

19-6-819 Powers and duties of the board.

- (1) The board shall make rules under Title 63G, Chapter 3, Utah Administrative Rulemaking Act, as necessary to administer this part. For these purposes the board shall establish by rule:
- (a) conditions and procedures for acting to issue or revoke a registration as a waste tire recycler or transporter under Section 19-6-806;
 - (b) the amount of liability insurance or other financial responsibility the applicant is required to have to qualify for registration under Section 19-6-806, which amount may not be more than \$300,000 for any liability the waste tire transporter or recycler may incur in recycling or transporting waste tires;
 - (c) the form and amount of financial assurance required for a site or facility used to store waste tires, which amount shall be sufficient to ensure the cleanup or removal of waste tires from that site or facility;
 - (d) standards and required documentation for tracking and record keeping of waste tires subject to regulation under this part, including:
 - (i) manifests for handling and transferring waste tires;
 - (ii) records documenting date, quantities, and size or type of waste tires transported, processed, transferred, or sold;
 - (iii) records documenting persons between whom transactions under this Subsection (1)(d) occurred and the amounts of waste tires involved in those transactions; and
 - (iv) requiring that documentation under this Subsection (1)(d) be submitted on a quarterly basis, and that this documentation be made available for public inspection;
 - (e) authorize inspections and audits of waste tire recycling, transportation, or storage facilities and operations subject to this part;
 - (f) standards for payments authorized under Sections 19-6-809, 19-6-810, 19-6-811, and 19-6-812;
 - (g) regarding applications to the director for reimbursements under Section 19-6-811, the content of the reimbursement application form and the procedure to apply for reimbursement;
 - (h) requirements for the storage of waste tires, including permits for storage;
 - (i) the types of energy recovery or other appropriate environmentally compatible uses eligible for reimbursement, which:
 - (i) shall include pyrolyzation, but not retreading; and
 - (ii) shall apply to all waste tire recycling and beneficial use reimbursements within the state;
 - (j) the applications of waste tires that are not eligible for reimbursement;
 - (k) the applications of waste tires that are considered to be the storage or disposal of waste tires; and
 - (l) provisions governing the storage or disposal of waste tires, including the process for issuing permits for waste tire storage sites.
- (2) The board may:
- (a) require retention and submission of the records required under this part;
 - (b) require audits of the records and record keeping procedures required under this part and rules made under this part, except that audits of records regarding the fee imposed and collected by the commission under Sections 19-6-805 and 19-6-808 are the responsibility of the commission; and
 - (c) as necessary, make rules requiring additional information as the board determines necessary to effectively administer Section 19-6-812, which rules may not place an undue burden on the operation of landfills.

Amended by Chapter 360, 2012 General Session

