

UTAH STATE DIGEST

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT
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Sunnie Burningham, Managing Editor

The *Utah State Digest (Digest)* is an official noticing publication of the executive branch of Utah state government. The Office of Administrative Rules, part of the Department of Government Operations, produces the *Digest* under authority of Section 63G-3-402.

The Portable Document Format (PDF) version of the *Digest* is the official version. The PDF version of this issue is available at <https://rules.utah.gov/>. Any discrepancy between the PDF version and other versions will be resolved in favor of the PDF version.

Inquiries concerning the substance or applicability of an administrative rule that appears in the *Digest* should be addressed to the contact person for the rule. Questions about the *Digest* or the rulemaking process may be addressed to: Office of Administrative Rules, PO Box 141007, Salt Lake City, Utah 84114-1007, telephone 801-957-7110. Additional rulemaking information and electronic versions of all administrative rule publications are available at <https://rules.utah.gov/>.

The *Utah State Digest* summarizes the contents of the *Utah State Bulletin* of the same volume and issue number. The *Digest* is available by e-mail subscription or online. Visit <https://rules.utah.gov/> for additional information.

Office of Administrative Rules, Salt Lake City 84114

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NOTICES OF PROPOSED RULES

A state agency may file a **PROPOSED RULE** when it determines the need for a substantive change to an existing rule. With a **NOTICE OF PROPOSED RULE**, an agency may create a new rule, amend an existing rule, repeal an existing rule, or repeal an existing rule and reenact a new rule. Filings received between July 02, 2025, 12:00 a.m., and July 15, 2025, 11:59 p.m. are included in this, the August 01, 2025, issue of the *Utah State Digest*.

In this publication, each **PROPOSED RULE** is preceded by a **RULE ANALYSIS**. This analysis provides summary information about the **PROPOSED RULE** including the name of a contact person, anticipated cost impact of the rule, and legal cross-references.

The law requires that an agency accept public comment on **PROPOSED RULES** published in this issue of the *Utah State Digest* until at least September 03, 2025. The agency may accept comment beyond this date and will indicate the last day the agency will accept comment in the **RULE ANALYSIS**. The agency may also hold public hearings. Additionally, citizens or organizations may request the agency hold a hearing on a specific **PROPOSED RULE**. Section 63G-3-302 requires that a hearing request be received by the agency proposing the rule "in writing not more than 15 days after the publication date of the proposed rule."

From the end of the public comment period through November 29, 2025, the agency may notify the Office of Administrative Rules that it wants to make the **PROPOSED RULE** effective. The agency sets the effective date. The date may be no fewer than seven calendar days after the close of the public comment period nor more than 120 days after the publication date of this issue of the *Utah State Digest*. Alternatively, the agency may file a **CHANGE IN PROPOSED RULE** in response to comments received. If the Office of Administrative Rules does not receive a **NOTICE OF EFFECTIVE DATE** or a **CHANGE IN PROPOSED RULE**, the **PROPOSED RULE** lapses.

The public, interest groups, and governmental agencies are invited to review and comment on **PROPOSED RULES**. *Comment may be directed to the contact person identified on the **RULE ANALYSIS** for each rule.*

PROPOSED RULES are governed by Section 63G-3-301, Rule R15-2, and Sections R15-4-3, R15-4-4, R15-4-5a, R15-4-9, and R15-4-10.

The Proposed Rules Begin on the Following Page

NOTICE OF SUBSTANTIVE CHANGE**TYPE OF FILING:** Repeal and Reenact**Rule or section number:****R23-3****Filing ID:** 57321**Agency Information**

1. Title catchline:	Government Operations, Facilities Construction and Management	
Building:	Taylorsville State Office Building	
Street address:	4315 S. 2700 W., 3 rd Floor	
City, state:	Taylorsville, UT	
Mailing address:	P.O. Box 141160	
City, state and zip:	Salt Lake City, UT 84129-2128	
Contact persons:		
Name:	Phone:	Email:
Mike Kelley	801-957-7239	mkelley@agutah.gov
Darrell Hunting	801-244-3516	dhunting@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R23-3. Planning, Programming, Request for Capital Development Projects and Operation and Maintenance Reporting for State Owned Facilities
4. Purpose of the new rule or reason for the change:
The rule has not been substantively updated in over ten years and needs to be updated to account for advances in building operation and maintenance technology and practices.
5. Summary of the new rule or change:
The repeal and reenactment of this rule deletes references to obsolete building operation and maintenance, building technology and practices, and adopts current building operation and maintenance practices.

Fiscal Information

6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A. State budget:
The Division of Facilities and Construction Management (DFCM) is currently de facto requiring state buildings to utilize current building and operation technologies and to effectuate current building operation and maintenance practices to the extent possible. Repeal and reenactment of the rule will only conform the rule to existing practice, so no anticipated cost impact on the state budget is anticipated from repeal and reenactment of the rule. At most, a small, unquantifiable savings from increased efficiency may result from repeal and reenactment of the rule.
B. Local governments:
None. The rule applies only to State of Utah buildings – not to local governments.
C. Small businesses ("small business" means a business employing 1-49 persons):
None. The rule applies only to State of Utah buildings – not to small businesses.
D. Non-small businesses ("non-small business" means a business employing 50 or more persons):
None. The rule applies only to State of Utah buildings – not to non-small businesses.

E. Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

None. The rule applies only to State of Utah buildings – not to persons other than small businesses, state or local government entities.

F. Compliance costs for affected persons:

DFCM's statutory mandate includes assuring the efficient use of all building space under DFCM's supervision and control, Section 63A-5b-303, including: approving requests for capital development projects, Section 63A-5b-402; administering programming, Section 63A-5b-502; and the operation and maintenance of state facilities. Any compliance costs for affected persons are not the result of the rule, but of DFCM's performance of the functions given by the legislature to DFCM under state law.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table					
Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

H. Department head comments on fiscal impact and approval of regulatory impact analysis:

The Executive Director of the Department of Government Operations, Marvin Dodge, has reviewed and approved this regulatory impact analysis.

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Subsection 63A-5b-305(2)(c)

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.

A. Comments will be accepted until:

09/02/2025

10. This rule change MAY become effective on:

09/09/2025

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Andrew Marr, Interim Director	Date:	06/30/2025
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NOTICE OF SUBSTANTIVE CHANGE**TYPE OF FILING:** Amendment

Rule or section number:	R251-709	Filing ID: 57335
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Agency Information

1. Title catchline:	Corrections, Administration	
Building:	Administration Building	
Street address:	14717 S. Minuteman Dr.	
City, state:	Draper, UT 84020	
Contact persons:		
Name:	Phone:	Email:
Dan Blanchard	801-400-7797	danblanchard@utah.gov
Tyler Johnson	385-228-9883	tajohnson@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R251-709. Transportation of Inmates
4. Purpose of the new rule or reason for the change:
The purpose of this filing is to establish additional clarification to the requirement under Section R251-709-4 and position title under Section R251-709-6.
5. Summary of the new rule or change:
The amendment adds clarifications to the provision allowing an inmate's attorney to provide civilian clothing for inmates appearing in a jury trial. The changes include requiring advanced approval from the Department of Corrections; includes an attorney's legal staff; and provides an option to drop off the civilian clothing at the prison at least two working days before the trial begins. Additionally, updates the position title in Section R251-709-6 to include the transportation unit supervisor.

Fiscal Information

6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A. State budget:
None – The language changes provide clarification and technical updates which do not add or remove provisions from the existing rule.
B. Local governments:
None – The language changes provide clarification and technical updates which do not add or remove provisions from the existing rule.
C. Small businesses ("small business" means a business employing 1-49 persons):
None – The language changes provide clarification and technical updates which do not add or remove provisions from the existing rule.

D. Non-small businesses ("non-small business" means a business employing 50 or more persons):

None – The language changes provide clarification and technical updates which do not add or remove provisions from the existing rule.

E. Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

None – The language changes provide clarification and technical updates which do not add or remove provisions from the existing rule.

F. Compliance costs for affected persons:

None – The language changes provide clarification and technical updates which do not add or remove provisions from the existing rule.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)**Regulatory Impact Summary Table**

Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

H. Department head comments on fiscal impact and approval of regulatory impact analysis:

The Executive Director of the Department of Corrections has reviewed and approved this regulatory impact analysis.

Citation Information**7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:**

Section 63G-3-201

Section 64-13-10

Public Notice Information**9. The public may submit written or oral comments to the agency identified in box 1.****A. Comments will be accepted until:**

09/02/2025

10. This rule change MAY become effective on:

09/09/2025

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Jared Garcia, Executive Director	Date:	07/03/2025
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment
Rule or section number: R315-306-1 Filing ID: 57329

Agency Information

1. Title catchline:	Environmental Quality, Waste Management and Radiation Control, Waste Management	
Building:	MASOB	
Street address:	195 N. 1950 W.	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 144880	
City, state and zip:	Salt Lake City, UT 84114-4880	
Contact persons:		
Name:	Phone:	Email:
Tom Ball	385-454-5574	tball@utah.gov
Brian Speer	385-499-0010	bspeer@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R315-306-1. Applicability
4. Purpose of the new rule or reason for the change:
<p>Rule R315-319 established requirements for Coal Combustion Residual (CCR) facilities in Utah based on the corresponding federal rules published in Subpart D of 40 CFR 257 on April 17, 2015. On August 28, 2020, the federal requirements were amended, establishing a revised date of April 11, 2021 by which unlined surface impoundments and units that failed the aquifer location restriction must cease receiving waste and initiate closure or retrofit; including revisions to the alternative closure provisions that would grant certain facilities additional time to develop alternative capacity to manage their waste streams (including additional waste - primarily non-CCR wastewater - generated at the facility) before they must stop receiving waste and initiate closure of their surface impoundments. The annual groundwater monitoring and corrective action report requirements and the requirements for the publicly accessible internet sites were also amended. On November 12, 2020, EPA further amended the federal requirements allowing a limited number of facilities to demonstrate to EPA or a Participating State Director that, based on groundwater data and the design of a particular surface impoundment, the unit has and will continue to ensure there is no reasonable probability of adverse effects to human health and the environment such that these CCR surface impoundments should be allowed to continue to operate. On May 8, 2024 and March 14, 2025, the federal requirements were again amended, changing regulations for inactive surface impoundments at inactive electric utilities, referred to as "legacy CCR surface impoundments." These changes remove an exemption to the rules for legacy surface impoundments and tailor compliance deadlines for owners and operators of legacy CCR surface impoundments, except for the location restrictions and liner design criteria. The U.S. EPA and the Division of Waste Management and Radiation Control have not been able to identify any legacy CCR surface impoundments subject to regulation by the Division, but these rule amendments have been added. The August 28, 2020, November 12, 2020, May 8, 2024 and March 14, 2025 amendments to the federal requirements have been incorporated into R315-319 for Utah's CCR facilities.</p>
5. Summary of the new rule or change:
This change amends Section R315-306-1 to state that the standards in Rule R315-306 do not apply to facilities regulated under Rule R315-319.

Fiscal Information**6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:****A. State budget:**

It is not anticipated that this amendment will result in any cost or savings to the state budget because it does not add any new requirements or remove any existing requirements for state agencies. This amendment makes it clear that Rule R315-306 does not apply to facilities regulated under Rule R315-319.

B. Local governments:

It is not anticipated that this amendment will result in any cost or savings for local governments because it does not add any new requirements or remove any existing requirements for local governments. This amendment makes it clear that Rule R315-306 does not apply to facilities regulated under Rule R315-319.

C. Small businesses ("small business" means a business employing 1-49 persons):

It is not anticipated that this amendment will result in any cost or savings for small businesses because it does not add any new requirements or remove any existing requirements for small businesses. This amendment makes it clear that Rule R315-306 does not apply to facilities regulated under Rule R315-319.

D. Non-small businesses ("non-small business" means a business employing 50 or more persons):

It is not anticipated that this amendment will result in any cost or savings for non-small businesses because it does not add any new requirements or remove any existing requirements for non-small businesses. This amendment makes it clear that Rule R315-306 does not apply to facilities regulated under Rule R315-319.

E. Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

It is not anticipated that this amendment will result in any cost or savings for persons other than small businesses, non-small businesses, state, or local governments because it does not add any new requirements or remove any existing requirements. This amendment makes it clear that Rule R315-306 does not apply to facilities regulated under Rule R315-319.

F. Compliance costs for affected persons:

There are no additional compliance costs for affected persons above the costs that already exist for persons who must comply with Rule R315-306 because the amendment does not add any new requirements.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table					
Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0

NOTICES OF PROPOSED RULES

Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
H. Department head comments on fiscal impact and approval of regulatory impact analysis:					
The Executive Director of the Department of Environmental Quality, Tim Davis, has reviewed and approved this regulatory impact analysis.					

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 19-6-104	Section 19-6-108	
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.

A. Comments will be accepted until:	09/02/2025
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10. This rule change MAY become effective on:	09/15/2025
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Douglas J. Hansen, Director	Date:	07/10/2025
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment		
Rule or section number:	R315-307-1	Filing ID: 57330

Agency Information

1. Title catchline:		Environmental Quality, Waste Management and Radiation Control, Waste Management	
Building:		MASOB	
Street address:		195 N. 1950 W.	
City, state:		Salt Lake City, UT	
Mailing address:		PO Box 144880	
City, state and zip:		Salt Lake City, UT 84114-4880	
Contact persons:			
Name:		Phone:	Email:
Tom Ball		385-454-5574	tball@utah.gov
Brian Speer		385-499-0010	bspeer@utah.gov
Please address questions regarding information on this notice to the persons listed above.			

General Information

2. Rule or section catchline:
R315-307-1. Applicability

4. Purpose of the new rule or reason for the change:

Rule R315-319 established requirements for Coal Combustion Residual (CCR) facilities in Utah based on the corresponding federal rules published in Subpart D of 40 CFR 257 on April 17, 2015. On August 28, 2020, the federal requirements were amended, establishing a revised date of April 11, 2021 by which unlined surface impoundments and units that failed the aquifer location restriction must cease receiving waste and initiate closure or retrofit; including revisions to the alternative closure provisions that would grant certain facilities additional time to develop alternative capacity to manage their waste streams (including additional waste - primarily non-CCR wastewater - generated at the facility) before they must stop receiving waste and initiate closure of their surface impoundments. The annual groundwater monitoring and corrective action report requirements and the requirements for the publicly accessible internet sites were also amended. On November 12, 2020, EPA further amended the federal requirements allowing a limited number of facilities to demonstrate to EPA or a Participating State Director that, based on groundwater data and the design of a particular surface impoundment, the unit has and will continue to ensure there is no reasonable probability of adverse effects to human health and the environment such that these CCR surface impoundments should be allowed to continue to operate. On May 8, 2024 and March 14, 2025, the federal requirements were again amended, changing regulations for inactive surface impoundments at inactive electric utilities, referred to as "legacy CCR surface impoundments." These changes remove an exemption to the rules for legacy surface impoundments and tailor compliance deadlines for owners and operators of legacy CCR surface impoundments, except for the location restrictions and liner design criteria. The U.S. EPA and the Division of Waste Management and Radiation Control have not been able to identify any legacy CCR surface impoundments subject to regulation by the Division, but these rule amendments have been added. The August 28, 2020, November 12, 2020, May 8, 2024 and March 14, 2025 amendments to the federal requirements have been incorporated into R315-319 for Utah's CCR facilities.

5. Summary of the new rule or change:

This change amends Section 315-307-1 to state that the standards in Rule R315-307 do not apply to facilities regulated under Rule R315-319.

Fiscal Information**6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:****A. State budget:**

It is not anticipated that this amendment will result in any cost or savings to the state budget because it does not add any new requirements or remove any existing requirements for state agencies. This amendment makes it clear that Rule R315-307 does not apply to facilities regulated under Rule R315-319.

B. Local governments:

It is not anticipated that this amendment will result in any cost or savings for local governments because it does not add any new requirements or remove any existing requirements for local governments. This amendment makes it clear that Rule R315-307 does not apply to facilities regulated under Rule R315-319.

C. Small businesses ("small business" means a business employing 1-49 persons):

It is not anticipated that this amendment will result in any cost or savings for small businesses because it does not add any new requirements or remove any existing requirements for small businesses. This amendment makes it clear that Rule R315-307 does not apply to facilities regulated under Rule R315-319.

D. Non-small businesses ("non-small business" means a business employing 50 or more persons):

It is not anticipated that this amendment will result in any cost or savings for non-small businesses because it does not add any new requirements or remove any existing requirements for non-small businesses. This amendment makes it clear that Rule R315-307 does not apply to facilities regulated under Rule R315-319.

E. Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an *agency*):

It is not anticipated that this amendment will result in any cost or savings for persons other than small businesses, non-small businesses, state, or local governments because it does not add any new requirements or remove any existing requirements. This amendment makes it clear that Rule R315-307 does not apply to facilities regulated under Rule R315-319.

F. Compliance costs for affected persons:

There are no additional compliance costs for affected persons above the costs that already exist for persons who must comply with Rule R315-307 because the amendment does not add any new requirements.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table					
Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

H. Department head comments on fiscal impact and approval of regulatory impact analysis:

The Executive Director of the Department of Environmental Quality, Tim Davis, has reviewed and approved this regulatory impact analysis.

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 19-6-104	Section 19-6-108	Section 19-6-105
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.

A. Comments will be accepted until:	09/02/2025
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10. This rule change MAY become effective on:	09/15/2025
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Douglas J. Hansen, Director	Date:	07/10/2025
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment

Rule or section number:	R315-310-12	Filing ID: 57331
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Agency Information

1. Title catchline:	Environmental Quality, Waste Management and Radiation Control, Waste Management	
Building:	MASOB	
Street address:	195 N. 1950 W.	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 144880	
City, state and zip:	Salt Lake City, UT 84114-4880	
Contact persons:		
Name:	Phone:	Email:
Tom Ball	385-454-5574	tball@utah.gov
Brian Speer	385-499-0010	bspeer@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R315-310-12. Contents of a Permit Application for a New or Expanding Coal Combustion Residual Landfill and Coal Combustion Residual Surface Impoundment
4. Purpose of the new rule or reason for the change:
<p>Rule R315-319 established requirements for Coal Combustion Residual (CCR) facilities in Utah based on the corresponding federal rules published in Subpart D of 40 CFR 257 on April 17, 2015. On August 28, 2020, the federal requirements were amended, establishing a revised date of April 11, 2021 by which unlined surface impoundments and units that failed the aquifer location restriction must cease receiving waste and initiate closure or retrofit; including revisions to the alternative closure provisions that would grant certain facilities additional time to develop alternative capacity to manage their waste streams (including additional waste - primarily non-CCR wastewater - generated at the facility) before they must stop receiving waste and initiate closure of their surface impoundments. The annual groundwater monitoring and corrective action report requirements and the requirements for the publicly accessible internet sites were also amended. On November 12, 2020, EPA further amended the federal requirements allowing a limited number of facilities to demonstrate to EPA or a Participating State Director that, based on groundwater data and the design of a particular surface impoundment, the unit has and will continue to ensure there is no reasonable probability of adverse effects to human health and the environment such that these CCR surface impoundments should be allowed to continue to operate. On May 8, 2024 and March 14, 2025, the federal requirements were again amended, changing regulations for inactive surface impoundments at inactive electric utilities, referred to as "legacy CCR surface impoundments." These changes remove an exemption to the rules for legacy surface impoundments and tailor compliance deadlines for owners and operators of legacy CCR surface impoundments, except for the location restrictions and liner design criteria. The U.S. EPA and the Division of Waste Management and Radiation Control (division) have not been able to identify any legacy CCR surface impoundments subject to regulation by the Division, but these rule amendments have been added. The August 28, 2020, November 12, 2020, May 8, 2024 and March 14, 2025 amendments to the federal requirements have been incorporated into R315-319 for Utah's CCR facilities.</p>
5. Summary of the new rule or change:
This change amends Section R315-310-12 to state that permit applications for a CCR landfill and surface impoundment must include the information required by Subsection R315-310-3(2) in addition to the other requirements listed.

Fiscal Information

6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A. State budget:
It is not anticipated that this amendment will result in any savings to the state budget because it does not remove any existing requirements for state agencies. The cost of reviewing the information that is required to be included with new permit applications will be minimal and will be absorbed by the current agency budget.

B. Local governments:

It is not anticipated that this amendment will result in any savings for local governments because it does not remove any existing requirements for local governments. Because any new requirements are administrative in nature and multiple options for compliance are available, local governments should be able to minimize costs by selecting the alternative that they determine to be most cost effective. There is no effective method for determining the costs because the division cannot predict which options each facility will choose.

C. Small businesses ("small business" means a business employing 1-49 persons):

It is not anticipated that this amendment will result in any savings for small businesses because it does not remove any existing requirements for small businesses. Because any new requirements are administrative in nature and multiple options for compliance are available, small businesses should be able to minimize costs by selecting the alternative that they determine to be most cost effective. There is no effective method for determining the costs because the division cannot predict which options each facility will choose.

D. Non-small businesses ("non-small business" means a business employing 50 or more persons):

It is not anticipated that this amendment will result in any savings for non-small businesses because it does not remove any existing requirements for non-small businesses. Because any new requirements are administrative in nature and multiple options for compliance are available, non-small businesses should be able to minimize costs by selecting the alternative that they determine to be most cost effective. There is no effective method for determining the costs because the division cannot predict which options each facility will choose.

E. Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

It is not anticipated that this amendment will result in any savings for persons other than small businesses, non-small businesses, state, or local governments because it does not remove any existing requirements. Because any new requirements are administrative in nature and multiple options for compliance are available, persons other than small businesses, non-small businesses, state, or local government entities should be able to minimize costs by selecting the alternative that they determine to be most cost effective. There is no effective method for determining the costs because the division cannot predict which options each facility will choose.

F. Compliance costs for affected persons:

Because any new requirements are administrative in nature and multiple options for compliance are available, affected persons should be able to minimize compliance costs by selecting the alternative that they determine to be most cost effective. There is no effective method for determining the costs because the division cannot predict which options each facility will choose.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table					
Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0

Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

H. Department head comments on fiscal impact and approval of regulatory impact analysis:

The Executive Director of the Department of Environmental Quality, Tim Davis, has reviewed and approved this regulatory impact analysis.

Citation Information**7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:**

Section 19-6-105	Section 19-6-108	Section 19-6-109
40 CFR 258		

Public Notice Information**9. The public may submit written or oral comments to the agency identified in box 1.**

A. Comments will be accepted until: 09/02/2025

10. This rule change MAY become effective on: 09/15/2025

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Douglas J. Hansen, Director	Date:	07/10/2025
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment

Rule or section number:	R315-311-2	Filing ID: 57332
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Agency Information

1. Title catchline:	Environmental Quality, Waste Management and Radiation Control, Waste Management	
Building:	MASOB	
Street address:	195 N. 1950 W.	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 144880	
City, state and zip:	Salt Lake City, UT 84114-4880	
Contact persons:		
Name:	Phone:	Email:
Tom Ball	385-454-5574	tball@utah.gov
Brian Speer	385-499-0010	bspeer@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information**2. Rule or section catchline:**

R315-311-2. Permit Modification, Renewal, or Termination

4. Purpose of the new rule or reason for the change:

Rule R315-319 established requirements for Coal Combustion Residual (CCR) facilities in Utah based on the corresponding federal rules published in Subpart D of 40 CFR 257 on April 17, 2015. On August 28, 2020, the federal requirements were amended, establishing a revised date of April 11, 2021 by which unlined surface impoundments and units that failed the aquifer location restriction must cease receiving waste and initiate closure or retrofit; including revisions to the alternative closure provisions that would grant certain facilities additional time to develop alternative capacity to manage their waste streams (including additional waste - primarily non-CCR wastewater - generated at the facility) before they must stop receiving waste and initiate closure of their surface impoundments. The annual groundwater monitoring and corrective action report requirements and the requirements for the publicly accessible internet sites were also amended. On November 12, 2020, EPA further amended the federal requirements allowing a limited number of facilities to demonstrate to EPA or a Participating State Director that, based on groundwater data and the design of a particular surface impoundment, the unit has and will continue to ensure there is no reasonable probability of adverse effects to human health and the environment such that these CCR surface impoundments should be allowed to continue to operate. On May 8, 2024 and March 14, 2025, the federal requirements were again amended, changing regulations for inactive surface impoundments at inactive electric utilities, referred to as "legacy CCR surface impoundments." These changes remove an exemption to the rules for legacy surface impoundments and tailor compliance deadlines for owners and operators of legacy CCR surface impoundments, except for the location restrictions and liner design criteria. The U.S. EPA and the Division of Waste Management and Radiation Control (division) have not been able to identify any legacy CCR surface impoundments subject to regulation by the division, but these rule amendments have been added. The August 28, 2020, November 12, 2020, May 8, 2024, and March 14, 2025 amendments to the federal requirements have been incorporated into Rule R315-319 for Utah's CCR facilities.

5. Summary of the new rule or change:

This change amends Subsection R315-311-2(1)(b) to include facilities subject to Rule R315-319 among permitted facilities that the Director may subject minor permit modification requests to a 45 day public comment period. Additionally, the division is correcting formatting and typographical errors in the rule.

Fiscal Information**6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:****A. State budget:**

It is not anticipated that this amendment will result in any savings to the state budget because it does not remove any existing requirements for state agencies. The cost of conducting any potential 45 day comment periods will be minimal and will be absorbed by the current agency budget.

B. Local governments:

It is not anticipated that this amendment will result in any savings for local governments because it does not remove any existing requirements for local governments. Because any new requirements are administrative in nature and multiple options for compliance are available, local governments should be able to minimize costs by selecting the alternative that they determine to be most cost effective. There is no effective method for determining the costs because the division cannot predict which options each facility will choose.

C. Small businesses ("small business" means a business employing 1-49 persons):

It is not anticipated that this amendment will result in any savings for small businesses because it does not remove any existing requirements for small businesses. Because any new requirements are administrative in nature and multiple options for compliance are available, small businesses should be able to minimize costs by selecting the alternative that they determine to be most cost effective. There is no effective method for determining the costs because the division cannot predict which options each facility will choose.

D. Non-small businesses ("non-small business" means a business employing 50 or more persons):

It is not anticipated that this amendment will result in any savings for non-small businesses because it does not remove any existing requirements for non-small businesses. Because any new requirements are administrative in nature and multiple options for compliance are available, non-small businesses should be able to minimize costs by selecting the alternative that they determine to be most cost effective. There is no effective method for determining the costs because the division cannot predict which options each facility will choose.

E. Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

It is not anticipated that this amendment will result in any savings for persons other than small businesses, non-small businesses, state, or local governments because it does not remove any existing requirements. Because any new requirements are administrative in nature and multiple options for compliance are available, persons other than small businesses, non-small businesses, state, or local government entities should be able to minimize costs by selecting the alternative that they determine to be most cost effective. There is no effective method for determining the costs because the division cannot predict which options each facility will choose.

F. Compliance costs for affected persons:

Because any new requirements are administrative in nature and multiple options for compliance are available, affected persons should be able to minimize compliance costs by selecting the alternative that they determine to be most cost effective. There is no effective method for determining the costs because the division cannot predict which options each affected person will choose.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table					
Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

H. Department head comments on fiscal impact and approval of regulatory impact analysis:

The Executive Director of the Department of Environmental Quality, Tim Davis, has reviewed and approved this regulatory impact analysis.

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 19-6-104	Section 19-6-105	Section 19-6-108
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.

A. Comments will be accepted until:	09/02/2025
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10. This rule change MAY become effective on:	09/15/2025
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Douglas J. Hansen, Director	Date:	07/10/2025
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment

Rule or section number:	R315-314-1	Filing ID: 57333
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Agency Information

1. Title catchline:	Environmental Quality, Waste Management and Radiation Control, Waste Management	
Building:	MASOB	
Street address:	195 N. 1950 W.	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 144880	
City, state and zip:	Salt Lake City, UT 84114-4880	
Contact persons:		
Name:	Phone:	Email:
Tom Ball	385-454-5574	tball@utah.gov
Brian Speer	385-499-0010	bspeer@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R315-314-1. Applicability
4. Purpose of the new rule or reason for the change:
<p>Rule R315-319 established requirements for Coal Combustion Residual (CCR) facilities in Utah based on the corresponding federal rules published in Subpart D of 40 CFR 257 on April 17, 2015. On August 28, 2020, the federal requirements were amended, establishing a revised date of April 11, 2021 by which unlined surface impoundments and units that failed the aquifer location restriction must cease receiving waste and initiate closure or retrofit; including revisions to the alternative closure provisions that would grant certain facilities additional time to develop alternative capacity to manage their waste streams (including additional waste - primarily non-CCR wastewater - generated at the facility) before they must stop receiving waste and initiate closure of their surface impoundments. The annual groundwater monitoring and corrective action report requirements and the requirements for the publicly accessible internet sites were also amended. On November 12, 2020, EPA further amended the federal requirements allowing a limited number of facilities to demonstrate to EPA or a Participating State Director that, based on groundwater data and the design of a particular surface impoundment, the unit has and will continue to ensure there is no reasonable probability of adverse effects to human health and the environment such that these CCR surface impoundments should be allowed to continue to operate. On May 8, 2024 and March 14, 2025, the federal requirements were again amended, changing regulations for inactive surface impoundments at inactive electric utilities, referred to as "legacy CCR surface impoundments." These changes remove an exemption to the rules for legacy surface impoundments and tailor compliance deadlines for owners and operators of legacy CCR surface impoundments, except for the location restrictions and liner design criteria. The U.S. EPA and the Division of Waste Management and Radiation Control (division) have not been able to identify any legacy CCR surface impoundments subject to regulation by the Division, but these rule amendments have been added. The August 28, 2020, November 12, 2020, May 8, 2024, and March 14, 2025 amendments to the federal requirements have been incorporated into R315-319 for Utah's CCR facilities.</p>
5. Summary of the new rule or change:
<p>This change amends Subsection R315-314-1(2) to state that the requirements in Rule R315-314 do not apply to facilities regulated under Rule R315-319. Additionally, the division is correcting formatting and typographical errors in the rule.</p>

Fiscal Information**6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:****A. State budget:**

It is not anticipated that this amendment will result in any cost or savings to the state budget because it does not add any new requirements or remove any existing requirements for state agencies. This amendment makes it clear that Rule R315-314 does not apply to facilities regulated under Rule R315-319.

B. Local governments:

It is not anticipated that this amendment will result in any cost or savings for local governments because it does not add any new requirements or remove any existing requirements for local governments. This amendment makes it clear that Rule R315-314 does not apply to facilities regulated under Rule R315-319.

C. Small businesses ("small business" means a business employing 1-49 persons):

It is not anticipated that this amendment will result in any cost or savings for small businesses because it does not add any new requirements or remove any existing requirements for small businesses. This amendment makes it clear that Rule R315-314 does not apply to facilities regulated under Rule R315-319.

D. Non-small businesses ("non-small business" means a business employing 50 or more persons):

It is not anticipated that this amendment will result in any cost or savings for non-small businesses because it does not add any new requirements or remove any existing requirements for non-small businesses. This amendment makes it clear that Rule R315-314 does not apply to facilities regulated under Rule R315-319.

E. Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

It is not anticipated that this amendment will result in any cost or savings for persons other than small businesses, non-small businesses, state, or local governments because it does not add any new requirements or remove any existing requirements. This amendment makes it clear that Rule R315-314 does not apply to facilities regulated under Rule R315-319.

F. Compliance costs for affected persons:

There are no additional compliance costs for affected persons above the costs that already exist for persons who must comply with Rule R315-314 because the amendment does not add any new requirements.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)**Regulatory Impact Summary Table**

Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0

NOTICES OF PROPOSED RULES

Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
H. Department head comments on fiscal impact and approval of regulatory impact analysis:					
The Executive Director of the Department of Environmental Quality, Tim Davis, has reviewed and approved this regulatory impact analysis.					

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:		
Section 19-6-104	Section 19-6-105	Section 19-6-108

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.	
A. Comments will be accepted until:	09/02/2025

10. This rule change MAY become effective on:	09/15/2025
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

Agency Authorization Information

Agency head or designee and title:	Douglas J. Hansen, Director	Date:	07/10/2025
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment		
Rule or section number:	R315-319	Filing ID: 57334

Agency Information

1. Title catchline:	Environmental Quality, Waste Management and Radiation Control, Waste Management	
Building:	MASOB	
Street address:	195 N. 1950 W.	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 144880	
City, state and zip:	Salt Lake City, UT 84114-4880	
Contact persons:		
Name:	Phone:	Email:
Tom Ball	385-454-5574	tball@utah.gov
Brian Speer	385-499-0010	bspeer@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R315-319. Coal Combustion Residuals Requirements
4. Purpose of the new rule or reason for the change:
Rule R315-319 established requirements for Coal Combustion Residual (CCR) facilities in Utah based on the corresponding federal rules published in Subpart D of 40 CFR 257 on April 17, 2015. On August 28, 2020, the federal requirements were amended, establishing a revised date of April 11, 2021 by which unlined surface impoundments and units that failed the aquifer

location restriction must cease receiving waste and initiate closure or retrofit; including revisions to the alternative closure provisions that would grant certain facilities additional time to develop alternative capacity to manage their waste streams (including additional waste - primarily non-CCR wastewater - generated at the facility) before they must stop receiving waste and initiate closure of their surface impoundments. The annual groundwater monitoring and corrective action report requirements and the requirements for the publicly accessible internet sites were also amended. On November 12, 2020, EPA further amended the federal requirements allowing a limited number of facilities to demonstrate to EPA or a Participating State Director that, based on groundwater data and the design of a particular surface impoundment, the unit has and will continue to ensure there is no reasonable probability of adverse effects to human health and the environment such that these CCR surface impoundments should be allowed to continue to operate. On May 8, 2024, and March 14, 2025, the federal requirements were again amended, changing regulations for inactive surface impoundments at inactive electric utilities, referred to as "legacy CCR surface impoundments." These changes remove an exemption to the rules for legacy surface impoundments and tailor compliance deadlines for owners and operators of legacy CCR surface impoundments, except for the location restrictions and liner design criteria. The U.S. EPA and the Division of Waste Management and Radiation Control (division) have not been able to identify any legacy CCR surface impoundments subject to regulation by the division, but these rule amendments have been added. The August 28, 2020, November 12, 2020, May 8, 2024, and March 14, 2025, amendments to the federal requirements have been incorporated into R315-319 for Utah's CCR facilities.

5. Summary of the new rule or change:

R315-319-1(a) is amended to remove the limitation on rules applicable to Class I, II, and V landfills to be more comprehensive. R315-319-2 is amended by removing the exception for the Director to apply compliance date extensions differently than 40 CFR 256.26.

R315-319-50(c) is amended so that it now applies to all inactive CCR surface impoundments at active electric utilities or independent power producers.

R315-319-50(e) is being deleted because the corresponding federal regulation no longer exempts generators that ceased operating before October 19, 2015.

R315-319-50(f) is amended to clarify that the rule does not apply to CCR generated at sites that are not electric utilities or independent power producers, but that it does apply to generators of electricity that use coal for 50% or more of its mass input.

R315-319-51 is being amended to incorporate the Waste Management and Radiation Control Board's adoption of Rule R315-319 and published date.

The following definitions are being added to Section R315-319-53: Eligible unlined CCR surface impoundment, technically feasible, and technically infeasible.

Reference to Subsection 19-6-102(7) is being corrected to Subsection 19-6-102(6) in Subsection R315-319-53(a)(18).

R315-319-71(a)(1)(i) is being deleted. This removes the option of a liner consisting of a minimum of two feet of compacted soil with a hydraulic conductivity of no more than 1×10^{-7} cm/sec.

Requirements for an alternate liner demonstration are being added in Subsection R315-319-71(d). These requirements are optional.

Requirements for additional information to be included in annual groundwater monitoring and corrective action reports are being added in Subsection R315-319-90(e)(6).

R315-319-91(d)(2) is being deleted because it is out of date and no longer needed.

R315-319-95(g)(5) is being amended to apply the provision more broadly and remove retrofit or closure requirements now addressed elsewhere in the rule.

The requirement found in Subsection R315-319-95(h)(2) to use background concentrations as the groundwater protection standard for constituents where a groundwater protection standard has not been established in Rule R315-308 is being replaced by a list of constituents.

Timeframes for certain inactive CCR surface impoundments are being added in R315-319-100(e).

R315-319-101(a)(1) is being amended to remove the October 19, 2015 compliance date and associated requirements and replace them with the date of April 11, 2021 by which an owner or operator of an unlined CCR surface impoundment shall stop placing waste into the impoundment and either retrofit or close the impoundment.

R315-319-101(b)(1)(i) is being amended and R315-319-101(b)(1)(ii) is being added to update the requirements for when the owner or operator of an existing CCR surface impoundment that has not demonstrated compliance with location standards shall stop placing waste in the impoundment.

R315-319-102(e)(4)(i) is being deleted because Rule R315-319 now applies to inactive CCR surface impoundments.

R315-319-102(k)(2)(ii)(A)(III) is being added as an additional action or activity that is considered initiation of retrofit activities.

Language is being added throughout Section R315-319-103 to clarify which rules in this section apply to CCR landfills and not CCR surface impoundments.

Rule citations are being added to the introductory paragraph of Section R315-319-103 to include all the requirements that owners and operators must meet.

Amendments are being made to Subsections R315-319-103(a) and R315-319-103(b) to clarify that they apply to CCR landfills.

R315-319-103(b)(2) and R315-319-103(b)(3) are being deleted because they apply to CCR surface impoundments and Subsection R315-319-103(b) applies to CCR landfills.

Site specific alternative deadlines to initiate closure of CCR surface impoundments are being added in Subsection R315-319-103(f).

R315-319-104(a)(3) is being deleted because Rule R315-319 now applies to inactive CCR surface impoundments.

The catchline for Section R315-319-105 is being amended to clarify that this section only contains recordkeeping requirements. The lists of information that a facility must place in the facility operating record found in Subsections R315-319-105(f), R315-319-105(h), and R315-319-105(i) are being expanded to include additional information not previously included.

The catchline for Section R315-319-106 is being amended to clarify that this section only contains notification requirements. The lists of information that a facility must provide to the Director found in Subsections R315-319-106(f), R315-319-106(h), and R315-319-106(i) are being expanded to include additional information not previously included.

The catchline for Section R315-319-107 is being amended to clarify that this section only contains requirements for information that must be posted on a publicly accessible internet site.

Language was added to Subsection R315-319-107(a) to clarify the accessibility requirements for data posted to the internet site.

The lists of information that a facility must post on the internet site found in Subsections R315-319-107(f), R315-319-107(h), and R315-319-107(i) are being expanded to include additional information not previously included.

Additionally, the division is correcting formatting and typographical errors in the rule.

Fiscal Information

6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:

A. State budget:

It is not anticipated that this amendment will result in any savings to the state budget because it does not remove any existing requirements for state agencies. The cost of reviewing any information or data required to be submitted or posted by permittees will be minimal and will be absorbed by the current agency budget.

B. Local governments:

It is not anticipated that this amendment will result in any cost or savings for local governments because there are no local governments operating CCR units in Utah.

C. Small businesses ("small business" means a business employing 1-49 persons):

Because any new requirements are administrative in nature and multiple options for compliance are available, small businesses should be able to minimize costs by selecting the alternative that they determine to be most cost effective. There is no effective method for determining the costs because the division cannot predict which options each facility will choose. It is not anticipated that there will be any savings for small businesses because the amendments do not remove any existing requirements from the rules.

D. Non-small businesses ("non-small business" means a business employing 50 or more persons):

Because any new requirements are administrative in nature and multiple options for compliance are available, non-small businesses should be able to minimize costs by selecting the alternative that they determine to be most cost effective. There is no effective method for determining the costs because the division cannot predict which options each facility will choose. It is not anticipated that there will be any savings for non-small businesses because the amendments do not remove any existing requirements from the rules.

E. Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an *agency*):

Because any new requirements are administrative in nature and multiple options for compliance are available, persons other than small businesses, non-small businesses, state, or local government entities should be able to minimize costs by selecting the alternative that they determine to be most cost effective. There is no effective method for determining the costs because the division cannot predict which options each person will choose. It is not anticipated that there will be any savings for persons other than small businesses, non-small businesses, state, or local governments because the amendments do not remove any existing requirements from the rules.

F. Compliance costs for affected persons:

Because any new requirements are administrative in nature and multiple options for compliance are available, affected persons should be able to minimize compliance costs by selecting the alternative that they determine to be most cost effective. There is no effective method for determining the costs because the division cannot predict which options each affected person will choose.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table

Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

H. Department head comments on fiscal impact and approval of regulatory impact analysis:

The Executive Director of the Department of Environmental Quality, Tim Davis, has reviewed and approved this regulatory impact analysis.

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 19-6-108		
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.

A. Comments will be accepted until:	09/02/2025
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10. This rule change MAY become effective on:	09/15/2025
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Douglas J. Hansen, Director	Date:	07/10/2025
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment		
Rule or section number:	R722-360	Filing ID: 57323

Agency Information

1. Title catchline:	Public Safety, Criminal Investigations and Technical Services, Criminal Identification	
Building:	Taylorsville State Office Building	
Street address:	4315 S. 2700 W.	
City, state:	Taylorsville, UT 84129	
Mailing address:	4315 S. 2700 W., Suite 1300	
City, state and zip:	Taylorsville, UT 84129	
Contact persons:		
Name:	Phone:	Email:
Kim Gibb	801-556-8198	kgibb@utah.gov
Nicole Borgeson	801-281-5072	nshepherd@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:	
R722-360. Certificate of Eligibility for Removal from the Sex Offender and Kidnap Offender Registry	
3. Are any changes in this filing because of state legislative action?	Changes are because of legislative action.
If yes, any bill number and session:	SB 41 (2025 General Session)
4. Purpose of the new rule or reason for the change:	
The purpose of this change is to update statutory references that were changed upon passage of SB 41, 2025 General Session. In addition, time frames are clarified for a petitioner to submit additional information requested by Bureau of Criminal Identification (BCI), and payment of applicable fees.	
5. Summary of the new rule or change:	
This filing updates statutory references that were changed upon passage of SB 41, 2025 General Session, and clarifies timeframes for a petitioner to submit additional information requested by BCI and payment of applicable fees.	

Fiscal Information

6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A. State budget:
The proposed rule is not expected to have any fiscal impact on the state budget because the amendment only updates statutory references changed upon passage of SB 41, 2025 General Session, and clarifies time frames for a petitioner to submit additional information requested by BCI and pay applicable fees.
B. Local governments:
The proposed rule is not expected to have any fiscal impact on local governments because the amendment only updates statutory references changed upon passage of SB 41, 2025 General Session, and clarifies time frames for a petitioner to submit additional information requested by BCI and pay applicable fees.
C. Small businesses ("small business" means a business employing 1-49 persons):
The proposed rule is not expected to have any fiscal impact on small businesses because the amendment only updates statutory references changed upon passage of SB 41, 2025 General Session, and clarifies time frames for a petitioner to submit additional information requested by BCI and pay applicable fees.

D. Non-small businesses ("non-small business" means a business employing 50 or more persons):

The proposed rule is not expected to have any fiscal impact on non-small businesses because the amendment only updates statutory references changed upon passage of SB 41, 2025 General Session, and clarifies time frames for a petitioner to submit additional information requested by BCI and pay applicable fees.

E. Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

The proposed rule is not expected to have any fiscal impact on persons other than small businesses, non-small businesses, state, or local government entities because the amendment only updates statutory references changed upon passage of SB 41, 2025 General Session, and clarifies time frames for a petitioner to submit additional information requested by BCI and pay applicable fees.

F. Compliance costs for affected persons:

The proposed rule is not expected to result in any compliance costs for affected persons because the amendment only updates statutory references changed upon passage of SB 41, 2025 General Session, and clarifies time frames for a petitioner to submit additional information requested by BCI and pay applicable fees.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)**Regulatory Impact Summary Table**

Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

H. Department head comments on fiscal impact and approval of regulatory impact analysis:

The Commissioner of the Department of Public Safety, Jess L. Anderson, has reviewed and approved this regulatory impact analysis.

Citation Information**7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:**

Subsection 63G-4-203(1)	Section 53-29-202	Section 53-29-204
Section 53-29-205	Section 53-29-206	Section 53-29-207

Public Notice Information**9. The public may submit written or oral comments to the agency identified in box 1.**

A. Comments will be accepted until: 09/02/2025

10. This rule change MAY become effective on:	09/09/2025
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

Agency Authorization Information

Agency head or designee and title:	Jason Ricks, BCI Division Director	Date:	07/07/2025
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NOTICE OF SUBSTANTIVE CHANGE**TYPE OF FILING:** Amendment**Rule or section number:** R850-30 **Filing ID:** 57336**Agency Information**

1. Title catchline:		School and Institutional Trust Lands, Administration	
Building:		102 Tower	
Street address:		102 S. 200 E., #600	
City, state:		Salt Lake City, UT	
Contact persons:			
Name:		Phone:	Email:
Chris Fausett		801-538-5139	chrisfausett@utah.gov
Lisa Wells		801-538-5154	lisawells@utah.gov
Please address questions regarding information on this notice to the persons listed above.			

General Information

2. Rule or section catchline:	R850-30. Special Use Leases		
3. Are any changes in this filing because of state legislative action?	Changes are because of legislative action.		
If yes, any bill number and session:	HB 262 S1 General Session 2024		
4. Purpose of the new rule or reason for the change:	<p>The proposed rule amendment is made in response to a recommendation from the 2024 performance audit of the Trust Lands Administration by the Office of the Legislative Auditor General (OLAG) as stated in the Performance Audit of the School and Institutional Trust Lands Administration: Improving Controls, Accountability, and Proactive Management" (the "Audit"), dated August 20, 2024. Legislative Audit, Recommendation 1.4: "The School and Institutional Trust Lands Administration should revise the Administrative Rules for Special Use Lease Agreements and Renewable Energy Lease Agreements to ensure that the criteria for setting lease rates are clear and consistent with Utah Code pertaining to the receipt of no less than fair market value for the lease of trust lands." Also, the amendment of the rule implements recent changes to the agency's code (Title 53C) regarding leases of large land blocks to the Department of Natural Resources.</p>		
5. Summary of the new rule or change:	<p>This amendment to Rule R850-30 clarifies that trust lands may not be leased for less than the fair market value of the leasehold as stated by the Legislative Audit, Recommendation 1.4. The amended rule defines "Eligible Properties" that are subject to new leasing authority to the Utah Department of Natural Resources (DNR) and sets forth requirements and processes for the lease of Eligible Properties to DNR.</p>		

Fiscal Information

6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:	
A. State budget:	
The proposed amendment will clarify rule language regarding the establishment of lease rates to make it clear that trust lands may not be leased for less than the fair market value of the leasehold, pursuant to a recommendation in OLAG's recent	

performance audit of SITLA. Despite OLAG's finding that the current rule language is unclear, state statute clearly requires that SITLA obtain fair market value for the lease of trust lands. OLAG found no instances of SITLA lessees being charged less than fair market value for their leases, therefore no adjustments to current lease rates will be required.

The proposed amendment also establishes a process for the potential lease of large land blocks to DNR but does not mandate the lease of any trust properties. All leases remain at the discretion of the Trust Lands Administration's director and board of trustees and no state entities are required to lease any trust properties. The fiscal note for HB 262 S1 (2024) did not anticipate any impacts to the state budget from the implementation of this authority.

The amendment to the rule only affects internal processes and will not result in any additional costs or savings to the state budget.

B. Local governments:

The proposed amendment will clarify rule language regarding the establishment of lease rates to make it clear that trust lands may not be leased for less than the fair market value of the leasehold, pursuant to a recommendation in OLAG's recent performance audit of SITLA. Despite OLAG's finding that the current rule language is unclear, state statute clearly requires that SITLA obtain fair market value for the lease of trust lands. Local governments occasionally lease trust lands for government purposes such as water storage tanks. OLAG found no instances of SITLA lessees being charged less than fair market value for their leases, therefore no adjustments to current lease rates charged to local government entities will be required.

The proposed amendment does not impose any new requirements or regulatory burdens on local governments. The fiscal note for HB 262 S1 (2024) did not anticipate any fiscal impacts to local government budgets. Therefore, there are no anticipated costs or savings to local governments resulting from the rule amendment.

C. Small businesses ("small business" means a business employing 1-49 persons):

The proposed amendment will clarify rule language regarding the establishment of lease rates to make it clear that trust lands may not be leased for less than the fair market value of the leasehold, pursuant to a recommendation in OLAG's recent performance audit of SITLA. Despite OLAG's finding that the current rule language is unclear, state statute clearly requires that SITLA obtain fair market value for the lease of trust lands. OLAG found no instances of SITLA lessees being charged less than fair market value for their leases. Trust lands are leased to small businesses for a variety of purposes. This can include agricultural, residential, and commercial use leases. The current lease rates charged to small businesses will not be adjusted.

No anticipated fiscal impacts were mentioned in the fiscal note for HB 262 S1(2024) for small businesses. Therefore, the agency doesn't expect any additional costs or savings to small businesses, including those who may hold SITLA leases because of the rule change.

D. Non-small businesses ("non-small business" means a business employing 50 or more persons):

The proposed amendment will clarify rule language regarding the establishment of lease rates to make it clear that trust lands may not be leased for less than the fair market value of the leasehold, pursuant to a recommendation in OLAG's recent performance audit of SITLA. Despite OLAG's finding that the current rule language is unclear, state statute clearly requires that SITLA obtain fair market value for the lease of trust lands. OLAG found no instances of SITLA lessees being charged less than fair market value for their leases. Non-small businesses frequently lease trust lands for a variety of purposes, including commercial, telecommunications, and industrial uses. No adjustments to current lease rates for non-small businesses will be required. The fiscal note for HB 262 S1 (2024) did not anticipate any fiscal impacts to non-small businesses. Therefore, it is not anticipated that the amended rule will result in any costs or savings to non-small businesses, including those who may hold SITLA leases.

E. Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

The proposed amendment will clarify rule language regarding the establishment of lease rates to make it clear that trust lands may not be leased for less than the fair market value of the leasehold, pursuant to a recommendation in OLAG's recent performance audit of SITLA. Despite OLAG's finding that the current rule language is unclear, state statute clearly requires that SITLA obtain fair market value for the lease of trust lands. OLAG found no instances of SITLA lessees being charged less than fair market value for their leases. Other persons, including individuals, occasionally lease trust lands for a variety of uses. No adjustments to current lease rates for any entities will be required. The fiscal note for HB 262 S1 (2024) did not anticipate any fiscal impacts to Utah residents, businesses, or government entities. The amended rule does not require any person to expend

any funds. Therefore, there are no anticipated costs or savings to persons other than small businesses, non-small businesses, state, or local government entities.

F. Compliance costs for affected persons:

The proposed amendment will clarify rule language regarding the establishment of lease rates to make it clear that trust lands may not be leased for less than the fair market value of the leasehold, pursuant to a recommendation in OLAG's recent performance audit of SITLA. The rule amendment also establishes internal processes for the leasing of trust lands to DNR. The proposed amendment does not impose any new regulatory burdens on Utah residents or businesses and does not create any new government programs or expand existing programs. There are no anticipated compliance costs for affected persons resulting from the rule amendment.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table					
Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

H. Department head comments on fiscal impact and approval of regulatory impact analysis:

The Director of the School and Institutional Trust Lands Administration, Michelle McConkie, has reviewed and approved this regulatory impact analysis.

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Subsection 53C-1-302(1)(a)	Subsection 53C-4-101(1)	Section 53C-4-104
Section 53C-4-202	28 Stat. 107-112, Utah Enabling Act of 1894, Sections 6, 8, 10, and 12	Utah Constitution Articles X and XX

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.

A. Comments will be accepted until:	09/02/2025
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10. This rule change MAY become effective on:	09/09/2025
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NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Michelle McConkie, Director	Date:	07/14/2025
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NOTICE OF SUBSTANTIVE CHANGE**TYPE OF FILING:** Amendment

Rule or section number:	R850-80	Filing ID: 57337
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Agency Information

1. Title catchline:	School and Institutional Trust Lands, Administration		
Building:	102 Tower		
Street address:	102 S. 200 E., #600		
City, state:	Salt Lake City, UT		
Contact persons:			
Name:	Phone:	Email:	
Chris Fausett	801-538-5139	chrisfausett@utah.gov	
Lisa Wells	801-538-5154	lisawells@utah.gov	
Please address questions regarding information on this notice to the persons listed above.			

General Information

2. Rule or section catchline:	
R850-80. Sale of Trust Lands	
3. Are any changes in this filing because of state legislative action?	Changes are because of legislative action.
If yes, any bill number and session:	HB 262 S1 General Session 2024 and HB 483 S5 General Session 2025
4. Purpose of the new rule or reason for the change:	
The proposed rule amendment is to the agency's administrative rules governing sales of trust lands to implement recent changes to the agency's code (Title 53C) regarding both sales of large land blocks to the Department of Natural Resources (DNR), as well as a preferential purchase right granted to incumbent lessees and permittees under certain circumstances.	
5. Summary of the new rule or change:	
This amendment to Rule R850-80 defines "Eligible Properties" as subject to new sales authority and sets forth process and requirements for the sale of Eligible Properties to DNR. The amendment outlines requirements for a Director's finding for the sale of Trust Lands to DNR. A process to determine the fair market value for sales of large blocks to DNR is defined and appraisal standards and appraiser qualifications are established. Also, the proposed rule implements the preferential right of certain incumbent lessees and permittees to purchase trust lands as a "Statutory Purchase Right". In addition, the amendment establishes requirements for the agency to give notice to the holders of such rights for the determination of fair market value for such parcels and for the holders of such rights to exercise them in the context of both auction and negotiated sales.	

Fiscal Information

6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
A. State budget:
The proposed rule amendment establishes a process for the potential sale of large land blocks to the Department of Natural Resources but does not mandate the sale of any trust properties. All sales remain at the discretion of the Trust Lands Administration's director and board of trustees and no state entities are required to purchase any properties offered for sale. The fiscal notes for HB 262 S1 (2024) and HB 483 S5 (2025) did not anticipate any impacts to the state budget from the implementation of the portion of the statute addressed by the rule amendment. Therefore, there are no anticipated costs or savings to the state budget resulting from the rule amendment.
B. Local governments:

The proposed rule amendment does not impose any new requirements or regulatory burdens on local governments. The fiscal notes for HB 262 S1 (2024) and HB 483 S5 (2025) did not anticipate any fiscal impacts to local government budgets. There are no anticipated costs or savings to local governments resulting from the rule amendment.

C. Small businesses ("small business" means a business employing 1-49 persons):

The proposed rule amendment establishes a process for certain incumbent lessees and permittees on trust lands to exercise a preferential purchase right on qualifying trust properties that are offered for sale by the agency if they choose to do so. Some of the qualifying lessees or permittees may be small businesses. The amended rule does not require that qualifying parties purchase any trust lands offered for sale. No anticipated fiscal impacts were mentioned in the fiscal note for HB 262 S1(2024) for small businesses. Therefore, the agency doesn't expect any additional costs or savings to small businesses because of the rule change.

D. Non-small businesses ("non-small business" means a business employing 50 or more persons):

The proposed rule amendment establishes a process for certain incumbent lessees and permittees on trust lands to exercise a preferential purchase right on qualifying trust properties that are offered for sale by the agency if they choose to do so. Some of the qualifying lessees or permittees may be "non-small business" entities. The amended rule does not require that qualifying parties purchase any trust lands offered for sale. The fiscal notes for HB 262 S1 (2024) and HB 483 S5 (2025) did not anticipate any fiscal impacts to non-small businesses. Therefore, there are no anticipated costs or savings to non-small businesses resulting from the rule amendment.

E. Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

The proposed rule amendment establishes processes for the potential sale of large land blocks to the Department of Natural Resources and for certain incumbent lessees and permittees to exercise a preferential right of purchase on qualifying trust properties offered for sale. The rule amendment implements statutory provisions in HB 262 S1 (2024) and HB 483 S5 (2025). The fiscal notes for these bills did not anticipate any fiscal impacts to Utah residents, businesses, or government entities. The amended rule does not require any person to expend any funds. Therefore, there are no anticipated costs or savings to persons other than small businesses, non-small businesses, state, or local government entities.

F. Compliance costs for affected persons:

The proposed rule amendment establishes internal processes for the Trust Lands Administration and does not impose any new regulatory burdens on Utah residents or businesses and does not create any new government programs or expand existing programs. There are no anticipated compliance costs for affected persons resulting from the rule amendment.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table					
Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
H. Department head comments on fiscal impact and approval of regulatory impact analysis:					
The Director of the School & Institutional Trust Lands Administration, Michelle McConkie, has reviewed and approved this regulatory impact analysis.					

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:		
Subsection 53C-1-302(1)(a)	Subsection 53C-2-201(1)(a)	Subsection 53C-4-101(1)
Section 53C-4-102	Section 53C-4-104	Subsection 53C-4-202(6)
Section 63G-2-305	Subsection 72-5-203(1)(a)	Subsection 72-5-203(2)(a)
28 Stat. 107-112, Utah Enabling Act of 1894, Sections 6, 8, 10, and 12	Utah Constitution Articles X and XX	

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.	
A. Comments will be accepted until:	09/02/2025
10. This rule change MAY become effective on:	09/09/2025
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

Agency Authorization Information

Agency head or designee and title:	Michelle McConkie, Director	Date:	07/14/2025
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment		
Rule or section number:	R850-170	Filing ID: 57338

Agency Information

1. Title catchline:		School and Institutional Trust Lands, Administration	
Building:		102 Tower	
Street address:		102 S. 200 E., #600	
City, state:		Salt Lake City, UT	
Contact persons:			
Name:		Phone:	Email:
Chris Fausett		801-538-5139	chrisfausett@utah.gov
Lisa Wells		801-538-5154	lisawells@utah.gov
Please address questions regarding information on this notice to the persons listed above.			

General Information

2. Rule or section catchline:
R850-170. Renewable Energy Lease Agreements
4. Purpose of the new rule or reason for the change:
The proposed rule amendment is made in response to a recommendation from the 2024 performance audit of the School and Institutional Trust Lands Administration (SITLA) by the Office of the Legislative Auditor General (OLAG) as stated in the Performance Audit of the School and Institutional Trust Lands Administration: Improving Controls, Accountability, and Proactive

Management" (the "Audit"), dated August 20, 2024. The Legislative Audit, Recommendation 1.4: "The School and Institutional Trust Lands Administration should revise the Administrative Rules for Special Use Lease Agreements and Renewable Energy Lease Agreements to ensure that the criteria for setting lease rates are clear and consistent with Utah Code pertaining to the receipt of no less than fair market value for the lease of trust lands."

5. Summary of the new rule or change:

This amendment to Rule R850-170 clarifies that trust lands may not be leased for less than the fair market value of the leasehold as stated by the Legislative Audit, Recommendation 1.4.

Fiscal Information

6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:

A. State budget:

The purpose of this amendment to the current rule is to clarify the rule language regarding the establishment of renewable energy lease rates to make it clear that trust lands may not be leased for less than the fair market value of the leasehold, pursuant to a recommendation in OLAG's recent performance audit of SITLA. Despite OLAG's finding that the current rule language is unclear, state statute clearly requires that SITLA obtain fair market value for the lease of trust lands. OLAG found no instances of SITLA lessees being charged less than fair market value for their leases. The amendment to the rule will not result in any changes to current lease processing or administration practices. It is not anticipated that there will be any additional costs or savings to the state budget because of the amended rule.

B. Local governments:

The purpose of this amendment to the current rule is to clarify the rule language regarding the establishment of renewable energy lease rates to make it clear that trust lands may not be leased for less than the fair market value of the leasehold, pursuant to a recommendation in OLAG's recent performance audit of SITLA. Despite OLAG's finding that the current rule language is unclear, state statute clearly requires that SITLA obtain fair market value for the lease of trust lands. Local governments occasionally lease trust lands for government purposes such as water storage tanks but do not typically lease trust lands for renewable energy purposes. OLAG found no instances of SITLA lessees being charged less than fair market value for their leases, therefore no adjustments to current lease rates will be required. It is not anticipated that the amended rule will result in any additional costs or savings to local governments.

C. Small businesses ("small business" means a business employing 1-49 persons):

The purpose of this amendment to the current rule is to clarify the rule language regarding the establishment of renewable energy lease rates to make it clear that trust lands may not be leased for less than the fair market value of the leasehold, pursuant to a recommendation in OLAG's recent performance audit of SITLA. Despite OLAG's finding that the current rule language is unclear, state statute clearly requires that SITLA obtain fair market value for the lease of trust lands. OLAG found no instances of SITLA lessees being charged less than fair market value for their leases. Small businesses may lease trust lands for renewable energy purposes. The current lease rates charged to small businesses will not be adjusted. There are no anticipated additional costs or savings to small businesses, including those who may hold SITLA leases, because of the amended rule.

D. Non-small businesses ("non-small business" means a business employing 50 or more persons):

The purpose of this amendment to the current rule is to clarify the rule language regarding the establishment of renewable energy lease rates to make it clear that trust lands may not be leased for less than the fair market value of the leasehold, pursuant to a recommendation in OLAG's recent performance audit of SITLA. Despite OLAG's finding that the current rule language is unclear, state statute clearly requires that SITLA obtain fair market value for the lease of trust lands. OLAG found no instances of SITLA lessees being charged less than fair market value for their leases. Non-small businesses may lease trust lands for a renewable energy purpose. No adjustments to current lease rates will be required. It is not anticipated that the amended rule will result in any costs or savings to non-small businesses, including those who may hold SITLA leases.

E. Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

The purpose of this amendment to the current rule is to clarify the rule language regarding the establishment of renewable energy lease rates to make it clear that trust lands may not be leased for less than the fair market value of the leasehold, pursuant to a recommendation in OLAG's recent performance audit of SITLA. Despite OLAG's finding that the current rule

language is unclear, state statute clearly requires that SITLA obtain fair market value for the lease of trust lands. OLAG found no instances of SITLA lessees being charged less than fair market value for their leases. Other persons, including individuals, may lease trust lands for renewable energy purposes. No adjustments to current lease rates will be required. It is not anticipated that the amended rule will result in any costs or savings to other persons, including those who may hold SITLA leases.

F. Compliance costs for affected persons:

The purpose of this amendment to the current rule is to clarify the rule language regarding the establishment of renewable energy lease rates to make it clear that trust lands may not be leased for less than the fair market value of the leasehold, pursuant to a recommendation in OLAG's recent performance audit of SITLA. Despite OLAG's finding that the current rule language is unclear, state statute clearly requires that SITLA obtain fair market value for the lease of trust lands. This clarification to the rule does not materially change the way that SITLA conducts its renewable energy leasing program and will not impact any existing lease rates. No compliance costs are anticipated for any impacted entities.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table					
Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

H. Department head comments on fiscal impact and approval of regulatory impact analysis:

The Director of the School and Institutional Trust Lands Administration, Michelle McConkie, has reviewed and approved this regulatory impact analysis.

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Subsection 53C-1-302(1)(a)	Subsection 53C-4-101(1)	Section 53C-4-202
28 Stat. 107-112, Utah Enabling Act of 1894, Sections 6, 8, 10, and 12	Utah Constitution Articles X and XX	

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.

A. Comments will be accepted until: 09/02/2025

10. This rule change MAY become effective on: 09/09/2025

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Michelle McConkie, Director	Date:	07/14/2025
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment

Rule or section number:	R884-24P-66	Filing ID: 57327
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Agency Information

Agency information:		
1. Title catchline:	Tax Commission, Property Tax	
Building:	Tax Commission	
Street address:	210 N 1950 W	
City, state:	Salt Lake City, Utah	
Contact persons:		
Name:	Phone:	Email:
Chantay Asper	801-297-3901	casper@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:	R884-24P-66. County Board of Equalization Procedures and Appeals Pursuant to Utah Code Ann. Sections 59-2-516, 59-2-1001, and 59-2-1004		
3. Are any changes in this filing because of state legislative action?	Changes are because of legislative action.		
If yes, any bill number and session:	HB 288 (2024 General Session)		
4. Purpose of the new rule or reason for the change:	This proposed rule amendment fulfills a requirement in 2024 HB 288, Rollback Tax Amendments, that the commission make rules to establish the circumstances under which a late filed appeal may be allowed to the county board of equalization of a county assessor's determination or denial under the Urban Farming Assessment Act.		
5. Summary of the new rule or change:	Under current statute, an appeal must be filed within 60 days of a county assessor's determination or denial. The rule amendment allows an additional extension of up to 60 days if certain requirements are met. This rule amendment matches the extension period currently allowed for the Farmland Assessment Act under Section R884-24P-66.		

Fiscal Information

6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:			
A. State budget:	This amendment is not expected to impact the state budget because any costs or savings would have been considered in the legislation requiring the commission to make rules to establish the circumstances under which a late filed appeal may be allowed to the county board of equalization of a county assessor's determination or denial under the Urban Farming Assessment Act.		
B. Local governments:	This amendment is not expected to impact local government budgets because any costs or savings would have been considered in the legislation requiring the commission to make rules to establish the circumstances under which a late filed appeal may be allowed to the county board of equalization of a county assessor's determination or denial under the Urban Farming Assessment Act.		

C. Small businesses ("small business" means a business employing 1-49 persons):

This amendment is not expected to impact small businesses because any costs or savings would have been considered in the legislation requiring the commission to make rules to establish the circumstances under which a late filed appeal may be allowed to the county board of equalization of a county assessor's determination or denial under the Urban Farming Assessment Act.

D. Non-small businesses ("non-small business" means a business employing 50 or more persons):

This amendment is not expected to impact non-small businesses because any costs or savings would have been considered in the legislation requiring the commission to make rules to establish the circumstances under which a late filed appeal may be allowed to the county board of equalization of a county assessor's determination or denial under the Urban Farming Assessment Act.

E. Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

This amendment is not expected to impact persons other than small businesses, non-small businesses, state, or local governments because any costs or savings would have been considered in the legislation requiring the commission to make rules to establish the circumstances under which a late filed appeal may be allowed to the county board of equalization of a county assessor's determination or denial under the Urban Farming Assessment Act.

F. Compliance costs for affected persons:

This amendment is not expected to impose compliance costs on affected persons because any costs or savings would have been considered in the legislation requiring the commission to make rules to establish the circumstances under which a late filed appeal may be allowed to the county board of equalization of a county assessor's determination or denial under the Urban Farming Assessment Act.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table					
Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

H. Department head comments on fiscal impact and approval of regulatory impact analysis:

Commissioner of the Tax Commission Rebecca L. Rockwell has reviewed and approved this regulatory impact analysis.

Citation Information

7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

Section 59-2-516	Section 59-2-1713	Section 59-2-1001
Section 59-2-1004		

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.

A. Comments will be accepted until: 09/02/2025

10. This rule change MAY become effective on: 09/09/2025

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Rebecca Rockwell, Commissioner	Date:	07/10/2025
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NOTICE OF SUBSTANTIVE CHANGE

TYPE OF FILING: Amendment

Rule or section number: R920-60 **Filing ID:** 57324

Agency Information

1. Title catchline:	Transportation, Operations, Traffic and Safety	
Building:	Calvin Rampton	
Street address:	4501 S. 2700 W.	
City, state:	Taylorsville, UT	
Mailing address:	P.O. Box 148455	
City, state and zip:	Salt Lake City, Utah 84114-8455	
Contact persons:		
Name:	Phone:	Email:
Leif Elder	801-580-8296	lelder@utah.gov
Marlene Galindo	801-965-4026	mgalindo1@utah.gov
James Godin	801-573-7181	jamesjgodin@agutah.gov
Lori Edwards	385-341-3414	loriedwards@agutah.gov

Please address questions regarding information on this notice to the persons listed above.

General Information

2. Rule or section catchline:	
R920-60. Amusement Ride Safety	
3. Are any changes in this filing because of state legislative action?	Changes are because of legislative action.
If yes, any bill number and session:	SB 185 (2023 General Session)
4. Purpose of the new rule or reason for the change:	
SB 185 excluded "zip lines" from amusement safety rides and the changes in this proposed rule reflect that. The Department of Transportation (department) also wishes to edit this rule for clarity and to harmonize it with current rulewriting standards.	

5. Summary of the new rule or change:

This rule removes any references to "zip lines," updates references to the ASTM standards applicable to amusement safety rides, and adds a provision related to agency actions related to enforcement.

Fiscal Information**6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:****A. State budget:**

There are no fiscal impacts to the state budget because this rule is clerical in nature—it makes the references to the ASTM standards more specific and nothing changes with regards to amusement ride safety inspections.

B. Local governments:

There are no fiscal impacts to local governments because this rule is clerical in nature—it makes the references to the ASTM standards more specific and nothing changes with regards to amusement ride safety inspections.

C. Small businesses ("small business" means a business employing 1-49 persons):

There are no fiscal impacts to small businesses because this rule is clerical in nature—it makes the references to the ASTM standards more specific and nothing changes with regards to amusement ride safety inspections.

D. Non-small businesses ("non-small business" means a business employing 50 or more persons):

There are no fiscal impacts to non-small businesses because this rule is clerical in nature—it makes the references to the ASTM standards more specific and nothing changes with regards to amusement ride safety inspections.

E. Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

There are no fiscal impacts to persons because this rule is clerical in nature—it makes the references to the ASTM standards more specific and nothing changes with regards to amusement ride safety inspections.

F. Compliance costs for affected persons:

It will not cost an affected person anything to comply with this rule—it makes the references to the ASTM standards more specific and nothing changes with regards to amusement ride safety inspections.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)**Regulatory Impact Summary Table**

Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0

NOTICES OF PROPOSED RULES

Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

H. Department head comments on fiscal impact and approval of regulatory impact analysis:

The Executive Director of the Department of Transportation, Carlos M. Braceras, P.E., has reviewed and approved this regulatory impact analysis.

Citation Information**7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:**

Section 72-16-203

Incorporation by Reference Information**8. Incorporation by Reference :**

A. This rule adds or updates the following title of material incorporated by reference (a copy of the material incorporated by reference must be submitted to the Office of Administrative Rules. *If none, leave blank*):

Official Title of Materials Incorporated (from title page)	Standard Practice for Ownership, Operation, Maintenance, and Inspection of Amusement Rides and Devices
Publisher	ASTM International
Issue Date	May 2024
Issue or Version	F770-24

B. This rule adds or updates the following title of material incorporated by reference (a copy of the material incorporated by reference must be submitted to the Office of Administrative Rules. *If none, leave blank*):

Official Title of Materials Incorporated (from title page)	Standard Practice for Design, Manufacture, and Operation of Concession GoKarts and Facilities
Publisher	ASTM International
Issue Date	June 2024
Issue or Version	F2007-24

C. This rule adds or updates the following title of material incorporated by reference (a copy of the material incorporated by reference must be submitted to the Office of Administrative Rules. *If none, leave blank*):

Official Title of Materials Incorporated (from title page)	Standard Practice for Special Requirements for Bumper Boats
Publisher	ASTM International
Issue Date	November 2019
Issue or Version	F2460-19

D. This rule adds or updates the following title of material incorporated by reference (a copy of the material incorporated by reference must be submitted to the Office of Administrative Rules. *If none, leave blank*):

Official Title of Materials Incorporated (from title page)	Standard Practice for Permanent Amusement Railway Ride Tracks and Related Devices
Publisher	ASTM International
Issue Date	July 2023
Issue or Version	F2960-23

Public Notice Information**9. The public may submit written or oral comments to the agency identified in box 1.****A. Comments will be accepted until:** 09/02/2025**10. This rule change MAY become effective on:** 09/09/2025

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Carlos M. Braceras, P.E., Executive Director, UDOT	Date:	07/02/2025
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NOTICE OF SUBSTANTIVE CHANGE**TYPE OF FILING:** Amendment

Rule or section number:	R940-6	Filing ID: 57328
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Agency Information

1. Title catchline:	Transportation Commission, Administration	
Building:	Calvin Rampton	
Street address:	4501 S. 2700 W.	
City, state:	Taylorsville, UT	
Mailing address:	P.O. Box 148455	
City, state and zip:	Salt Lake City, Utah 84114-8455	
Contact persons:		
Name:	Phone:	Email:
Leif Elder	801-580-8296	lelder@utah.gov
Marlene Galindo	801-965-4026	mgalindo1@utah.gov
James Godin	801-573-7181	jamesjgodin@agutah.gov
Lori Edwards	385-341-3414	loriedwards@agutah.gov

Please address questions regarding information on this notice to the persons listed above.**General Information****2. Rule or section catchline:**

R940-6. Prioritization of New Transportation Capacity Projects

4. Purpose of the new rule or reason for the change:

This rule change makes clerical adjustments to the rule language and adds new language to the rule to address Utah Trail Network projects. The proposed changes would also require all project nominations to include a reasonable cost estimate and a plan to address any costs that exceed the local government's or district's cost estimate.

5. Summary of the new rule or change:

The Department of Transportation is proposing to define a "Utah Trail Network project" and designating the model used to prioritize Utah Trail Network projects.

Fiscal Information**6. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:****A. State budget:**

There are no fiscal impacts to the state budget because this rule is clerical in nature. It merely defines new terms and outlines a new administrative process.

B. Local governments:

There are no fiscal impacts to local governments because this rule is clerical in nature. It merely defines new terms and outlines a new administrative process.

C. Small businesses ("small business" means a business employing 1-49 persons):

There are no fiscal impacts to small businesses because this rule is clerical in nature. It merely defines new terms and outlines a new administrative process.

D. Non-small businesses ("non-small business" means a business employing 50 or more persons):

There are no fiscal impacts to non-small businesses because this rule is clerical in nature. It merely defines new terms and outlines a new administrative process.

E. Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

There are no fiscal impacts to persons because this rule is clerical in nature. It merely defines new terms and outlines a new administrative process.

F. Compliance costs for affected persons:

There are no compliance costs for affected persons because this rule is clerical in nature. It merely defines new terms and outlines a new administrative process.

G. Regulatory Impact Summary Table (This table includes only fiscal impacts the agency was able to measure. If the agency could not estimate an impact, it is excluded from this table but described in boxes A through F.)

Regulatory Impact Summary Table					
Fiscal Cost	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0	\$0	\$0
Fiscal Benefits	FY2026	FY2027	FY2028	FY2029	FY2030
State Budget	\$0	\$0	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0	\$0	\$0

H. Department head comments on fiscal impact and approval of regulatory impact analysis:

The Executive Director of the Department of Transportation, Carlos M. Bracerias, P.E., has reviewed and approved this regulatory impact analysis.

Citation Information**7. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:**

Section 72-1-201	Section 72-1-304	
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Incorporation by Reference Information**8. Incorporation by Reference :**

A. This rule adds or updates the following title of material incorporated by reference (a copy of the material incorporated by reference must be submitted to the Office of Administrative Rules. *If none, leave blank*):

Official Title of Materials Incorporated (from title page)	Utah Trail Network - Active Transportation Investment Fund (ATIF) Project Evaluation Process
Publisher	Utah Department of Transportation
Issue Date	2024

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1.

A. Comments will be accepted until: 09/02/2025

10. This rule change MAY become effective on: 09/09/2025

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

Agency head or designee and title:	Carlos M. Bracerias, P.E., Executive Director, UDOT	Date:	06/30/2025
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End of the Notices of Proposed Rules Section

NOTICES OF 120-DAY (EMERGENCY) RULES

An agency may file a **120-DAY (EMERGENCY) RULE** when it finds that regular rulemaking procedures would:

- (a) cause an imminent peril to the public health, safety, or welfare;
- (b) cause an imminent budget reduction because of budget restraints or federal requirements; or
- (c) place the agency in violation of federal or state law (Subsection 63G-3-304(1)).

As with a **PROPOSED RULE**, a **120-DAY RULE** is preceded by a **RULE ANALYSIS**. This analysis provides summary information about the **120-DAY RULE** including the name of a contact person, justification for filing a **120-DAY RULE**, anticipated cost impact of the rule, and legal cross-references.

A **120-DAY RULE** is effective when filed with the Office of Administrative Rules, or on a later date designated by the agency. A **120-DAY RULE** is effective for 120 days or until it is superseded by a permanent rule. Because of its temporary nature, a **120-DAY RULE** is not codified as part of the *Utah Administrative Code*.

The law does not require a public comment period for **120-DAY RULES**. However, when an agency files a **120-DAY RULE**, it may file a **PROPOSED RULE** at the same time, to make the requirements permanent.

Emergency or **120-DAY RULES** are governed by Section 63G-3-304, and Section R15-4-8.

NOTICE OF EMERGENCY (120-DAY) RULE

Rule or section Number:	R66-2	Filing ID: 57325
Effective date:	07/09/2025	

Agency Information

1. Title catchline:	Agriculture and Food, Specialized Products	
Building:	TSOB South Bldg, Floor 2	
Street address:	4315 S 2700 W	
City, state	Taylorsville, UT 84129	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Amber Brown	3852-245-5222	ambermbrown@utah.gov
Brandon Forsyth	801-710-9945	bforsyth@utah.gov
Camille Knudson	801-597-6010	camillek@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule or section catchline:
R66-2. Cannabis Processing
4. Purpose of the new rule or reason for the change:
This filing is needed to remove the recently added limitation on putting directions for use on the face of a product, as well as the recently added requirement related to the size of flavor, strain, and terpene information on a product label due to expensive unintended consequences that have been raised by licensees.

5. Summary of the new rule or change:

In Section R66-2-13, language not allowing directions for use on a "product face" have been removed, as well as the requirement that flavor, strain, and terpene information be printed in the same size and font as other label information.

6A. The agency finds that regular rulemaking would:

- ☒ cause an imminent peril to the public health, safety, or welfare;
- ☐ cause an imminent budget reduction because of budget restraints or federal requirements; or
- ☐ place the agency in violation of federal or state law.

B. Specific reasons and justifications for this finding:

Since publishing our last rule changes, the Department of Agriculture and Food (department) has learned from licensees that the label changes the department is proposing would make many labels non-compliant and illegal, limiting patients' ability to access medical cannabis products they need, negatively impacting public health and safety.

Fiscal Information**7. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:****A. State budget:**

This change will not impact the state budget because the requirements that are being removed have not yet been implemented.

B. Local governments:

Local governments will not be impacted because they do not participate in the medical cannabis program.

C. Small businesses ("small business" means a business employing 1-49 persons):

Small businesses will not be impacted because the requirements that are being removed have not yet been implemented.

If the changes were allowed to stay in place (without the emergency rule) this would pose a significant cost on small businesses.

D. Persons other than small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

Other persons do not participate in the medical cannabis program and will not be impacted.

E. Compliance costs for affected persons:

Compliance costs have not changed because the new requirements being removed by the emergency rule have not yet been implemented.

F. Comments by the department head on the fiscal impact this rule may have on businesses (Include the name and title of the department head):

This rule will not have a fiscal impact on businesses. Kelly Pehrson, Commissioner

Citation Information**8. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:**

Section 4-41a-103

Section 4-41a-302

Agency Authorization Information

Agency head or designee and title:

Kelly Pehrson, Commissioner

Date:

07/09/2025

End of the Notices of 120-Day (Emergency) Rules Section

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Within five years of an administrative rule's original enactment or last five-year review, the agency is required to review the rule. This review is intended to help the agency determine, and to notify the public, that the administrative rule in force is still authorized by statute and necessary. Upon reviewing a rule, an agency may: repeal the rule by filing a **PROPOSED RULE**; continue the rule as it is by filing a **FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION (REVIEW)**; or amend the rule by filing a **PROPOSED RULE** and by filing a **REVIEW**. By filing a **REVIEW**, the agency indicates that the rule is still necessary.

A **REVIEW** is not followed by the rule text. The rule text that is being continued may be found in the online edition of the *Utah Administrative Code* available at adminrules.utah.gov. The rule text may also be inspected at the agency or the Office of Administrative Rules. **REVIEWS** are effective upon filing.

REVIEWS are governed by Section 63G-3-305.

NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION		
Rule number:	R51-7	Filing ID: 54443
Effective date:	07/09/2025	

Agency Information

1. Title catchline:	Agriculture and Food; Administration	
Building:	Taylorsville State Office Building, South Building, Floor #2	
Street address:	4315 S. 2700 W.	
City, state:	Taylorsville, Utah	
Mailing address:	PO BOX 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Amber Brown	385-245-5222	amberbrown@utah.gov
Conner Peterson	385-245-0883	cspeterson@utah.gov
Camille Knudson	801-597-6010	camilleK@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:	
R51-7. Open and Public Meetings Act Electronic Meetings	
3. Statutory provisions that authorize or require this rule and an explanation of those particular statutory provisions:	
Section 52-4-207	Authorizes public bodies to conduct a meeting that some or all members of the public body may attend through an electronic video, audio, or both connection.
Section 63G-3-201	Requires the Department of Agriculture and Food (department) to create rules that authorize conducting electronic meetings.
Section 4-2-103	Authorizes the department to create rules that are necessary for the effective administration of the agricultural laws of the state.

4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:

The department has not received any public comments regarding this rule within the past five years.

5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:

The department would like this rule to continue to provide the necessary information to implement electronic meetings for the various boards within the department to ensure transparency for the public and other stakeholders.

Agency Authorization Information

Agency head or designee and title:	Commissioner, Kelly Pehrson	Date:	07/09/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule number:	R58-15	Filing ID: 57155
Effective date:	07/07/2025	

Agency Information

1. Title catchline:	Agriculture and Food, Animal Industry	
Building:	Taylorsville State Office Building, South bldg., Floor 2	
Street address:	4315 S. 2700 W.	
City, state:	Taylorsville, UT	
Mailing address:	PO Box 146500	
City, state and zip:	Salt Lake City, UT 84114-6500	
Contact persons:		
Name:	Phone:	Email:
Amber Brown	385-245-5222	Ambermbrown@utah.gov
Camille Knudson	801-597-6010	Camillek@utah.gov
Leann Hunting	801-982-2200	Leannhunting@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:	
R58-15. Agriculture and Wildlife Damage Prevention	
3. Statutory provisions that authorize or require this rule and an explanation of those particular statutory provisions:	
Subsection 4-2-103(1)(i)	Gives general rulemaking authority to administer the agricultural laws.
Subsection 4-23-105(1)	Gives rulemaking authority to adopt rules to implement the agricultural and wildlife damage prevention policy which shall be administered by the department.
Section 4-23-107	Rulemaking is implied and this rule addresses the process for the fee that is collected under Chapter 23.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:	
The Department of Agriculture and Food (department) has not received any public comments since the last five-year review of this rule.	

5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:

The department would like this rule to continue because it provides information for the guidelines on the procedures and timelines for collecting the agriculture and wildlife damage prevention fees. The department uses the collected funds to implement the damage prevention policy throughout the state to protect agricultural producers' livestock from predatory animals.

Agency Authorization Information

Agency head or designee and title:	Commissioner, Kelly Pehrson	Date:	07/07/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule number:	R251-104	Filing ID: 50352
Effective date:	07/15/2025	

Agency Information

1. Title catchline:	Corrections, Administration	
Building:	Utah Department of Corrections	
Street address:	14717 S Minuteman Dr	
City, state:	Draper, UT	
Contact persons:		
Name:	Phone:	Email:
Dan Blanchard	801-400-7797	danblanchard@utah.gov
Tyler Johnson	385-228-9883	tajohnson@utah.gov

Please address questions regarding information on this notice to the persons listed above.

General Information

2. Rule catchline:	
R251-104. Declaratory Orders	
3. Statutory provisions that authorize or require this rule and an explanation of those particular statutory provisions:	
Section 63G-3-201	The rule is required based on specific legislation.
Section 63G-4-503	This section requires state agencies to issue rules for declaratory orders.
Subsection 64-13-10	This section grants the Department of Corrections (department) general rule making authority.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:	
The department has not received any written comments regarding this rule since the last five-year review.	
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:	
This rule is required by specific legislation in Section 63G-4-503. This section requires state agencies to issue rules for declaratory orders, including additional specific provisions from the section.	

Agency Authorization Information

Agency head or designee and title:	Jared Garcia, Executive Director	Date:	05/05/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule number:	R251-709	Filing ID: 50367
Effective date:	07/15/2025	

Agency Information

1. Title catchline:	Corrections, Administration	
Building:	Utah Department of Corrections	
Street address:	14717 S Minuteman Dr	
City, state:	Draper, UT	
Contact persons:		
Name:	Phone:	Email:
Dan Blanchard	801-400-7797	danblanchard@utah.gov
Tyler Johnson	385-228-9883	tajohnson@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:	
R251-709. Transportation of Inmates	
3. Statutory provisions that authorize or require this rule and an explanation of those particular statutory provisions:	
Section 63G-3-201	The rule is required due to agency action meeting specific criteria, including criteria listed under Subsection (2).
Section 64-13-10	This section grants the Department of Corrections (department) general rule making authority.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:	
The department has not received any written comments regarding this rule since the last five-year review.	
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:	
This rule is required by agency action listed in Subsection 63G-3-201(2), specifically, the rule provides for safety and security of inmates and the public by allowing the department to set requirements on people outside of UDC (visitors, attorneys, and medical personnel) during transportation of inmates.	

Agency Authorization Information

Agency head or designee and title:	Jared Garcia, Executive Director	Date:	07/03/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule number:	R356-1	Filing ID: 56827
Effective date:	07/02/2025	

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Agency Information

1. Title catchline:	Governor, Criminal and Juvenile Justice (State Commission on)	
Building:	Utah State Capitol, Senate Building	
Street address:	350 N. State Street	
City, state:	Salt Lake City, Utah	
Mailing address:	PO Box 142330	
City, state and zip:	Salt Lake City, Utah 84114-2330	
Contact persons:		
Name:	Phone:	Email:
Angelo Perillo	801-538-1047	aperillo@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:	
R356-1. Procedures for Administering the County Correctional Facility Reimbursement Program	
3. Statutory provisions that authorize or require this rule and an explanation of those particular statutory provisions:	
Subsection 64-13e-104(5)	This statute gives the Criminal and Juvenile Justice Commission rulemaking authority to administer Section 64-13e-104, including establishing requirements and procedures for collecting data from counties for the purpose of completing the calculations.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:	
No comments have been received since the last five-year review of this rule.	
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:	
This is a process mandated by statute and is currently active.	

Agency Authorization Information

Agency head or designee and title:	Tom Ross, Executive Director	Date:	07/02/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule number:	R356-2	Filing ID: 57029
Effective date:	07/02/2025	

Agency Information

1. Title catchline:	Governor, Criminal and Juvenile Justice (State Commission on)
Building:	Senate Building (at State Capitol)
Street address:	350 North State Street
City, state:	Salt Lake City, Utah
Mailing address:	PO Box 142330
City, state and zip:	Salt Lake City, Utah 84114-2330

Contact persons:		
Name:	Phone:	Email:
Angelo Perillo	801-538-1047	aperillo@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:	
R356-2. Judicial Nominating Commissions	
3. Statutory provisions that authorize or require this rule and an explanation of those particular statutory provisions:	
Section 78A-10a-201	This statute requires the Criminal and Juvenile Justice Commission to enact rules establishing procedures for meetings of a Judicial Nominating Commission.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:	
No comments have been received since the last five-year review of this rule.	
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:	
This rule describes the procedures for meetings of the Judicial Nominating Commissions and the standards, criteria, and procedures for the judicial nominating process.	

Agency Authorization Information

Agency head or designee and title:	Tom Ross, Executive Director	Date:	07/11/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule number:	R450-4	Filing ID: 54427
Effective date:	07/15/2025	

Agency Information

1. Title catchline:	Cultural and Community Engagement, Administration	
Street address:	3760 S Highland Dr	
City, state:	Salt Lake City, UT 84106	
Contact persons:		
Name:	Phone:	Email:
Heidi Tak	801-698-5567	hjtak@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:	
R450-4. Multicultural Commission	
3. Statutory provisions that authorize or require this rule and an explanation of those particular statutory provisions:	
Section 9-21-301	Creates the Multicultural Commission (commission), establishes membership, and grants rulemaking authority.
Section 9-21-302	Sets forth the commission's duties.

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:

No comments have been received since the last five-year review of this rule.

5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:

The commission has regular duties and meetings and Rule R450-4 establishes procedures.

Agency Authorization Information

Agency head or designee and title:	Donna Law, Executive Director	Date:	07/15/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule number:	R628-15	Filing ID: 51521
Effective date:	07/07/2025	

Agency Information

1. Title catchline:	Money Management Council, Administration	
Building:	State Capitol Building	
Street address:	350 N. State Street, Ste 180	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 2315	
City, state and zip:	Salt Lake City, UT 84114-2315	
Contact persons:		
Name:	Phone:	Email:
Ann Pedroza	801-538-1883	apedroza@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:	
R628-15. Certification as an Investment Adviser	
3. Statutory provisions that authorize or require this rule and an explanation of those particular statutory provisions:	
Subsection 51-7-3(3)	This is the definition of a certified investment adviser and requires that an investment adviser be certified by the director of the Securities Division as having met the criteria of Money Management Council (council) rule.
Subsection 51-7-11.5(3)	Requires certified investment advisers meet the requirements of council rule.
Subsection 51-7-18(2)	Gives the council the authority to make rules governing certified investment advisers and provides requirements for the regulation and qualification of certified investment advisers.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:	
There have been no written comments received regarding this rule since the last five-year review.	

5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:

This rule needs to be continued to provide requirements for certification which include insurance coverage, minimum accounting standards, forum and methods for dispute resolution, and requiring investment advisers to be familiar with the Act and rules of the council to help protect and safeguard public funds as there are millions of dollars being invested by certified investment advisers on behalf of public entities in the state of Utah. The council reviewed this rule in the last meeting and agreed that the requirements for certification are needed and that the rule is up to date.

Agency Authorization Information

Agency head or designee and title:	Scott R. Burnett, Council Vice Chair	Date:	07/07/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule number:	R661-21	Filing ID: 53000
Effective date:	07/09/2025	

Agency Information

1. Title catchline:	Navajo Trust Fund, Trustee	
Building:	Blanding Government Services Building	
Street address:	151 E. 500 N.	
City, state:	Blanding, UT 84511	
Contact persons:		
Name:	Phone:	Email:
Maury Bergman	435-678-1462	mbergman@utah.gov
Tony Dayish	435-678-1468	tdayish@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:	
R661-21. Electronic Meetings	
3. Statutory provisions that authorize or require this rule and an explanation of those particular statutory provisions:	
Subsection 51-10-205(4)	The trust administrator shall make rules in accordance with Subsection (6) that establish policies and criteria for expenditures of fund money.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:	
No comments have been received since the last five-year review of this rule from interested persons.	
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:	
This rule should be continued because it allows the Utah Navajo Trust Fund to conduct board and Diné Advisory Committee meetings by electronic means.	

Agency Authorization Information

Agency head or designee and title:	Tony Dayish, Administrator	Date:	07/01/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION		
Rule number:	R661-23	Filing ID: 53001
Effective date:	07/09/2025	

Agency Information

1. Title catchline:	Navajo Trust Fund, Trustees	
Building:	Blanding Government Services Building	
Street address:	151 E. 500 N.	
City, state:	Blanding, UT 84511	
Contact persons:		
Name:	Phone:	Email:
Maury Bergman	435-678-1462	mbergman@utah.gov
Tony Dayish	435-678-1468	tdayish@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:	R661-21. Adult Education Program	
3. Statutory provisions that authorize or require this rule and an explanation of those particular statutory provisions:		
Subsection 51-10-205(4)	The trust administrator shall make rules in accordance with Subsection (6) that establish policies and criteria for expenditures of fund money.	
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:	No comments have been received since the last five-year review of this rule from interested persons.	
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:	This rule should be continued because it allows the Utah Navajo Trust Fund to provide financial assistance for eligible Utah Navajo students nearing completion of a Graduate Equivalency Degree or the General Education Development (GED).	

Agency Authorization Information

Agency head or designee and title:	Tony Dayish, Administrator	Date:	07/01/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION		
Rule number:	R747-1	Filing ID: 52739
Effective date:	07/07/2025	

Agency Information

1. Title catchline:	Public Service Commission, Utility Facility Review Board	
Building:	Heber M. Wells Building	
Street address:	160 E 300 S, 4th Floor	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 4558	
City, state and zip:	Salt Lake City, UT 84114-4558	

Contact persons:		
Name:	Phone:	Email:
Michael Hammer	801-530-6729	michaelhammer@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:	
R747-1. Utility Facility Review Board Rule	
3. Statutory provisions that authorize or require this rule and an explanation of those particular statutory provisions:	
Section 54-14-104	This section authorizes the Utility Facility Review Board (board) to adopt rules governing proceedings before the board.
Subsection 52-4-207(2)	This section precludes a public body from holding an electronic meeting unless the public body has adopted a rule governing the use of electronic meetings.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:	
No comments have been received since the last five-year review of this rule.	
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:	
The Utility Facility Review Board Act created the board for the purpose of resolving certain disputes between local governments and public utilities. Section 54-14-101, et seq. a public body may not hold electronic meetings unless it has adopted a rule governing the use of such meetings. Subsection 52-4-207(2). members of the board may not be centrally located, and allowing electronic meetings where appropriate allows the board to act promptly and operate in a more efficient manner. This rule is, therefore, necessary to allow the board to conduct electronic meetings where necessary or appropriate.	

Agency Authorization Information

Agency head or designee and title:	Jerry D. Fenn, PSC Chair	Date:	07/07/2025
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NOTICE OF FIVE-YEAR REVIEW AND STATEMENT OF CONTINUATION

Rule number:	R940-6	Filing ID: 56222
Effective date:	07/10/2025	

Agency Information

1. Title catchline:	Transportation Commission, Administration	
Building:	Calvin Rampton	
Street address:	4501 S. 2700 W.	
City, state:	Taylorsville, UT	
Mailing address:	P.O. Box 148455	
City, state and zip:	Salt Lake City, Utah 84114-8455	
Contact persons:		
Name:	Phone:	Email:
Leif Elder	801-580-8296	lelder@utah.gov
Marlene Galindo	801-965-4026	mgalindo1@utah.gov
James Godin	801-573-7181	jamesjgodin@agutah.gov

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Lori Edwards	385-341-3414	loriedwards@agutah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:	
R940-6. Prioritization of New Transportation Capacity Projects	
3. Statutory provisions that authorize or require this rule and an explanation of those particular statutory provisions:	
Section 72-1-304	This section requires the Transportation Commission to develop a written prioritization process for new transportation capacity projects.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:	
No comments have been received since the last five-year review of this rule.	
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:	
The statute still requires the Transportation Commission to have a prioritization process, in writing, for new transportation capacity projects.	

Agency Authorization Information

Agency head or designee and title:	Carlos M. Bracerias, P.E., Executive Director, UDOT	Date:	07/10/2025
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End of the Five-Year Notices of Review and Statements of Continuation Section

NOTICES OF FIVE-YEAR REVIEW EXTENSIONS

Rulewriting agencies are required by law to review each of their administrative rules within five years of the date of the rule's original enactment or the date of last review (Section 63G-3-305). If the agency finds that it will not meet the deadline for review of the rule (the five-year anniversary date), it may file a **NOTICE OF FIVE-YEAR REVIEW EXTENSION (EXTENSION)** with the Office of Administrative Rules. The **EXTENSION** permits the agency to file the review up to 120 days beyond the anniversary date.

Agencies have filed **EXTENSIONS** for the rules listed below. The "Extended Due Date" is 120 days after the anniversary date.

EXTENSIONS are governed by Subsection 63G-3-305(6).

NOTICE OF FIVE-YEAR REVIEW EXTENSION		
Rule number:	R251-102	Filing ID: 50344
New deadline date:	11/17/2025	

Agency Information

1. Title catchline:	Corrections, Administration	
Building:	Administration Building	
Street address:	14717 S. Minuteman Dr.	
City, state:	Draper, UT	
Contact persons:		
Name:	Phone:	Email:
Dan Blanchard	801-400-7797	danblanchard@utah.gov
Tyler Johnson	385-228-9883	tajohnson@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R251-102. Release of Communicable Disease Information
3. Reason for requesting the extension:
This rule should be enacted under the Department of Health and Human Services (DHHS). Medical care for inmates in Utah Department of Corrections custody transferred to DHHS effective July 1, 2022. The extension will provide additional time for DHHS to propose a new rule.

Agency Authorization Information

Agency head or designee and title:	Jared Garcia, Executive Director	Date:	06/30/2025
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NOTICE OF FIVE-YEAR REVIEW EXTENSION		
Rule number:	R251-110	Filing ID: 50351
New deadline date:	12/15/2025	

NOTICES OF FIVE-YEAR REVIEW EXTENSIONS

Agency Information

1. Title catchline:	Corrections, Administration	
Building:	Administration Building	
Street address:	14717 S. Minuteman Dr.	
City, state:	Draper, UT	
Contact persons:		
Name:	Phone:	Email:
Dan Blanchard	801-400-7797	danblanchard@utah.gov
Tyler Johnson	385-228-9883	tajohnson@utah.gov
Please address questions regarding information on this notice to the persons listed above.		

General Information

2. Rule catchline:
R251-110. Sex and Kidnap Offender Registration Program
3. Reason for requesting the extension:
This rule should be established under the Department of Public Safety (DPS), Bureau of Criminal Information. Statutory administration of the registry program was moved to DPS effective July 1, 2024. The Department of Corrections requests an extension to provide more time to review with DPS and enact a new rule.

Agency Authorization Information

Agency head or designee and title:	Jared Garcia, Executive Director	Date:	06/30/2025
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End of the Notices of Five-Year Review Extensions Section

NOTICES OF FIVE-YEAR EXPIRATIONS

Rulewriting agencies are required by law to review each of their administrative rules within five years of the date of the rule's original enactment or the date of last review (Section 63G-3-305). The Office of Administrative Rules (Office) is required to notify agencies of rules due for review at least 180 days prior to the anniversary date. If the agency finds that it will not meet the deadline for review of the rule (the five-year anniversary date), it may file a **NOTICE OF FIVE-YEAR EXTENSION (EXTENSION)** with the Office. However, if the agency fails to file either the **FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION** or the **EXTENSION** by the date provide by the Office, the rule expires.

Upon expiration of the rule, the Office files a **NOTICE OF FIVE-YEAR EXPIRATION (EXPIRATION)** to document the action. The Office is required to remove the rule from the *Utah Administrative Code*. The agency may no longer enforce the rule and it must follow regular rulemaking procedures to replace the rule if it is still needed.

The Office has filed **EXPIRATIONS** for each of the rules listed below which were not reviewed in accordance with Section 63G-3-305. These rules have expired and have been removed from the *Utah Administrative Code*.

The expiration of administrative rules for failure to comply with the five-year review requirement is governed by Subsection 63G-3-305(8).

NOTICE OF EXPIRED RULE		
Rule Number:	R156-60d	Filing ID: 56217
Effective Date:	07/15/2025	

Agency Information

1. Title catchline:	Commerce, Professional Licensing	
Building:	Heber M. Wells Building	
Street address:	160 E 300 S.	
City, state:	Salt Lake City, UT 84111	
Mailing address:	PO Box 146741	
City, state and zip:	Salt Lake City, UT 84111	
Contact person(s):		
Name:	Phone:	Email:
Nancy L. Lancaster	801-657-1644	rulesonline@utah.gov

General Information

2. Title of rule (catchline):
R156-60d. Substance Use Disorder Counselor Act Rule
3. Summary:
Rule R156-60d expired because a five-year review was not submitted before expiration. The agency plans to submit an emergency rule to be in effect until a permanent rule is put in place.

End of the Notices of Notices of Five-Year Expirations Section

NOTICES OF RULE EFFECTIVE DATES

State law provides for agencies to make their administrative rules effective and enforceable after publication in the *Utah State Bulletin*. In the case of **PROPOSED RULES** or **CHANGES IN PROPOSED RULES** with a designated comment period, the law permits an agency to make a rule effective no fewer than seven calendar days after the close of the public comment period, nor more than 120 days after the publication date. In the case of **CHANGES IN PROPOSED RULES** with no designated comment period, the law permits an agency to make a rule effective on any date including or after the thirtieth day after the rule's publication date, but not more than 120 days after the publication date. If an agency fails to file a **NOTICE OF EFFECTIVE DATE** within 120 days from the publication of a **PROPOSED RULE** or a related **CHANGE IN PROPOSED RULE** the rule lapses.

Agencies have notified the Office of Administrative Rules that the rules listed below have been made effective.

NOTICES OF EFFECTIVE DATE are governed by Subsection 63G-3-301(12), Section 63G-3-303, and Sections R15-4-5a and R15-4-5b.

Agriculture and Food

Conservation Commission

No. 57165 (Repeal) R64-3: Utah Environmental Stewardship Certification Program (UESCP), a.k.a. Agriculture Certificate of Environmental Stewardship (ACES)

Published: 6/1/2025

Effective: 7/8/2025

Specialized Products

No. 57193 (Repeal) R66-32: Industrial Hemp Testing Laboratory

Published: 6/15/2025

Effective: 7/25/2025

No. 57227 (Repeal) R66-37: Industrial Hemp Research

Published: 6/15/2025

Effective: 7/25/2025

Regulatory Services

No. 57167 (Amendment) R70-910: Weights and Measures Requirements

Published: 6/1/2025

Effective: 7/8/2025

Auditor

Administration

No. 57130 (Amendment) R123-7: Required Governmental Entities' Posting of Financial Information to Transparent Utah, formerly known as the Utah Public Finance Website

Published: 6/1/2025

Effective: 7/9/2025

Commerce

Professional Licensing

No. 57115 (Amendment) R156-9: Funeral Service Licensing Act Rule

Published: 5/15/2025

Effective: 7/23/2025

No. 57192 (Amendment) R156-40: Recreational Therapy Practice Act Rule

Published: 6/15/2025

Effective: 7/22/2025

No. 57161 (Amendment) R156-64: Deception Detection Examiners Licensing Act Rule
Published: 6/1/2025
Effective: 7/8/2025

Crime Victim Reparations

Administration

No. 57077 (Repeal) R270-5: Electronic Meetings
Published: 4/1/2025
Effective: 7/14/2025

No. 57078 (Repeal) R270-6: Recusal of a Board Member for a Conflict of Interest
Published: 4/1/2025
Effective: 7/14/2025

Education

Administration

No. 57179 (Amendment) R277-113: LEA Fiscal and Auditing Policies
Published: 6/1/2025
Effective: 7/8/2025

No. 57180 (Amendment) R277-331: Stipends for Future Educators
Published: 6/1/2025
Effective: 7/8/2025

No. 57181 (Amendment) R277-407: School Fees
Published: 6/1/2025
Effective: 7/8/2025

No. 57182 (Amendment) R277-474: School Instruction and Sex Education
Published: 6/1/2025
Effective: 7/8/2025

No. 57183 (Amendment) R277-487: Public School Data Confidentiality and Disclosure
Published: 6/1/2025
Effective: 7/8/2025

No. 57184 (Amendment) R277-497: School Accountability System
Published: 6/1/2025
Effective: 7/8/2025

No. 57185 (Repeal) R277-725: Statewide Online Education Program Contractor Requirements
Published: 6/1/2025
Effective: 7/8/2025

No. 57186 (Amendment) R277-920: School Improvement and Leadership Development
Published: 6/1/2025
Effective: 7/8/2025

Environmental Quality

Air Quality

No. 57035 (Amendment) R307-110: Section IX, Control Measures for Area and Point Sources, Part H, Emission Limits
Published: 3/1/2025
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No. 57035 (Amendment-CPR) R307-110: Section IX, Control Measures for Area and Point Sources, Part H, Emission Limits
Published: 6/1/2025
Effective: 7/2/2025

NOTICES OF RULE EFFECTIVE DATES

Government Operations

Finance

No. 57094 (Amendment) R25-7: Travel-Related Reimbursements for State Travelers

Published: 5/1/2025

Effective: 7/22/2025

No. 57168 (Repeal) R25-21: Medical Cannabis Payment Provider Standards

Published: 6/1/2025

Effective: 7/22/2025

No. 57169 (Repeal) R25-22: Financial Institution Validation for Access to Medical Cannabis Inventory Control System

Published: 6/1/2025

Effective: 7/22/2025

Human Resource Management

No. 57138 (Amendment) R477-1: Definitions

Published: 5/15/2025

Effective: 7/1/2025

No. 57139 (Amendment) R477-2: Administration

Published: 5/15/2025

Effective: 7/1/2025

No. 57140 (Amendment) R477-3: Classification

Published: 5/15/2025

Effective: 7/1/2025

No. 57141 (Amendment) R477-4: Filling Positions

Published: 5/15/2025

Effective: 7/1/2025

No. 57142 (Amendment) R477-5: Employee Status and Probation

Published: 5/15/2025

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No. 57143 (Amendment) R477-6: Compensation

Published: 5/15/2025

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No. 57144 (Amendment) R477-7: Leave

Published: 5/15/2025

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No. 57205 (Amendment) R477-8: Working Conditions

Published: 6/15/2025

Effective: 7/22/2025

No. 57145 (Amendment) R477-10: Employee Development

Published: 5/15/2025

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No. 57146 (Amendment) R477-15: Workplace Harassment Prevention

Published: 5/15/2025

Effective: 7/1/2025

Health and Human Services

Administration

No. 57118 (Repeal) R380-808: Fatality Review Act

Published: 5/15/2025

Effective: 7/2/2025

Integrated Healthcare

No. 57119 (Repeal) R414-1C: Coronavirus Public Health Emergency Period

Published: 5/15/2025

Effective: 7/2/2025

No. 57149 (Repeal) R414-200: Non-Traditional Medicaid Health Plan Services

Published: 5/15/2025

Effective: 7/2/2025

No. 57150 (Amendment) R414-312: Public Health Emergency Provisions

Published: 5/15/2025

Effective: 7/2/2025

No. 57152 (Amendment) R414-504: Principles of Facility Case Mix Rates and Other Payments

Published: 5/15/2025

Effective: 7/2/2025

No. 57153 (Amendment) R414-516: Nursing Facility Non-State Government-Owned Upper Payment Limit Quality Improvement Program

Published: 5/15/2025

Effective: 7/2/2025

Population Health, Primary Care and Rural Health

No. 56998 (Amendment) R434-40: Utah Health Care Workforce Financial Assistance Program

Published: 1/15/2025

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No. 56998 (Amendment-CPR) R434-40: Utah Health Care Workforce Financial Assistance Program

Published: 5/15/2025

Effective: 7/1/2025

Data, Systems and Evaluation, Vital Records and Statistics

No. 57148 (Amendment) R436-3: Amendments and Corrections to Vital Records

Published: 5/15/2025

Effective: 7/1/2025

Human Services Program Licensing

No. 57159 (Amendment) R501-12: Foster Care Services

Published: 5/15/2025

Effective: 7/18/2025

No. 57120 (Amendment) R501-14: Human Service Program Background Screening

Published: 5/15/2025

Effective: 7/2/2025

Services for People with Disabilities

No. 57151 (Repeal) R539-11: Strategy Report Advisory Committee

Published: 5/15/2025

Effective: 7/2/2025

No. 57117 (New Rule) R539-13: Division Definitions

Published: 5/15/2025

Effective: 7/18/2025

Juvenile Justice and Youth Services

No. 57154 (Amendment) R547-11: Guidelines for the Transfer to the Department of Corrections of a Minor Provisionally Housed in a Juvenile Justice Services Secure Care Facility

Published: 5/15/2025

Effective: 7/1/2025

NOTICES OF RULE EFFECTIVE DATES

Higher Education (Utah Board of)

Administration

No. 57195 (Amendment) R765-119: Utah Board of Higher Education Qualifications

Published: 6/15/2025

Effective: 7/24/2025

No. 57157 (Repeal and Reenact) R765-609: Regents' Scholarship

Published: 5/15/2025

Effective: 7/21/2025

No. 57163 (Repeal) R765-613: Public Safety Officer Career Advancement Reimbursement Program

Published: 6/1/2025

Effective: 7/24/2025

Natural Resources

Wildlife Resources

No. 57171 (Amendment) R657-5: Taking Big Game

Published: 6/1/2025

Effective: 7/8/2025

No. 57172 (Amendment) R657-43: Landowner Permits

Published: 6/1/2025

Effective: 7/8/2025

No. 57174 (New Rule) R657-55a: Wildlife Expo Permits

Published: 6/1/2025

Effective: 7/8/2025

Public Safety

Driver License

No. 57173 (Amendment) R708-41: Requirements for Acceptable Documentation, Storage, and Maintenance

Published: 6/1/2025

Effective: 7/8/2025

Transportation Commission

Administration

No. 57226 (New Rule) R940-12: County of the First Class Infrastructure Bank Fund

Published: 6/15/2025

Effective: 7/22/2025

End of the Notices of Rule Effective Dates Section