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

**R315-301. Solid Waste Authority, Definitions, and General Requirements.**

**R315-301-1. Authority and Purpose.**

Rules R315-301 through R315-322 are promulgated under the authority of the Solid and Hazardous Waste Act, Chapter 6 of Title 19, to protect human health, to prevent land, air and water pollution, and to conserve the state's natural, economic and energy resources by setting minimum performance standards for the proper management of solid wastes originating from residences, commercial, agricultural, and other sources.

**R315-301-2. Definitions.**

Terms used in Rules R315-301 through R315-322 are defined in Sections 19-1-103, 19-6-102, and 19-6-803. In addition, the following definitions apply to Rules R315-301 through R315-322.

(1) "Active area" means that portion of a facility where solid waste recycling, reuse, treatment, storage, or disposal operations are being conducted.

(2) "Airport" means a public use airport open to the public without earlier permission and without restrictions within the physical capacities of available facilities.

(3) "Aquifer" means a geological formation, group of formations, or portion of a formation that contains sufficiently saturated permeable material to yield usable quantities of groundwater to wells or springs.

(4) "Areas susceptible to mass movement" means those areas of influence, characterized as having an active or substantial possibility of mass movement, where the movement of earth material at, beneath, or adjacent to the landfill unit, because of natural or human induced events, results in the downslope transport of soil and rock material by gravitational influence. Areas of mass movement include landslides, avalanches, debris slides and flows, soil fluction, block sliding, and rock falls.

(5) "Asbestos waste " means friable asbestos, which is any material containing more than 1% asbestos as determined using the method specified in Appendix A, 40 CFR Part 763.1, 2001 ed., which is incorporated by reference, that if dry, can be crumbled, pulverized, or reduced to powder by hand pressure.

(6) "Background concentration" means the concentration of a contaminant in groundwater upgradient or a lateral hydraulically equivalent point from a facility, practice, or activity, and which has not been affected by that facility, practice, or activity.

(7) "Class I Landfill" means a non commercial landfill or a landfill that meets the definition found in Subsection 19-6-102(3)(b)(iii) and is permitted by the director:

(a) to receive for disposal:

(i) municipal solid waste;

(ii) any other nonhazardous solid waste, not otherwise limited by rule or solid waste permit; or

(iii) in conjunction with municipal solid waste or other nonhazardous solid waste, waste from a very small quantity generator of hazardous waste, as defined by Section R315-260-10; and

(b) does not meet the standards of Subsection R315-303-3(4)(e)(v).

(8) "Class II Landfill" means a non commercial landfill or a landfill that is permitted by the director:

(a) to receive for disposal:

(i) municipal solid waste;

(ii) any other nonhazardous solid waste, not otherwise limited by rule or solid waste permit; or

(iii) in conjunction with municipal solid waste or other nonhazardous solid waste, waste from a very small quantity generator of hazardous waste, as defined by Section R315-260-10; and

(b) meets the standards of Subsection R315-303-3(4)(e)(v).

(9) "Class III Landfill" means a non commercial landfill that is permitted by the director to receive for disposal only industrial solid waste.

(10) "Class IV Landfill" means a non commercial landfill that is permitted by the director to receive for disposal only:

(a) construction or demolition waste;

(b) yard waste;

(c) inert waste;

(d) dead animals, as approved by the director and upon meeting the requirements of Section R315-315-6;

(e) waste tires and materials derived from waste tires, upon meeting the requirements of Section 19-6-804 and Section R315-320-3; and

(f) petroleum contaminated soils, upon meeting the requirements of Subsection R315-315-8(3).

(11) "Class V Landfill" means a commercial nonhazardous solid waste disposal facility, as defined by Subsection 19-6-102(3), that is permitted by the director to receive for disposal:

(a) municipal solid waste;

(b) any other nonhazardous solid waste, not otherwise limited by rule or solid waste permit; and

(c) in conjunction with municipal solid waste or other nonhazardous solid waste, waste from a very small quantity generator of hazardous waste, as defined by Section R315-260-10.

(12) "Class VI Landfill" means a commercial nonhazardous solid waste landfill, as defined by Subsection 19-6-102(3), that is permitted by the director to receive for disposal only:

(a) construction or demolition waste, excluding waste from a very small quantity generator of hazardous waste, as defined by Section R315-260-10;

(b) yard waste;

(c) inert waste;

(d) dead animals, as approved by the director and upon meeting the requirements of Section R315-315-6;

(e) waste tires and materials derived from waste tires, upon meeting the requirements of Section 19-6-804 and Subsection R315-320-3(1) or R315-320-3(2); and

(f) petroleum contaminated soils, upon meeting the requirements of Subsection R315-315-8(3).

(g) The owner or operator of a Class VI Landfill may not receive for disposal:

(i) hazardous waste;

(ii) construction or demolition waste containing PCBs, except as allowed by Section R315-315-7;

(iii) garbage;

(iv) municipal solid waste; or

(v) industrial solid waste.

(h) The wastes received at a Class VI Landfill may be further limited by a solid waste permit.

(13) "Class VII Facility" means a nonhazardous solid waste management facility that is permitted by the director for the treatment or disposal of exploration and production waste.

(14) "Closed facility" means any solid waste management facility that no longer receives solid waste and has completed an approved closure plan, and any landfill where an approved final cover has been installed.

(15) "Commercial solid waste" means any type of solid waste generated by stores, offices, restaurants, warehouses, and other nonmanufacturing activities, excluding household waste and industrial wastes.

(16) "Composite liner" means a liner system consisting of two components; the upper component consisting of a synthetic flexible membrane liner, and the lower component consisting of a layer of compacted soil. The composite liner shall have the synthetic flexible membrane liner installed in direct and uniform contact with the compacted soil component and be constructed of specified materials and compaction to meet specified permeabilities.

(17) "Composting" means a method of solid waste management whereby the organic component of the waste stream is biologically decomposed under controlled aerobic conditions, at a temperature of 140 degrees Fahrenheit, 60 degrees Celsius, or higher, for at least part of each day of a consecutive seven day period, to a state where the end product or compost can be handled, stored, or applied to the land without adversely affecting human health or the environment.

(18) "Construction or demolition waste" means solid waste from building materials, packaging, and rubble resulting from construction, remodeling, repair, abatement, rehabilitation, renovation, and demolition operations on pavements, houses, commercial buildings, and other structures, including waste from a very small quantity generator of hazardous waste, as defined by Section R315-260-10, that may be generated by these operations.

(a) This waste may include:

(i) concrete, bricks, and other masonry materials;

(ii) soil and rock;

(iii) waste asphalt;

(iv) rebar contained in concrete; and

(v) untreated wood, and tree stumps.

(b) Construction or demolition waste does not include:

(i) friable asbestos;

(ii) treated wood; or

(iii) contaminated soils or tanks resulting from remediation or clean up at any release or spill.

(19) "Contaminant" means any physical, chemical, biological, or radiological substance or matter in water or soil that is a result of human activity.

(20) "Displaced" or "displacement" means the relative movement of any two sides of a fault measured in any direction.

(21) "Drop box facility" means a facility used for the placement of a large detachable container or drop box for the collection of solid waste for transport to a solid waste disposal facility. The facility includes the area adjacent to the containers for necessary entrance, exit, unloading, and turn around areas. Drop box facilities normally serve the general public with uncompacted loads and receive waste from off-site. Drop box facilities do not include residential or commercial waste containers on the site of waste generation.

(22) "Energy recovery" means the recovery of energy in a usable form from incineration, burning, or any other means of using the heat of combustion of solid waste that involves high temperature, above 1,200 degrees Fahrenheit, processing.

(23) "Existing facility" means any facility that has:

(a) a current valid solid waste permit or other valid approval issued under Rules R315-301 through R315-322 by the director and received final approval to accept waste as required by Subsection R315-301-5(1); or

(b) had an active valid permit or other valid approval from the Division of Oil, Gas, and Mining on October 1, 2023, for an oil and gas exploration and production waste management facility.

(24) "Expansion of a solid waste disposal facility" means any lateral expansion beyond the property boundaries outlined in the permit application for the facility's current operating permit.

(25) "Facility" means the contiguous land, structures, other appurtenances, and improvements on the land used for treating, storing, or disposing of solid waste. A facility may consist of several treatment, storage, or disposal operational units, for example, one or more incinerators, landfills, container storage areas, or combinations of these.

(26) "Exploration and production waste" or "E&P waste" means solid wastes that are intrinsically derived from primary field operations associated with the exploration, development, or production of crude oil or natural gas, but only to the extent the waste is exempt from hazardous waste regulation according to Subsection R315-261-4(b)(5).

(27) "Floodplain" means the land that has been or may be covered by flood water that has a 1% chance of occurring any given year. The flood is also referred to as the base flood or 100-year flood.

(28) "Free liquids" means liquids that readily separate from the solid portion of a waste under ambient temperature and pressure or as determined by Test Method 9095B, Paint Filter Liquids Test, as provided in EPA Publication SW-846, "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" available at the US EPA Hazardous Waste Test Methods/SW-846 website.

(29) "Garbage" means discarded animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food, and of a character and proportion as to be capable of attracting or providing food for vectors. Garbage does not include sewage and sewage sludge.

(30) "Groundwater" means subsurface water that is in the zone of saturation including perched groundwater.

(31) "Groundwater quality standard" means a standard for maximum allowable contamination in groundwater as set by Section R315-308-4.

(32) "Hazardous waste" means hazardous waste as defined by Subsection 19-6-102(9) and Section R315-261-3.

(33) "High liquid waste" means nonhazardous solid waste that is liquid in its natural state, contains free liquids, or is expected to liquefy or vaporize under the circumstances that it is managed or disposed.

(34) "Holocene fault" means a fracture or zone of fractures where rocks on one side of the fracture have been displaced with respect to those on the other side, which has occurred in the most recent epoch of the Quaternary period extending from the end of the Pleistocene, about 11,000 years ago, to the present.

(35) "Household size" means a container for a material or product that is normally and reasonably associated with households or household activities. The containers are of a size and design to hold materials or products generally for immediate use and not for storage, five gallons or less in size.

(36) "Household waste" means any solid waste, including garbage, trash, and sanitary waste in septic tanks, derived from households including single and multiple residences, hotels, motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day use recreation areas.

(37) "Incineration" means a controlled thermal process that physically or chemically alters solid wastes into gas, liquid, or solid residues that are also regulated solid wastes. Incineration includes the thermal destruction of solid waste for energy recovery. Incineration does not include smelting operations where metals are reprocessed or the refining, processing, or burning of used oil for energy recovery as described in Rule R315-15.

(38) "Industrial solid waste" means any solid waste generated at a manufacturing or other industrial facility that is not a hazardous waste or that is a hazardous waste from a very small quantity generator of hazardous waste, as defined by Section R315-260-10, generated by an industrial facility. Industrial solid waste includes waste from the following industries or resulting from the following manufacturing processes and associated activities:

(a) electric power generation;

(b) fertilizer or agricultural chemical industries;

(c) food and related products or by-products industries;

(d) inorganic chemical industries;

(e) iron and steel manufacturing;

(f) leather and leather product industries;

(g) nonferrous metals manufacturing or foundry industries;

(h) organic chemical industries;

(i) plastics and resins manufacturing;

(j) pulp and paper industry;

(k) rubber and miscellaneous plastic product industries;

(l) stone, glass, clay, and concrete product industries;

(m) textile manufacturing;

(n) transportation equipment manufacturing; and

(o) water treatment industries.

(p) This term does not include mining waste, oil and gas waste, or other waste excluded by Subsection 19-6-102(19).

(39) "Industrial solid waste facility" means a facility that receives only industrial solid waste from on-site or off-site sources for disposal.

(40) "Inert waste" means noncombustible, nonhazardous solid wastes that keep their physical and chemical structure under expected conditions of disposal, including wastes that exhibit resistance to biological or chemical change.

(41) "Landfill" means a disposal facility where solid waste is or has been placed in or on the land and that is not a landtreatment facility or surface impoundment.

(42) "Landtreatment, landfarming, or landspreading facility" means a facility or unit within a facility where solid waste is applied onto or incorporated into the soil surface for biodegradation.

(43) "Lateral expansion of the solid waste disposal area" means:

(a) any horizontal expansion of the waste boundaries of an existing landfill cell, module, or unit;

(b) the construction of a new cell, module, or unit within the boundaries outlined in the permit application of the current facility operating permit; or

(c) any horizontal expansion not consistent with past normal operating practices.

(44) "Lateral hydraulically equivalent point" means a point located hydraulically equal to a facility and in the groundwater with similar geochemistry such that the groundwater, at that point, has not been affected by the facility.

(45) "Leachate" means a liquid that has passed through or emerged from solid waste and that may contain soluble, suspended, miscible, or immiscible materials removed from the waste.

(46) "Lithified earth material" means any rock, including any naturally occurring and naturally formed aggregates or masses of minerals or small particles of older rock that formed by crystallization of magma or by induration of loose sediments. This term does not include human made materials, such as fill, concrete and asphalt, or unconsolidated earth materials, soil, or regolith lying at or near the earth surface.

(47) "Lower explosive limit" means the lowest percentage by volume of a mixture of explosive gases that will propagate a flame in air at 25 degrees Celsius, 77 degrees Fahrenheit, and atmospheric pressure.

(48) "Maximum horizontal acceleration in lithified earth material" means the maximum expected horizontal acceleration depicted on a seismic hazard map, with a 90% or greater probability that the acceleration will not be exceeded in 250 years, or the maximum expected horizontal acceleration based on-site specific seismic risk assessment.

(49) "Municipal solid waste landfill" means a permitted nonhazardous solid waste landfill that may receive municipal solid waste for disposal.

(50) "Municipal solid waste" means household waste, nonhazardous commercial solid waste, and nonhazardous sludge.

(51) "New facility" means any facility that:

(a) has applied for a permit or other valid approval issued under Rules R315-301 through R315-322 by the director;

(b) did not have a permit or other valid approval issued under Rules R315-301 through R315-322 or an active valid permit or other valid approval from the Division of Oil, Gas, and Mining on October 1, 2023 , for an oil and gas exploration and production waste management facility when the application was submitted; and

(c) has not received final approval to accept waste as required by Subsection R315-301-5(1).

(52) "Non-commercial solid waste management facility" means a facility that is not a "commercial nonhazardous solid waste treatment, storage, or disposal facility" as defined by Subsection 19-6-102(3).

(53) "Off-site" means any area that is outside of the same or geographically continuous property that is defined as "on-site".

(54) "On-site" means the geographically contiguous property that may be divided by public or private right-of-way, where the entrance and exit between the properties is at a cross roads intersection, and access is by crossing, as opposed to going along the right-of-way. Property separated by a private right-of-way, which the site owner or operator controls and the public cannot access, is also considered on-site property.

(55) "Operator" means the person, as defined by Subsection 19-1-103(4), responsible for the overall operation of a facility.

(56) "Owner" means the person, as defined by Subsection 19-1-103(4), who has an ownership interest in a facility or part of a facility.

(57) "PCB" or "PCBs" means any chemical substance that is limited to the biphenyl molecule that has been chlorinated to varying degrees or any combination of materials that contain these substances.

(58) "Permeability" means the ability of a porous material to allow water and the solutes contained therein to flow through it. This is usually expressed in units of centimeters per second (cm/sec) and termed hydraulic conductivity. Soils and synthetic liners with a permeability for water of 1 x 10-7 cm/sec or less may be considered impermeable.

(59) "Permit" means the plan approval as required by Subsection 19-6-108(3)(a), or equivalent control document issued by the director to implement the requirements of the Utah Solid and Hazardous Waste Act.

(60) "Pile" means any noncontainerized accumulation of solid waste that is used for treatment or storage.

(61) "Poor foundation conditions" means those areas where features exist that indicate that a natural or human induced event may result in inadequate foundation support for the structural components of a landfill unit.

(62) "Putrescible waste" means solid waste that contains organic matter capable of being decomposed by microorganisms and of a character and proportion as to be capable of attracting or providing food for vectors including birds and mammals.

(63) "Qualified groundwater scientist" means a scientist or engineer who has received a baccalaureate or post graduate degree in the natural sciences or engineering and has sufficient training and experience in groundwater hydrology and related fields as may be demonstrated by state registration, professional certification, or completion of accredited university programs that enable that individual to make sound professional judgments regarding groundwater monitoring, contaminant fate and transport, and corrective action.

(64) "Recycling" means extracting valuable materials from the waste stream and transforming or remanufacturing them into usable materials that have a demonstrated or potential market.

(a) Recycling does not include processes that generate a volume of material so large that no market exists for the material.

(b) Any part of the waste stream entering a recycling facility and subsequently returning to a waste stream or being otherwise disposed has the regulatory designation of the original waste.

(c) Recycling includes the substitution of nonhazardous solid waste fuels for conventional fuels, such as coal, natural gas, and petroleum products, to generate the heat necessary to manufacture a product.

(65) "Recyclable materials" means those solid wastes that can be recovered from or otherwise diverted from the waste stream for recycling, such as metals, paper, glass, and plastics.

(66) "Run-off" means any rainwater, leachate, or other liquid that has contacted solid waste and drains over land from any part of a facility.

(67) "Run-on" means any rainwater, leachate, or other liquid that drains over land onto the active area of a facility.

(68) "Scavenging" means the unauthorized removal of solid waste from a facility.

(69) "Seismic impact zone" means an area with a 10% or greater probability that the maximum horizontal acceleration in lithified earth material, expressed as a percentage of the earth's gravitational pull, will exceed 0.10g in 250 years.

(70) "Septage" means a semisolid consisting of settled sewage solids combined with varying amounts of water and dissolved materials generated from septic tank systems.

(71) "Sharps" means any discarded or contaminated article or instrument from a health facility that may cause puncture or cuts. This waste may include needles, syringes, blades, needles with attached tubing, pipettes, pasteurs, broken glass, and blood vials.

(72) "Sludge" means any solid, semisolid, or liquid waste, including grit and screenings generated from:

(a) municipal, commercial, or industrial wastewater treatment plants;

(b) water supply treatment plants;

(c) car wash facilities;

(d) air pollution control facilities; or

(e) any other waste having similar characteristics.

(73) "Solid waste disposal facility" means a landfill, incinerator, landtreatment facility, or a solid waste surface impoundment.

(74) "Solid waste incinerator facility" means a facility that receives solid waste from on-site or off-site sources and subjects the waste to the incineration process. An incinerator facility that incinerates solid waste for any reason, including energy recovery, volume reduction, or to make it non infectious, is a solid waste incinerator facility and is subject to Rules R315-301 through R315-322.

(75) "Solid waste surface impoundment" means a solid waste management facility or any part of a solid waste management facility that is a natural topographic depression, human-made excavation, or a diked area that is designed to hold nonhazardous high liquid waste, leachate, or sludge, to dispose of, reduce the volume of, or otherwise separate or treat the waste. A solid waste surface impoundment does not include a surface impoundment that is:

(a) operated in connection with a permitted underground injection well;

(b) regulated under the authority of the Board of Oil, Gas, and Mining;

(c) used to manage storm water or is otherwise regulated under the authority of the Water Quality Board;

(d) regulated under Section R315-319-53; or

(e) a hazardous waste surface impoundment regulated under Rules R315-264 or R315-265.

(76) "Special waste" means discarded solid waste that may require special handling or other solid waste that may pose a threat to public safety, human health, or the environment.

(a) Special waste may include:

(i) ash;

(ii) automobile bodies;

(iii) furniture and appliances;

(iv) infectious waste;

(v) waste tires;

(vi) dead animals;

(vii) asbestos;

(viii) waste exempt from the hazardous waste rules under Section R315-261-4;

(ix) very small quantity generator hazardous waste as defined by Section R315-260-10;

(x) waste containing PCBs;

(xi) petroleum contaminated soils;

(xii) waste asphalt; and

(xiii) sludge.

(b) Special waste shall be handled and disposed according to the requirements of Rule R315-315.

(77) Reserved.

(78) "Structural components" means liners, leachate collection systems, final covers, run-on or run-off systems, and any other component used in the construction and operation of a landfill that is necessary for the protection of human health and the environment.

(79) "Transfer station" means a permanent, fixed, supplemental collection and transportation facility that is staffed by a minimum of one employee of the owner or operator during hours of operation and is used by persons and route collection vehicles to deposit collected solid waste from off-site into a transfer vehicle for transport to a solid waste handling or disposal facility.

(80) "Transport vehicle" means a vehicle capable of hauling solid waste such as a truck, packer, or trailer that may be used by refuse haulers to transport solid waste from the point of generation to a transfer station or a disposal facility.

(81) "Treated wood" means any wood item that has been treated with the following or compounds containing the following:

(a) creosote or related compounds;

(b) arsenic;

(c) chromium; or

(d) copper.

(82) "Twenty-five year storm" means a 24-hour storm of the intensity that it has a 4% probability of being equaled or exceeded any given year. The storm could result in what is referred to as a 25-year flood.

(83) "Unit" or "Solid Waste Management Unit" means a distinct operational storage, treatment, or disposal area at a solid waste management facility that contains the features to make it capable of performing its intended function and of being closed as a separate entity.

(84) "Unit boundary" means a vertical surface located at the hydraulically downgradient limit of a landfill unit or other solid waste disposal facility unit that is required to monitor groundwater. This vertical surface extends down into the groundwater.

(85) "Unstable area" means a location that is susceptible to natural or human induced events or forces capable of impairing the integrity of the structural components of a solid waste management facility that are intended to prevent releases from the facility. Unstable areas can include poor foundation conditions, areas susceptible to mass movements, and karst terrains.

(86) "Vadose zone" means the zone of aeration including soil and capillary water. The zone is bound above by the land surface and below by the water table.

(87) "Vector" means a living animal including insect or other arthropod that is capable of transmitting an infectious disease from one organism to another.

(88) "Washout" means the carrying away of solid waste by waters of a base or 100-year flood.

(89) "Waste tire storage facility" or "waste tire pile" means any site where more than 1,000 waste tires or 1,000 passenger tire equivalents are stored on the ground.

(a) A waste tire storage facility includes:

(i) whole waste tires used as a fence;

(ii) whole waste tires used as a windbreak; and

(iii) waste tire generators where more than 1,000 waste tires are held.

(b) A waste tire storage facility does not include:

(i) a site where waste tires are stored exclusively in buildings or in trailers;

(ii) if whole waste tires are stored for five or fewer days, the site of a registered tire recycler or a processor for a registered tire recycler;

(iii) a permitted solid waste disposal facility that stores whole tires in piles for not longer than one year;

(iv) a staging area where tires are temporarily placed on the ground, not stored, to accommodate activities such as sorting, assembling, or loading or unloading of trucks; or

(v) a site where waste tires or material derived from waste tires are stored for five or fewer days and are used for ballast to maintain covers on agricultural materials or to maintain covers at a construction site or are to be recycled or applied to a beneficial use.

(c) Tires attached to a vehicle are not considered waste tires until they are removed from the vehicle.

(90) "Wetlands" means those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal conditions do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

(91) "Yard waste" means vegetative matter resulting from landscaping, land maintenance, and land clearing operations including grass clippings, prunings, and other discarded material generated from yards, gardens, parks, and similar types of facilities. Yard waste does not include garbage, paper, plastic, processed wood, sludge, septage, or manure.

**R315-301-3. Owner Responsibilities for Solid Waste.**

The owner, operator or occupant of any premises or business establishment shall be responsible for the management and disposal of any solid waste generated or accumulated by the owner, operator, or occupant of the property in compliance with Rules R315-301 through R315-322 and the Utah Solid and Hazardous Waste Act.

**R315-301-4. Prohibition of Illegal Disposal or Incineration of Solid Waste.**

(1) No person shall incinerate, burn, or otherwise dispose of any solid waste in any place except at a facility that is in compliance with the requirements of Rules R315-301 through R315-322 and other applicable rules.

(2) If any solid waste is disposed in a manner not in compliance with the requirements of Rules R315-301 through R315-322, or other applicable rules, the property owner of the disposal site or the person responsible for the illegal disposal or both:

(a) shall remove the solid waste from the illegal disposal site to a permitted solid waste disposal facility and, if necessary, shall remediate the site; or

(b) shall apply for a permit from the director and shall meet each of the following:

(i) submit the required permit application in the time frame specified by the director and respond promptly to any requests for information from the director related to the permit application;

(ii) shall immediately meet the operational monitoring and waste handling criteria of Rules R315-301 through R315-322; and

(iii) shall follow the requirements of Subsection R315-301-4(2)(a) if a permit is not granted.

(3) Any person disposing of solid waste in a manner not in compliance with the requirements of Rules R315-301 through R315-322, or other applicable rules, may be subject to enforcement action in addition to meeting the requirements of Subsection R315-301-4(2).

(4) If deposition or disposal of the following materials does not cause a hazard to human health or the environment or cause a public nuisance, the requirements of Rules R315-301 through R315-322 do not apply to:

(a) inert waste used as fill material;

(b) the disposal of mine tailings and overburden at the site of generation;

(c) the disposal of vegetative material generated as a result of land clearing;

(d) the disposal of vegetative agricultural waste;

(e) the following waste if managed at a facility that is solely for recycling, reuse, or reprocessing:

(i) fly ash waste;

(ii) bottom ash waste;

(iii) slag waste;

(iv) flue gas emission control waste generated primarily from the combustion of coal or other fossil fuels; or

(f) the following wastes if disposal occurs at an on-site location owned and operated by the generator:

(i) waste from the extraction, beneficiation, and processing of ores and minerals listed in Subsection R315-261-4(b)(7)(ii); or

(ii) cement kiln dust.

**R315-301-5. Permit Required.**

(1) No solid waste management facility shall be established, operated, maintained, or expanded until the owner or operator of the facility has gotten a permit from the director and has received a letter of approval from the director to accept waste.

(2) The owner or operator of a solid waste management facility shall operate the facility in accordance with the conditions of the permit and otherwise follow the permit.

(3) In areas where no public or licensed disposal service is available, the on-site disposal, by burial, of on-site generated nonhazardous solid waste from a single family farm or a single family ranch does not require a permit.

**R315-301-6. Protection of Human Health and the Environment.**

(1) The management of solid waste shall not present a threat to human health or the environment.

(2) Any contamination of the ground water, surface water, air, or soil that results from the management of solid waste which presents a threat to human health or the environment shall be remediated through appropriate corrective action.

**R315-301-7. Self-Inspection of Solid Waste Management Facility.**

(1) Authority. This section is authorized by Section 19-6-109.

(2) Purpose. The purpose of this section is to set standards for the owner or operator of a solid waste management facility who elects to conduct self-inspections of the facility and to set qualification requirements for a person who performs self- inspections.

(3) Definitions. Terms used in this section are defined in Section 19-6-102 and Section R315-301-2.

(a) In addition, the following definitions apply:

(i) "Self-inspection" means an inspection conducted by an employee or authorized representative of the owner or operator of a solid waste management facility to determine compliance with the permit, plan of operation or applicable solid waste rules.

(ii) "Training Program" means the program conducted by the Director or an authorized representative to ensure that the owner or operator's self-inspections are sufficient to evaluate compliance with the owner or operator's permit, plan of operation or applicable rules.

(iii) "Certificate" means the document issued by the Director certifying that the owner or operator, or an authorized representative, has completed the required training and is eligible to conduct self- inspections under this section.

(4) Notification.

(a) An owner or operator of a solid waste management facility may elect to self-inspect the owner or operator's solid waste management facility. The owner or operator shall provide a written notification to the Director by December 1 of the intent to self-inspect during the next calendar year.

(b) The yearly notification of Subsection R315-301-7(4)(a) shall identify the individual(s) who will be conducting self-inspections under this section.

(5) Training.

(a) Prior to conducting self-inspections, each owner or operator, or an authorized representative, shall complete the training program prescribed by the Director.

(b) Upon completion of the training, the Director shall issue a certificate to each person who completes the training.

(c) No person shall conduct a solid waste management facility self-inspection under this section before receiving a certificate to conduct a self-inspection.

(6) Inspections.

(a) The owner or operator shall inspect the facility at least annually to determine compliance with all the conditions of the permit, plan of operation or applicable solid waste rules.

(b) The owner or operator shall document each inspection using the inspection form prescribed by the Director.

(c) The owner or operator shall submit the inspection form to the Director in an electronic format prescribed by the Director.

(d) The owner or operator shall submit the inspection form to the Director within 30 days after the date of inspection.

(e) The owner or operator shall include a copy of the completed inspection form in the facility operating record.

(f) The Division may inspect a facility conducting self-inspections to ensure compliance with this section.

(7) Suspension or Revocation of Self-Inspection Privileges.

(a) The Director may determine that, upon a severe violation by an owner or operator of Title 19, Chapter 6, Part 1, Solid and Hazardous Waste Act, a rule made by the board, the permit or plan of operation, an owner or operator is temporarily or permanently ineligible to conduct self-inspections under this section.

**KEY: self-inspections, solid waste management, solid waste disposal**

**Date of Last Change: October 15, 2024**

**Notice of Continuation: November 30, 2022**

**Authorizing, and Implemented or Interpreted Law: 19-6-105; 19-6-108; 19-6-109; 40 CFR 258**