



INSTRUCTIONS

APPLICATION FOR CLASS 2 REGISTRATION (Trade Waste Broker)

**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”) 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, all 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 a Class 2 trade waste broker’s application. To apply for a 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 II REGISTRATION APPLICATION (Trade Waste Broker)**

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:

- Registration Application
- 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 Trade Waste Broker Registration Fee of \$5,000.00

ALL FEES NON-REFUNDABLE

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

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.

CLASS II REGISTRATION APPLICATION (Trade Waste Broker)

Each page submitted by the applicant must contain the applicant's social security number² 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.

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.

CERTIFICATION PAGE / RELEASE PAGE

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.

² Section 16-507(a) of the New York City Administrative Code and Rule 2-04(b) promulgated thereunder authorize the New York City Business Integrity Commission to specify identifying information to be obtained from applicants and employees. Social security numbers voluntarily provided in response to such requests in any part of this application or attachments will be used to identify and locate information about the applicant and its employee(s). Refusal to provide this information will not be grounds to refuse to issue a registration.

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. AT THAT TIME, THE PRINCIPAL MUST BRING THE FOLLOWING:

- Proof of Workers Compensation insurance coverage for your employees naming the Business Integrity Commission as the certificate holder or proof of exemption from coverage.

All applications may be submitted in person or mailed to:

**NYC Business Integrity Commission
100 Church Street, 20th Floor
New York, 10007**

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



**APPLICATION FOR CLASS 2 REGISTRATION FOR
TRADE WASTE BROKER**

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

APPLICATION #: _____ DATE RECEIVED: _____

RECEIVED BY: _____

PART I – APPLICANT BUSINESS IDENTIFYING INFORMATION

*1. Name of applicant business.

Business Name: _____

Trade Name: _____

*2. Main Office Address: _____

*3. Mailing Address: _____

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

*5. Cellular Number(s): _____

*6. Electronic Addresses:

Website: _____ E-mail Address: _____

*** (Asterisk) denotes material information on the application. An applicant for a registration or a registrant must notify the Commission in writing within ten (10) business days of any change in material information. Notification must be sworn and notarized and must be signed by all principals of the applicant or registrant.**

Tax ID or SSN: _____

7. **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 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 business if the principal is located within the five boroughs of New York City. If the applicant business 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: _____

8. **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 a 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.

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

*10. 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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***11. CURRENT PRINCIPALS OF APPLICANT BUSINESS – SCHEDULE A.** On Schedule A, identify all individuals who are current principals of applicant business and provide the information requested. **Each current principal shall appear at the Business Integrity Commission to be photographed prior to consideration of this application.**

12. 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.

*13. 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

14. 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 a trade waste business?
 _____ Yes _____ No

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

15. At present, or at any point, has the applicant business or any principal or past principal of the applicant business had a contractual or other business relationship with a trade waste removal business required to be licensed by the Business Integrity Commission?

_____ Yes _____ No

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

Name and Address of Trade Waste Removal Company	Nature of Relationship	Dates of Relationship

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

*17. Has the applicant business, any current principal of the applicant business, or any past principal of the applicant business ever been charged or arrested or convicted of any misdemeanor or felony 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

*18. Are there any misdemeanor or felony 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)

19. 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 page as addendum.

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

Tax ID or SSN: _____

*20. 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 page as addendum.

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

*21. Has judgment been entered against the applicant business or any current or past principal of the applicant business in any civil action 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

*22. Has the applicant business, any of its parents, subsidiaries, affiliates or any of the applicant's 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 following information.

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

*23. 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 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

*24. Has the applicant business or any of its current or 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 any 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

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 REVOCATION OF A TRADE WASTE BROKER'S REGISTRATION OR DENIAL OF A TRADE WASTE BROKER'S APPLICATION. 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 New York City Business Integrity Commission and the New York City Department of Investigation may, by any means they or each of them 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 a class 2 registration for a trade waste broker.

I authorize the Business Integrity Commission and the Department of Investigation to contact any person or entity named in the application for purposes of verifying the information supplied by the Applicant and its principals.

(Signature of Principal)

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

Sworn to before me

this _____ day of _____, 20_____

Notary Public

Tax ID or SSN: _____

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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 facsimile 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

TRADE WASTE APPLICATION CHECKLIST

We have created a checklist to help you make sure that your application is complete before you submit it.

- Did you answer every question completely?** We do not accept applications with questions left blank or with “same” written to repeat an answer.
- Disclosure Form** (for License applications only) needed for every new Principal or key employee listed.
- Is there a completed **Certification and Release Authorization form** signed and notarized by each Principal listed in Schedule A?
- DMV Vehicle Registration.** Must be current and in the business’ name and address.

Renewal Applications:

New Applications:

- Insurance Cards.** Policy number must match the policy number on the Certificate of Automobile Liability Insurance.
- Certificate of Automobile Liability Insurance.**
- Certificate of General Liability Insurance** (for Licensees).
- Certificate of Worker’s Compensation Insurance or Exemption from Worker’s Compensation Insurance.**
- Did you include a copy of your **Certificate of Incorporation, Filing Receipt or Business Certificate filed with your County Clerk**? If your business is incorporated or registered outside of New York State, an Authority to do Business in New York State Certificate must also be submitted.
- For corporations, limited liability companies and partnerships:
 - Did you include a copy of your **Corporate or Partnership Tax Return Form** (i.e. 1120 form, 1120-S form)?
 - Sole proprietorship include copy of your tax return

All Insurance Certificates must be current and in the business’ name.
The Business Integrity Commission must be listed as the Certificate Holder.

Did you include payment for all appropriate fees?

***** All Checks or money orders must be made payable to “NYC Business Integrity Commission.” Checks must be in the company’s name and signed by a Principal of the applicant business*****

- License/Registration fee?**
- Investigation fee** (for new License applications)? The check or money order for this fee must be separate from the license fee.
- Fee for each truck** (for renewals only)?
- Disclosure fees** (for License applications)? The check or money order for this fee must be separate from the license fee and truck fees.

New York City Business Integrity Commission
100 Church Street, 20th Floor, New York, NY 10007

Questions? Call us at 212-676-6219