Tax ID or SSN: _____

SCHEDULE B – PAST PRINCIPALS OF APPLICANT BUSINESS

	Past Principal #1	Past Principal #2
Name (first, middle and last) Also include maiden name where Applicable		
Home Address		
Home Telephone Number		
Cellular Number		
Date of Birth		
Social Security Number		
Title in Applicant Business		
From (date) to (date)		
Percentage of Ownership		
Number of Shares		
Business Name and Address		
Business Telephone Number		

SCHEDULE B (cont'd)- PAST PRINCIPALS OF APPLICANT BUSINESS

	Past Principal #3	Past Principal #4
Name (first, middle and last) Also include maiden name where Applicable		
Home Address		
Home Telephone Number		
Cellular Number		
Date of Birth		
Social Security Number		
Title in Applicant Business		
From (date) to (date)		
Percentage of Ownership		
Number of Shares		
Business Name and Address		
Business Telephone Number		

**SCHEDULE C – PRINCIPALS WHO ARE OR HAVE BEEN
PRINCIPALS IN OTHER TRADE WASTE BUSINESS**

	Applicant Business or Principal #1	Principal #2
Applicant Business or Principal Name		
Current Position		
Date Current Position Assumed		
Name of Other Trade Waste Business and Position(s) in Said Company		
Dates of Position(s) in Other Trade Waste Business		
% of Ownership Interest in Other Trade Waste Business, If Any		

	Principal #3	Principal #4
Applicant Business or Principal Name		
Current Position		
Date Current Position Assumed		
Name of Other Trade Waste Business and Position(s) in Said Company		
Dates of Position(s) in Other Trade Waste Business		
% of Ownership Interest in Other Trade Waste Business, If Any		

Tax ID or SSN: _____

CERTIFICATION

This certification must be completed by the applicant and all of its current principals before a notary public.

ANY MATERIAL FALSE STATEMENT OR OMISSION MADE IN CONNECTION WITH THIS APPLICATION IS SUFFICIENT CAUSE FOR DENIAL OF THE APPLICATION OR REVOCATION OF A TRADE WASTE REGISTRATION. IN ADDITION, SUCH FALSE SUBMISSION MAY SUBJECT THE PERSON AND/OR ENTITY MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

I, _____, being duly sworn, state:
(Full Name)

that I am _____ of _____; and
(Title/Position) (Applicant Name)

that I have read and understood the questions contained in the attached application and its attachments, which consists of _____ pages; and

that to the best of my knowledge the information provided in response to each question and in the attachments is full, complete and truthful; and

that the applicant business removes no waste other than materials resulting from building demolition, construction, alteration or excavation; and

that no principal of the applicant business is or was a principal of a business required to be licensed pursuant to Section 16-505 of the Administrative Code of the City of New York ("Code") or former business required to be licensed pursuant to former Title 20, Chapter 2, Subchapter 18 of the Code, except for businesses solely in the class seven or class three category of licenses defined in the rules promulgated pursuant to such former Title 20, Chapter 2, Subchapter 18 of the Code; and

that the New York City Business Integrity Commission or the New York City Department of Investigation may, by any means they deem appropriate, determine the accuracy and truth of the statements made in this application; and that all the information submitted is for the express purpose of inducing the Business Integrity Commission to issue the applicant an exemption from licensing requirements and a class 2 registration.

(Signature of Principal)

By: _____
(If corporation or partnership, state title)

Sworn to before me

this _____ day of _____, 20_____

Notary Public

Tax ID or SSN: _____

RELEASE AUTHORIZATION FOR APPLICANT

I, _____, am the _____ and a principal of _____
(Print Name) (Title/Position)
_____ (the "Applicant"); I am over the
age of 21 and I have the authority to execute this release on behalf of the applicant.

The applicant has authorized the New York City Business Integrity Commission ("Commission") to conduct an investigation into its background and the background of its principals, affiliates, agents and employees for the purpose of determining whether the applicant meets the registration standards set forth in Local Law 42 of 1996 of the City of New York.

The applicant hereby authorizes any and all of the entities and individuals described below to release to the Commission any and all information, documentary or otherwise, pertaining to the applicant and/or its principals, affiliates, agents and employees as may be requested by the Commission. Any such information may be requested by and released to any employee, agent or representative of the Commission.

The applicant hereby authorizes the release of any such information by any federal, state, local, or foreign government or agency, any private organization or entity, and/or any individual in his or her personal or professional capacity. These entities and individuals include, but are not limited to, accountants, attorneys, banks, bookkeepers, common carriers, courts, credit reporting companies, data systems management companies, educational institutions, employee benefits managers, employees of the applicant, employers of the applicant's principal(s), financial institutions, internet service providers, investigative firms, investment firms, labor unions, law enforcement agencies, media companies, motor vehicle departments, pension funds, probation departments, selective service boards, taxing authorities, telecommunications companies and utilities.

This release shall apply to any such entities and individuals wherever they may be located, within or without the City of New York, State of New York, or United States of America. They may convey information in whatever form and by whatever means requested by the Commission, whether by telephone, fax, mail, computer media or by any other means.

This release authorization is effective for a period of five years as of the date set forth below. A photocopy or fax of this authorization will be construed as valid as though it were the original.

In connection with the release of information pursuant to this authorization, the applicant hereby waives the benefit of any confidentiality agreement and of any privileges pertaining to confidentiality and any rights to privacy that may be accorded by federal, state or local law.

NOTICE TO ENTITIES AND INDIVIDUALS RELEASING INFORMATION: The applicant hereby waives any right to be notified when an entity or individual releases information pursuant to this authorization and hereby authorizes the Commission to direct any such entity or individual not to provide such notification.

Sworn to before me _____
(Signature of Principal)

This _____ day of _____, 20 ____
By: _____
(If corporation or partnership, state title)

Notary Public