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

**R315-321. Class VII Exploration and Production Waste Landfill Requirements.**

**R315-321-1. Applicability.**

The requirements of Rule R315-321 apply to each Class VII Facility designed and operated as a landfill as defined in Subsection R315-301-2(41). Each unit in a Class VII Facility that qualifies as a solid waste surface impoundment shall meet the applicable standards specified in Rule R315-322.

**R315-321-2. Class VII Landfill Standards for Performance.**

Each Class VII landfill shall meet the standards for performance as specified in Section R315-303-2.

**R315-321-3. Class VII Landfill Location Standards.**

(1) A new Class VII landfill or the lateral expansion of an existing Class VII landfill shall be subject to the following location standards:

(a) the ecologically and scientifically significant natural area standards of Subsection R315-302-1(2)(a)(ii); and

(b) the standards found in Subsections R315-302-1(2)(c) through R315-302-1(2)(f).

(2) An existing Class VII landfill shall be subject to the following location standards:

(a) the ecologically and scientifically significant natural area standards of Subsection R315-302-1(2)(a)(ii);

(b) the floodplain standards of Subsection R315-302-1(2)(c)(ii); and

(c) the standards listed in Subsection R315-321-3(1) in effect at an existing facility to protect municipal drinking water, wetlands, and groundwater, before applying for a permit, shall be maintained for the life of the facility unless otherwise determined by the director.

(3) Location Standards Exemptions.

(a) Except for the standards listed in Subsection R315-321-3(3)(b), the director may grant an exemption from any location standard of Subsection R315-302-1(2) for a Class VII landfill, on a site-specific basis if the director determines that the exemption will cause no adverse impacts to human health or the environment. If an exemption is granted, the director may require that the facility have more stringent design, construction, monitoring program, or operational practice to protect human health or the environment.

(b) No exemptions shall be given for the following location standards at a Class VII landfill:

(i) ecologically and scientifically significant natural area standards of Subsection R315-302-1(2)(a)(ii);

(ii) floodplain standards, unless the exemption meets the criteria of Subsection R315-302-1(2)(c)(ii);

(iii) the location standards for wetlands for a new facility or lateral expansion of an existing facility, unless the exemption meets the criteria of Subsection R315-302-1(2)(d); or

(iv) the location standards for groundwater for a new facility or lateral expansion of an existing facility that accepts hazardous waste from very small quantity generators as defined in Subsection R315-260-10(c), unless the exemption meets the criteria of Subsection R315-302-1(2)(e)(vi).

**R315-321-4. Class VII Landfill Requirements.**

(1) Each Class VII landfill shall meet the following applicable requirements, as determined by the director:

(a) the plan of operation requirements of Subsection R315-302-2(2), except plans to control wind-blown litter and disease vectors as found in Subsections R315-302-2(2)(h) and R315-302-2(2)(k) are not required;

(b) the recordkeeping requirements of Subsections R315-302-2(3)(a), R315-302-2(3)(b)(i), R315-302-2(3)(b)(iii), R315-302-2(3)(b)(iv), and R315-302-2(3)(b)(vi);

(c) the reporting requirements of Subsection R315-302-2(4);

(d) the inspection requirements of Subsection R315-302-2(5); and

(e) for Class VII facilities with landfill cells that do not accept hazardous waste from a very small quantity generator as defined by Subsection R315-260-10(c), submit details of controls and employee training programs used to prevent the acceptance of hazardous waste.

(2) Standards for Design.

(a) The owner or operator of a Class VII landfill shall design the facility to control storm water run-on or run-off as specified in Subsections R315-303-3(1)(c) and R315-303-3(1)(d).

(b) Any container or tank storage area used to manage waste containing free liquids shall have secondary containment that:

(i) is free of cracks or gaps and is sufficiently impervious to contain leaks, spills, and accumulated precipitation until the collected material is detected and removed;

(ii) is sloped or otherwise designed and operated to drain and remove liquids resulting from leaks, spills, or precipitation;

(iii) has sufficient capacity to contain 10% of the volume of containers or the volume of the largest container, whichever is greater. Containers that do not contain free liquids need not be considered in this determination;

(iv) is designed and operated to prevent run-on into the containment system unless the system has sufficient excess capacity in addition to that required in Subsection R315-322-4(3)(b)(iii) to contain any run-on that might enter the system; and

(v) is operated to remove spilled or leaked waste and accumulated precipitation from the sump or collection area in as timely a manner as is necessary to prevent overflow of the collection system.

(c) The owner or operator of a Class VII landfill shall comply with the requirements relating to the management of high liquid wastes set forth in Subsection R315-303-3(2).

(d) The owner or operator of a Class VII landfill shall design the facility to meet the requirements of Subsection R315-303-3(8)(a), R315-303-3(8)(c), R315-303-3(8)(d), and additional requirements of Subsection R315-303-3(8) as determined by the director.

(e) In addition to the signage requirements of Subsection R315-303-3(8)(d), the owner or operator of a Class VII landfill shall erect a sign displaying the facility operator, and for those located in Duchesne County or Uintah County, the location using the Public Land Survey System.

(3) Groundwater Monitoring.

The owner or operator of a Class VII landfill that receives hazardous waste from a very small quantity generator as defined in Subsection R315-260-10(c) shall prevent contamination of groundwater by either:

(a) monitoring the groundwater beneath the facility as required by Rule R315-308; or

(b) applying for and receiving approval for a groundwater alternative or waiver according to Subsection R315-302-1(2)(e)(vi).

(4) Standards for Operation.

(a) Each Class VII landfill shall meet the maintenance and operation standards of Section R315-303-4 except:

(i) daily cover requirements of Subsection R315-303-4(4) upon demonstration that uncovered waste is not a threat to human health, the environment, wildlife, or other receptors; and

(ii) recycling container requirements of Subsection R315-303-4(6).

(b) Class VII Facilities may receive and manage the following types of wastes and materials:

(i) exploration and production waste;

(ii) nonhazardous materials received in regular quantities used for the absorption of free liquids and stabilization in connection with the disposal of E&P Waste, such as ash, saw dust, gypsum, and nonhazardous petroleum contaminated soils;

(iii) nonhazardous solid waste generated incidental to oil and gas exploration and production and related operations; and

(iv) hazardous waste from very small quantity generators as defined in Subsection R315-260-10(c) generated incidental to oil and gas exploration and production and related operations.

(5) Closure and Post-Closure.

(a) Each Class VII landfill shall meet the applicable general requirements for closure and post-closure care found in Subsection R315-302-2(6) and Section R315-302-3, as determined by the director.

(b) If a Class VII landfill is already subject to the closure and post-closure requirements of another federal or state agency that are as stringent as the requirements specified in Subsection R315-321-4(5), the director may exempt the facility from the closure requirements of Subsection R315-321-4(5).

(c) The owner or operator of a Class VII landfill shall meet the closure requirements of Subsection R315-303-3(5).

(d) Upon approval from the director that the facility has been closed in accordance with an approved closure plan, the owner or operator of a Class VII landfill shall apply for a post-closure care permit in accordance with Section R315-310-10.

(e) Post-closure care shall continue until all waste disposal units at the facility have stabilized and the finding detailed in Subsection R315-302-3(7)(c) is made.

(6) Financial Assurance.

(a) The owner or operator of each Class VII landfill shall establish financial assurance as required by Rule R315-309.

(b) If the owner or operator of a Class VII landfill has financial assurance, in effect and active, that covers the costs of closure and post-closure care of the facility as required by another federal or state agency that is as stringent as the requirements of Rule R315-309, the director may exempt the facility from the financial assurance requirements of Rule R315-309.

(7) Permit Requirements.

The owner or operator of a Class VII landfill shall apply for and receive a permit to operate by meeting the applicable requirements of Rule R315-310 and is subject to the requirements of Rule R315-311.

(8) Temporary Permits.

(a) The owner or operator of an existing exploration and production facility as defined in Subsection R315-301-2(22)(a) may apply for a temporary permit from the director by submitting a complete application and any other relevant information required by the director. If the director determines that a temporary permit is protective of human health and the environment a temporary permit may be issued to facilitate the owner's or operator's good faith transition from regulation under Rule R649-9 to regulation under Rule R315-321 or R315-322. The temporary permit may contain any conditions the director determines are warranted under the circumstances.

(b) The owner or operator of an existing Class VII facility shall submit an application for a temporary permit to the director no less than 30 days before October 1, 2024.

(c) The owner or operator of an existing exploration and production facility applying for a temporary permit under Subsection R315-321-4(8) shall provide financial assurance in an amount determined appropriate by the director. In calculating the appropriate financial assurance amount, the director may, but is not required to, rely on bond calculations performed by the Division of Oil, Gas, and Mining.

(d) Except as otherwise required by the director, a temporary permit application for an existing exploration and production facility shall be exempt from the applicable requirements of Rule R315-310.

(e) Temporary permits issued under Subsection R315-321-4(8) shall be subject to enforcement by the director, pursuant to Sections 19-6-112 through 19-6-113, Section R315-317-3, and other applicable procedures.

**KEY: solid waste management, solid waste disposal**

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