

Amendment to

**Utah County Health Department
Health Regulations**

REGULATION 16-02

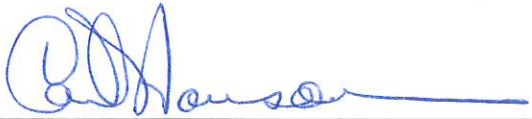
Household Hazardous Waste

Adopted by the Utah County Board of Health
May 23, 2016

Amended by the Utah County Board of Health
May 19, 2025

Under Authority of Utah Code 26A-1-121

By 
Eric Edwards, Director, Utah County Health Department

By 
Carl Hanson, Chair, Utah County Board of Health

Utah County Health Department
Health Regulation 16-02
Regulation for Household Hazardous Waste

This regulation establishes a permit for the collection, transfer, disposal or other handling of solid waste in Utah County. The fee established by this regulation shall be known as the **Utah County Waste Management Fee**. This fee shall be in addition to any other fee required by law or regulation.

1.0 - Authorization

This regulation and the fee established thereby is authorized by Utah Code § 26A-1-114(1); Utah Code § 26A-1-108; Utah Code § 19-6-503; and Utah County Code 9.04.

1.1 - Administration

The Utah County Health Department (UCHD) is hereby designated as the agency to enforce and administer this article.

1.2 - Applicability of Regulation

This regulation shall be applicable within all of the incorporated and unincorporated areas of Utah County.

2.0 – Purpose

The purpose of this rule is to establish a permit and oversight of the collection, transfer, disposal or other handling of solid waste in Utah County.

3.0 - Definition of terms

3.1 - Collector

"Collector" means any person who engages in the business of collection of solid waste generated at or from any property, whether commercial or residential, located in the incorporated or unincorporated area of Utah County. "Collector" shall include only persons under contract with, or acting pursuant to a franchise issued by, or owned by the County or any city located within Utah County. "Collector" shall include any owner or person in the control of such collector.

3.2 - Conditionally Exempt Small Quantity Generators.

Conditionally Exempt Small Quantity Generators - (CESQGs) are defined as those generators who generate less than 100 kg/month (220 lbs) of all hazardous wastes, or less than 1 kg/month (2.2 lbs) of acutely hazardous waste (or less than 100 kg (220 lbs) of spill residue from an acutely hazardous waste), and who never accumulates more than 1000 kg (2200 lbs) of hazardous waste at any time. Management of CESQG waste is regulated under 40 CFR Part 261.5.

3.3 - Construction and Demolition Waste

Construction and demolition (C&D) waste refers to materials produced in the process of construction, renovation and/or demolition of structures, where structures include debris typically includes concrete, asphalt, wood, gypsum wallboard, paper, glass, rubble, and roofing materials. Land clearing debris, such as stumps, rocks, and dirt are also included.

3.4 - Green waste

"Green Waste" means all solid waste that constitutes vegetative or organic discards such as, without limitation, grass clippings, leaves, twigs, weeds, brush, bushes, shrub and tree pruning's, Christmas trees and garden trimmings and that has been separated for recycling from other solid waste and recyclables by the generator prior to collection or by a collector prior to delivery to any other person. "Green waste" does not include food scraps or refuse.

3.5 - Household Hazardous Waste

Leftover or unwanted household products that contain corrosive, toxic, ignitable, or reactive ingredients are considered to be household hazardous waste (HHW). These wastes are typically in the form of useable yet neglected products that are in relatively small volumes (generally 5 gallons or less) and were marketed to the retail consumer. Intended for household use, these products can nonetheless be ignitable, corrosive, reactive, or toxic. Some examples of such wastes are: paints, stains, dyes, thinners, solvents, strippers, polishes, disinfectants, adhesives, herbicides, insecticides, fertilizers and automotive oil/antifreeze/additives/cleaners. Other products may include gasoline, batteries, electronic waste, and mercury containing items, as specified by agreement.

3.6 - In-County waste

"In-County Waste" means all solid waste, including green waste and recyclables that are generated at or from any property located in the incorporated and unincorporated areas of Utah County.

3.7 - Municipal Solid Waste

(MSW)—more commonly known as trash or garbage—consists of everyday items we use and then throw away, such as product packaging, paint, batteries, mixed waste, furniture, clothing, bottles, food scraps, newspapers, appliances, etc. Municipal Solid Waste does not include any waste that has been approved for use by the DEQ and is actually used as daily cover.

3.8 - Out-of-County waste

"Out-of-County Waste" means any solid waste, including green waste and recyclables that are generated at or from any property located outside of Utah County.

3.9 Records

"Records" means accounting and such other data required to be maintained by this article or by the County for the evaluation of compliance with this regulation.

3.10 - Recyclables

"Recyclables" means solid waste that is identified for recycling except green waste and that is separated from other solid waste and green waste by the generator prior to collection or by a collector prior to delivery to any other person, whether or not such recyclables are commingled with one another.

3.11 - Residual waste

"Residual Waste" means all solid waste that remains for disposal following the processing of solid waste by a transfer and processing station or following similar processing by a solid waste disposal facility.

3.12 - Self-hauler

"Self-hauler" means any person who is not a collector and who delivers to a solid waste disposal facility or a transfer and processing station any solid waste generated at or from any property, whether commercial or residential, located in the incorporated or unincorporated area of Utah County.

3.13 - Solid Waste Disposal Facility

"Solid Waste Disposal Facility" means any facility or site located in the incorporated or unincorporated areas of Utah County where the disposal of solid waste occurs. "Solid Waste Disposal Facility" shall include any owner or person in the control of such facility or site. Each facility must be operated by way of the permitting process and standards prescribed by the Utah Department of Environmental Quality.

3.14 - Transfer and Processing station

"Transfer and Processing Station" means any facility located in the incorporated or unincorporated areas of Utah County that is utilized to receive solid waste, temporarily store, separate, convert, or otherwise process materials in the solid waste or to transfer the solid waste directly from smaller to larger vehicles for transport, and those facilities utilized for transformation. "Transfer and Processing Station" shall include any owner or person in the control of such facility. "Transfer and Processing Station" shall not encompass operations related to composting, chipping or grinding of green waste.

4.0 - Utah County Waste Management Permit Requirements

4.1 – Permit Required

Any individual, business or organization operating a municipal solid waste Transfer and Processing Station or Solid Waste Disposal Facility within the boundaries of Utah County for a fee must be permitted according to the requirements of state law.

4.2 – Fee Collection

(a) In addition to the application or renewal fee, permit holders will be assessed a fee as described more particularly in the Utah County Health Department Fee Schedule. Each permitted Transfer and Processing Station shall pay such fee for each ton of in-county or out-of-county

municipal solid waste that is received. The payment of this fee shall comply with Section 5 of this regulation.

5.0 – Fee payment and collection

5.1 - Payment schedule

Each permitted individual, business or organization shall pay to the Utah County Health Department all fees as required by this regulation quarterly. Payment for each quarter shall be due on or before thirty (30) days after the end of such quarter or on April 30, July 30, October 30 and January 30 for each quarter respectively.

5.2 - Reporting

Each permitted individual, business or organization shall prepare a written report and shall deliver it to the Utah County Health Department at the same time payment is due. The Utah County Health Department may designate the format of such reports. Each such report shall include a statement of the total tonnage of solid waste permitted to be collected, received, disposed of, or otherwise handled during the applicable quarter. In each report, each permitted individual, business or organization shall also identify by name and date all records that it relied upon to prepare the quarterly report, including without limitation all records it contends, upon audit, would verify its quarterly report and each statement of tonnage provided therein. Documentation requested on form designated by the Utah County Health Department shall be provided with the report. Each report shall be verified by declaration under penalty of perjury or by oath of a person who is the owner, manager or person in the control of the permitted individual, business or organization.

5.3 - Retention of and standards for records

Each permitted individual, business or organization shall retain for a period of at least five years after each quarterly report to which they pertain all of the records that it identified or should have identified as a basis for such quarterly report and any other records, either financial or otherwise, that are necessary to conduct a thorough audit thereof. All records of data for solid waste tonnage shall be maintained in accordance with data information standards, if any, established by the Utah County Health Department.

5.4 - Inspection and audit of records

Upon seven (7) days notice to and during normal hours of operation of any permitted individual, business or organization, the Utah County may inspect and audit the records that were identified or were required to have been identified in its quarterly report or that are required to be maintained in accordance with this regulation.

5.5 – Exemption from tonnage fee payments

A permitted individual, business or organization that can demonstrate that the solid waste collected, received, disposed of, or otherwise handled pursuant to a permit described in Section(s) 4.1 or 4.2 of this Regulation has been previously assessed a tonnage fee for the collection, reception, disposal, or other handling of solid waste pursuant to this Regulation may be exempt from tonnage based fee payments as described in this Regulation.

5.6 – Use of generated revenue

All revenue generated by this regulation shall be deposited into a Hazardous Waste Fund, maintained by Utah County, unless otherwise specified by an agreement between Utah County and the municipal solid waste Transfer and Processing Station or Solid Waste Disposal Facility. Hazardous Waste Funds shall only be used to fund: (1) the enforcement of this regulation; (2) household hazardous waste collection events or household hazardous waste collection facilities; (3) the reimbursement of household hazardous waste costs as described in 6.0 (b) of this regulation; (4) the creation of or operation costs related to a Utah County Environmental Crimes Task Force; or, (5) Utah County Environmental Health Solid and Hazardous Waste Management, including staff, equipment, training, and administrative costs.

6.0 - Storage and Disposal of Household Hazardous Waste

(a) All household hazardous waste collected by private or public collectors shall be stored and or disposed of in an approved storage/disposal area which area is separate from mainstream waste loads at Utah Division of Environmental Quality (UDEQ) approved facilities. All disposal, storage or recycling must occur under approved guidelines and standards which meet US EPA and Utah Division of Environmental Quality (UDEQ) standards and rules.

(b) A solid waste disposal facility may contract with the Utah County Health Department (UCHD) to collect, recycle and properly dispose of household hazardous wastes. To be eligible to contract with the Utah County Health Department (UCHD), the solid waste disposal facility must meet the requirements of 6.0 (a) and have sufficient space to collect the wastes. The facility shall also demonstrate that it has contracts in place for recycling or disposal of household hazardous wastes. Household hazardous wastes shall be collected by the solid waste disposal facility at no cost to the homeowner. Solid waste facilities shall report to the Utah County Health Department (UCHD) regarding the collection, recycling, disposal and associated costs of the household hazardous waste operation on approved forms.

Only those solid waste disposal facilities with a valid written household hazardous waste disposal agreement with Utah County can qualify for offsetting of collection, recycling, disposal or associated costs. The amounts, methods, and requirements regarding offsetting shall be more particularly described in that written agreement.

7.0 - Effective Date

The effective date for this regulation shall May 26, 2025.