



OPERATIONAL DIRECTIVE NO. 16-04

Last Amended: November 9, 2016

Effective: 3/6/2020

SUBJECT: Polystyrene (Styrofoam) Ban at Miami International Airport

PURPOSE: The Miami-Dade Aviation Department, in coordination with Miami-Dade County, supports environmentally sustainable business practices in all aspects of its operations, whenever feasible. The intent of this policy is to reduce the Department's contribution of harmful polystyrene waste by banning the use of polystyrene products (Styrofoam) and petroleum-based materials by airport concessionaires, subtenants, certain business partners and its management agreement operators at Miami International Airport (MIA). Further, the ban extends to the Miami-Dade Aviation Department, through its employees, by no longer purchasing products containing polystyrene (Styrofoam) and petroleum-based matter for Departmental use.

I. AUTHORITY:

- A. Operational Directive No. 99-03, Aviation Department Written Directive System.
- B. Operational Directive No. 99-2, Aviation Department Operational Directives
- C. Chapter 25-1.2 - Miami-Dade County Code, Chapter 25 Miami-Dade Aviation Department Rules and Regulations

II. DEFINITIONS:

- A. *Airline* – An air carrier having a FAA Operating Certificate or a Foreign Operating Certificate, and a current, valid United States Department of Transportation 402 certificate, engaging in transiting passengers or cargo to or from Miami International Airport via aircraft.
- B. *Certain Business Partners* – Relates to Airlines (i.e. Business Partners) leasing and operating an Airline Lounge.
- C. *Airline Lounge* – An area leased and operated by an Airline that is made accessible to certain passengers of that Airline on grounds determined by that Airline, or made accessible via membership in certain organizations, or made available via payment of a fee, and at which food and beverages are either sold or provided on a complimentary basis.

CLERK OF THE BOARD

2020 FEB 20 PM 2:55

CLERK OF THE BOARD
MIAMI-DADE COUNTY, FLA.
#1

- D. *Concessionaires* – shall mean any individual, firm, corporation, partnership, joint venture, or other entity who provides food and beverages, or goods and services, for sale to passengers or employees at Miami International Airport under authority or a permit, management agreement, lease, or lease and concession agreement. Inclusive to this definition are subtenants and affiliated entities to the concessionaire.
- E. *Management Agreement Operators* – shall mean third party providers that Miami-Dade Aviation Department enters into management agreements to provide services at various facilities. The facilities are owned by the Miami-Dade Aviation Department and the expenditures are paid by the Department.
- F. *Polystyrene* – is a petroleum-based plastic made from the styrene monomer. It is also known as Styrofoam®. It is typically used for disposable food ware (cups, cutlery, plates, and clamshell containers, etc.) and for packaging to protect goods in shipment.
- G. *Styrofoam* – shall include all types of polystyrene foams, including but not limited to Expanded Polystyrene Foam (EPF), solid polystyrene, and Styrofoam™.

III. POLICY:

It is the Aviation Department's policy to incorporate environmental practices that protect the environment and natural resources by banning the use of non-biodegradable polystyrene products.

IV. PROCEDURES:

- A. Concessionaires, subtenants, certain business partners, and management agreement operators shall not provide containers, (including but not limited to shopping bags, trash bags, take-out bags, clamshells, or other methods of securing foods, beverage, or goods) or utensils, cups, straws, or plates which are made of Styrofoam or which are made of petroleum based plastic.
 - 1. In lieu of the above prohibited materials, concessionaires, subtenants, certain business partners and management agreement operators shall provide containers, utensils, cups, and plates (as appropriate given the scope of each operation) made from high recycled content paper or bio-based, biodegradable plastic packaging as certified by the Biodegradable Products Institute (BPI).
- B. Concessionaires, subtenants, certain business partners and management agreement operators shall, to the maximum extent feasible, use cleaning products

and soaps which are listed on the United States General Services Administration “Environmental Products List” as referenced:
(https://www.gsaadvantage.gov/advgsa/advantage/main/start_page.do.)

- C. All concessionaires, subtenants, certain business partners and management agreement operators shall submit to the Airport Concessions Business Development Division the Polystyrene Ban Affidavit (Exhibit I) affirming compliance with this Operational Directive. Those concessionaires, subtenants, certain business partners and management agreement operators entering into newer leases and or agreements, will affirm compliance to this directive upon execution of the new agreements which must contain language referencing the polystyrene ban and therefore the Affidavit will not be required.
- D. Concessionaires, subtenants, certain business partners and management agreement operators who are not yet in compliance with this Operational Directive have ninety (90) days to become compliant from the date established by the Airport Concessions Business Development Division management. The actions planned or taken to become compliant shall be stated on the Polystyrene Ban Affidavit (Exhibit I) and will include the identification of those products that are made of polystyrene or petroleum-based plastic and continue to be in use.
- E. The Miami-Dade Aviation Department, through its employees, shall not purchase Styrofoam commodities or other petroleum-based products for Departmental use.
- F. Nothing in this Operational Directive shall be construed as preventing an Airline operating at MIA the use Styrofoam or petroleum-based products onboard an airline departing from or arriving at MIA. However, any Airline operating an Airline Lounge within the MIA Terminal shall comply with this Operational Directive solely with respect to operations within the leased premises being operated as an Airline Lounge.
- G. Failure to comply with this directive could result in a monetary fine under Chapter 25, MDAD Rules and Regulations.

V. AMENDMENTS:

The Department reserves the right to amend this operating policy at any time based on current law, Miami-Dade County policies and operating needs.

VI. REVOCATION:

Revocations and removal of established Department policies requires written justification by requesting division management for review and concurrence by the Department’s Professional Compliance Division. Upon written concurrence, the revocation request will

Departmental Operational Directive
OD No: 16-04 – Polystyrene Ban at MIA
Effective: 3/6/2020

be submitted, by Professional Compliance, for approval by the Aviation Director. Should the written directive be an Operational Directive, the authorized revocation justification will be sent to the Clerk of the Board for filing with the original Operational Directive under revocation. All approved revocation justification memoranda shall be posted to the Department's Written Directives Log to identify why the directive has been revoked to maintain ongoing operational accountability.

VII. SEVERABILITY:


If any court of competent jurisdiction determines that any provision in this policy is illegal or void, that provision shall be nullified, and the remainder of this policy shall continue in full force and effect. If such court rules that any charge, fee, or security deposit requirement is illegal or void, the Aviation Director is authorized and directed to impose a charge, fee, or security deposit requirement that complies with the court order or applicable provisions of law, which shall become effective on the date of imposition and shall continue until modified by the Miami-Dade County Board of County Commissioners.

VIII. CROSS REFERENCES:

None

IX. EFFECTIVE DATE

This operational directive shall become effective 15 days subsequent to its filing with the Clerk of the Circuit Court as Clerk of the County Commission. This operational directive shall remain in effect until revoked or amended.

Approved By: 
Lester Sola, Aviation Director
Date: 2.17.2020

Attachments:
Exhibit I - OD 16-04 Polystyrene Ban Affidavit



**MIAMI-DADE AVIATION DEPARTMENT
POLYSTYRENE PRODUCT BAN AFFIDAVIT**

Exhibit I

Name of the Entity: _____

Lease No. _____

Pursuant to the Miami-Dade Aviation Department (MDAD) **Operational Directive No. 16-04**, Concessionaires, subtenants, certain business partners, and management agreement operators are not allowed to provide containers (including but not limited to shopping bags, trash bags, take-out bags, clamshells, or other methods of securing foods, beverage, utensils, cups, straws, or plates which are made of Styrofoam or which are made of petroleum based plastic.

Please certify below your current operational status with, regard to Operational Directive 16-04:

- Is in full compliance of Operational Directive No. 16-04
- Is currently in the process of complying with Operational Directive No. 16-04

[If in process, list non-compliant items and state planned actions to become compliant to OD 16-04.]

Attach additional documents as necessary

(Signature of Authorized Representative)

(Print Name of Authorized Representative)

Title _____

Date _____

Notary Public Information

Notary Public – State of _____ **County of** _____

Subscribed and sworn to (or affirmed) before me this _____ **day of,** _____ **20** _____

by _____ **He or she is personally known to me** **or has produced I.D.**

Type of identification produced _____

Signature of Notary Public

Serial Number

Print or Stamp of Notary Public

Expiration Date

Notary Public Seal