**R315. Environmental Quality, Waste Management and Radiation Control, Waste Management.**

**R315-306. Incinerator Standards.**

**R315-306-1. Applicability.**

(1) These standards apply to any incinerator facility as specified in Subsections R315-306-2(1) and R315-306-3(1).

(2) These standards do not apply to:

(a) an incineration facility that is required to obtain a state or federal hazardous waste plan approval;

(b) a facility burning only untreated woodwaste;

(c) the flaring of gases recovered at a landfill;

(d) a facility that incinerates or cremates exclusively human or animal remains; or

(e) facilities regulated under Rule R315-319.

**R315-306-2. Requirements for Large Incinerators.**

(1) These standards apply to any incinerator facility designed to incinerate more than ten tons of solid waste per day.

(2) A new incinerator facility shall:

(a) be subject to the location standards of Section R315-302-1 with the exception of Subsections R315-302-1(2)(a)(iv), R315-302-1(2)(a)(v), R315-302-1(2)(e), and R315-302-1(3); and

(b) not incinerate infectious waste and chemotherapeutic agent waste within a two-mile radius of an area zoned as residential after January 1, 2014.

(3) Each owner or operator of an incinerator facility shall comply with Section R315-302-2. The submitted plan of operation shall also address alternative storage or disposal plans for any breakdowns that would result in overfilling the storage facility.

(4) The submitted plan of operation shall also contain a written waste identification plan that shall include identification of the specific waste streams to be handled by the facility, generator waste analysis requirements and procedures, waste verification procedures at the facility, generator certification of wastes shipped as being nonhazardous, and record keeping procedures, including a detailed operating record.

(5) Each incinerator facility shall be surrounded by a fence, trees, shrubbery, or natural features so as to control access and be screened from the view of immediately adjacent neighbors, unless the tipping floor is fully enclosed by a building. Each site shall also have an adequate buffer zone of at least 50 feet from the operating area to the nearest property line in areas zoned residential to minimize noise and dust nuisances.

(6) Solid waste shall be stored temporarily in storage compartments, containers, or areas specifically designed to store wastes. Storage of wastes other than in specifically designed compartments, containers, or areas specifically designed to store wastes is prohibited. Equipment and space shall be provided in the storage and charging areas, and elsewhere as needed, to allow periodic cleaning as may be required to maintain the plant in a sanitary and clean condition.

(7) A composite sample of the ash and residues from each incinerator facility shall be taken according to a sampling plan approved by the director.

(a) The sample shall be analyzed by the SW-846 Test Method 1311, Toxic Characteristics Leaching Procedure (TCLP) as revised July 1992 to determine if it is hazardous.

(b) If the ash and residues are found to be nonhazardous, they shall be disposed at a permitted landfill or recycled.

(c) If the ash and residues are found to be hazardous, they shall be disposed in a permitted hazardous waste disposal site.

(8) Each incinerator shall be located, designed, constructed, and operated in a manner to comply with appropriate state and local air pollution control authority emission and operating requirements.

(9) An incinerator shall collect and treat any run-off from the active areas of the site that may result from a 25-year storm event, and divert any run-on for the maximum flow of a 25-year storm around the site.

(10) All-weather roads shall be provided from the public highways or roads, to and within the disposal site and shall be designed and maintained to prevent traffic congestion hazards, dust, and noise pollution.

(11) Access to the incinerator site shall be controlled by a complete perimeter fence or other features and gates that shall be locked when an attendant is not at the gate to prevent unauthorized entry of persons or livestock to the facility.

(12) The plan of operation shall include a training program for new employees and annual review training for each employee to ensure safe handling of waste and proper operation of the equipment.

(13) Each owner or operator shall post signs at the facility that state the name, hours of operation, necessary safety precautions, types of wastes that are prohibited, and any other pertinent information.

(14) Each owner or operator of an incinerator facility shall be required to provide recycling facilities in a manner equivalent to those specified for landfills in Subsection R315-303-4(6).

(15) Each owner or operator of an incinerator facility shall implement a plan to inspect loads or take other steps, as approved by the director, to prevent the disposal of prohibited hazardous waste or prohibited waste containing PCBs in a manner equivalent to those specified for landfills in Subsection R315-303-4(7).

(16) Each owner or operator shall close its incinerator by removing any ash, solid waste, and other residues to a permitted facility.

(17) Each owner or operator of an incinerator facility shall provide financial assurance to cover the costs for closure of the facility that meets the requirements of Rule R315-309.

**R315-306-3. Requirements for Small Incinerators.**

(1) Applicability.

(a) These requirements apply to any incinerator designed to incinerate ten tons or less of solid waste per day and incinerator facilities that incinerate solid waste only from on-site sources.

(b) If an incinerator processes 250 pounds or less of solid waste per week, the requirements of Section R315-306-3 do not apply and a permit from the director is not required but the facility may be regulated by other local, state, or federal requirements.

(2) Requirements.

(a) A new incinerator facility may not incinerate infectious waste and chemotherapeutic waste within a two-mile radius of an area zoned as residential after January 1, 2014.

(b) Each owner and operator of an incinerator facility shall submit a plan of operation to the director that meets the requirements of Section R315-302-2.

(c) The submitted plan of operation shall also address:

(i) alternative storage or disposal plans for any breakdowns that would result in overfilling the storage areas;

(ii) identification of the specific waste streams to be handled by the facility;

(iii) generator waste analysis requirements and procedures;

(iv) waste verification procedures at the facility;

(v) generator certification of wastes shipped as being nonhazardous; and

(vi) recordkeeping procedures, including a detailed operating record.

(d) Solid waste shall be stored temporarily only in storage compartments, containers, or areas specifically designed to store wastes.

(i) Storage of wastes other than in specifically designed compartments, containers, or areas specifically designed to store wastes is prohibited.

(ii) Equipment and space shall be provided in the storage and charging areas, and elsewhere as needed, to allow periodic cleaning as necessary to maintain the plant in a sanitary and clean condition.

(e) Incinerator ash and residues from any incinerator shall be sampled, analyzed, and disposed as specified in Subsection R315-306-2(7).

(f) The owner or operator of the incinerator shall prevent the disposal of prohibited hazardous waste or prohibited waste containing PCBs as specified in Subsection R315-306-2(15).

(g) The incinerator shall be designed, constructed, and operated in a manner to comply with appropriate state and local air pollution control authority emission and operating requirements.

(h) The plan of operation shall include a training program for new employees and annual review training for each applicable employee to ensure safe handling of waste and proper operation of the equipment.

(i) The owner or operator of the incinerator shall close the facility by removing any solid waste, ash, and other residues to a permitted solid waste disposal facility.

(j) The owner or operator of the incinerator facility shall provide financial assurance to cover the costs for closure of the facility that meets the requirements of Rule R315-309.

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