

SWACO RULES OF CONDUCT AND SAFETY

Article I. Definitions

For the purposes of these Rules, the following words or phrases shall have the definitions set forth below.

1.1. *SWACO Owned or Leased Property* means the Franklin County Sanitary Landfill, the Transfer Stations, the City Of Columbus Waste To Energy Facility, and any facility designated by SWACO from time to time.

1.2. *Loitering* means to remain at a location for more than 10 minutes for purposes other than the disposal or unloading of solid waste.

1.3. *Motor Vehicle* is defined as any self-propelled conveyance including, without limitation, automobile, truck, or other self-propelled or motorized piece of landfill or transfer station equipment.

1.4. *Notice Of Infraction* means a written notice issued to a Person indicating an infraction of any Rule set forth herein and indicating the date, place of infraction, name of Violator, the Rule violated, a brief description of the circumstances underlying the Infraction, and the name of the SWACO employee issuing the Notice Of Infraction.

1.5. *Person* is defined as any visitor, invitee, or licensee to any SWACO Owned or Leased Property.

1.6. *Rule* means the "Rules of Conduct And Safety" set forth in Article 2 and its subparagraphs.

1.7. *Scavenging* means the removal by unauthorized Personnel of materials from the solid waste stream at waste handling areas of a solid waste disposal facility or solid waste transfer facility.

1.8. *Suspension* means being temporarily barred from entering upon any SWACO Owned or Leased Property.

1.9. *Transfer Stations* are those solid waste transfer stations operated by SWACO located at Jackson Pike, Morse Road, Georgesville Road, and such other locations as designated by SWACO from time to time.

1.10. *Warning* is a notice, in verbal or written form, issued by SWACO employees indicating to the recipient that a Rule has been violated by the recipient.

Article II. Rules Of Conduct and Safety

The following Rules shall apply to all non-SWACO Persons who are moving on, in, or about any portion of SWACO Owned or Leased Property.

2.1. 10 MPH Speed Limit.

2.2. Safety Vest Or Safety Shirt Required In Designated Areas. The safety vest or shirt must be worn as the outermost garment with reflective material facing outward.

2.3. All Motor Vehicles Must Be Tarpred. All motor vehicles must be tarpred when entering and exiting SWACO facilities.

2.4. No Littering.

2.5. Use Only Designated Tarping/Untarping Area(s).

2.6. Follow Direction(s) Of SWACO Employees. No Person shall fail to respond and act in accordance with verbal or hand directions of designated SWACO employees.

2.7. Stay Within Six (6) Feet Of Motor Vehicle At Unloading Zone.

2.8. Landfill Or Transfer Station Equipment Has The Right-Of-Way At All Times.

2.9. Follow The Truck Wash Directions.

2.10. No Bypassing Rumble Strips.

2.11. No Smoking Except In Designated Areas.

2.12. No Loitering.

2.13. No Scavenging.

2.14. ID's Required. Photo identification shall be provided upon request.

Article III. Issuance Of Warnings Or Notices Of Infraction

3. Issuance of Warnings or Notices Of Infraction. Only those SWACO employees designated by SWACO's Executive Director may issue a Notice of Infraction or Warning for an infraction of the Rules.

3.1. A Notice Of Infraction shall be in written form and shall be provided to the Person committing the infraction as soon as possible after the occurrence of the infraction.

3.1.1. The recipient's employer shall not be informed of the issuance of a Notice Of Infraction to the recipient unless an employer requests, in writing, that it be informed of the issuance of any such infraction.

3.2. A Warning may be issued in verbal or written form and shall indicate the nature of the infraction and the Rule violated.

3.2.1. The recipient's employer shall not be informed of the issuance of a Warning to the recipient unless an employer requests, in writing, that it be informed of the issuance of any such Warning.

3.3. A Notice of Infraction shall be issued to any person who enters upon SWACO Owned or Leased Property while on Suspension.

Article IV. Administration Of Penalties

Pursuant to this Article IV, the Executive Director or his designee may suspend and/or place a Person on probation for violating the Rules set forth in Article 2.

4.1. Upon the issuance of any Notice Of Infraction, the Executive Director or his designee shall cause an investigation to be conducted into the events, facts, and circumstances that caused the issuance of the Notice Of Infraction.

4.2. Prior to suspending a Person or placing a Person on probation, the Executive Director or his designee shall conduct a hearing in which the evidence against the Person shall be presented and the Person shall be given an opportunity to make a statement regarding the events, facts, and circumstances that resulted in the issuance of the Notice Of Infraction and any mitigating circumstances affecting the imposition of a term of suspension or probation. The hearing shall be held at a time and place designated by the Executive Director or his designee. The Person committing the alleged violation shall be provided with at least three days written notice of the date and time of the hearing, which notice may be served upon the Person by hand or by certified U.S. mail, postage prepaid, mailed to the Person's last known address. The notice shall describe the infraction to be heard at the hearing and shall indicate the maximum length of time that the Person may be suspended and/or placed on probation as a result of the Notice Of Infraction. A copy of the Notice Of Infraction shall be attached to the hearing notice.

4.3. After holding the hearing required by this Article 2, the Executive Director or his designee shall review and consider the evidence heard and indicate in writing whether the Person has committed the infraction set forth on the Notice Of Infraction; whether there is good cause to place the Person on suspension and/or

probation and if so, the length of time that the Person shall be placed upon suspension and/or probation and the date or dates that such suspension and/or probation shall commence and terminate. The Executive Director or his designee shall cause a copy of such decision to be delivered to the last known address of the Person.

4.3.1. If a Person has been suspended from entering upon or about the premises of SWACO Owned Or Leased Property, such Person's employer shall not be informed of such suspension or probation unless that Person's employer requests, in writing, that it be informed of any such terms of suspension or probation.

4.4. If a Person is found by the Executive Director or his designee to have violated a Rule or to have entered upon SWACO Owned or Leased Property while on Suspension for which a Notice Of Infraction was issued, that Person shall be subject to the following penalties:

4.4.1. If a Person is issued a Notice Of Infraction and is found by the Executive Director or his designee to have violated a Rule, the Person may be suspended from entering upon or using the facilities of any SWACO Owned or Leased Property for a period not to exceed five business days and/or placed on probation for a period not to exceed one year.

4.4.2. If a Person is on probation and is issued a Warning or Notice Of Infraction during the term of such probation, such Person may be suspended from entering upon or using the facilities of any SWACO Owned or Leased Property for a period not to exceed five business days and/or placed on an additional period of probation not to exceed one year.

4.4.3. If while on suspension a Person enters upon or about the premises of any SWACO Owned Or Leased Property, that Person may be suspended for an additional period of time not to exceed 15 business days and/or placed on probation for an additional period of time not to exceed one year.

4.5. Administration of penalties for infraction of the Rules does not preempt or limit any applicable criminal or civil prosecution and will be enforced in addition to any civil or criminal penalty assessed by a court of law.

4.6. Except when a Person is serving a term of probation, a Person may be issued any number of Warnings without penalty.