

## Part 5 Solid Waste Management Act

### 19-6-501 Short title.

This part is known as the "Solid Waste Management Act."

Renumbered and Amended by Chapter 112, 1991 General Session

### 19-6-502 Definitions.

As used in this part:

- (1)
  - (a) "Advanced recycling" means a manufacturing process that converts post-use polymers or recovered feedstock into basic raw materials, chemicals, or advanced recycling products using technology including:
    - (i) pyrolysis;
    - (ii) gasification;
    - (iii) depolymerization;
    - (iv) catalytic cracking;
    - (v) reforming;
    - (vi) hydrogenation;
    - (vii) solvolysis; or
    - (viii) chemolysis.
  - (b) "Advanced recycling" does not include incineration of plastics, energy recovery processes, or a product sold as fuel.
- (2) "Advanced recycling facility" means a manufacturing facility:
  - (a) that is registered with the Division of Waste Management and Radiation Control, created in Subsection 19-1-105(1)(d);
  - (b) that receives, stores, and converts post-use polymers or recovered feedstock using advanced recycling;
  - (c) that is subject to applicable Department of Environmental Quality manufacturing regulations for air, water, waste, and land use; and
  - (d) for which the feedstock received by the manufacturing facility is source-separated, diverted, or recovered from municipal or other waste streams prior to acceptance at the facility.
- (3) "Advanced recycling product" means a recycled product produced at an advanced recycling facility, including:
  - (a) a monomer;
  - (b) an oligomer;
  - (c) a plastic;
  - (d) a chemical feedstock;
  - (e) a basic and unfinished chemical;
  - (f) a wax;
  - (g) a lubricant;
  - (h) a coating; or
  - (i) an adhesive.
- (4) "Depolymerization" means a manufacturing process that breaks post-use polymers into smaller molecules to produce raw materials or products.
- (5) "Gasification" means a manufacturing process that:

- (a) heats post-use polymers or recovered feedstock in an oxygen-controlled atmosphere; and
  - (b) following the process described in Subsection (5)(a), converts the polymers or recovered feedstock into syngas or a raw, intermediate, or final product.
- (6) "Governing body" means the governing board, commission, or council of a public entity.
- (7) "Jurisdiction" means the area within the incorporated limits of:
- (a) a municipality;
  - (b) a special service district;
  - (c) a municipal-type service district;
  - (d) a service area; or
  - (e) the territorial area of a county not lying within a municipality.
- (8) "Long-term agreement" means an agreement or contract having a term of more than five years but less than 50 years.
- (9) "Mass balance attribution" means a chain of custody accounting methodology with rules defined by a third-party certification system that enables the attribution of the mass of advanced recycling feedstock to at least one advanced recycling product.
- (10) "Municipal residential waste" means solid waste that is:
- (a) discarded or rejected at a residence within the public entity's jurisdiction; and
  - (b) collected at or near the residence by:
    - (i) a public entity; or
    - (ii) a person with whom the public entity has as an agreement to provide solid waste management.
- (11) "Post-use polymer" means a plastic that:
- (a) is derived from an industrial, commercial, agricultural, or domestic activity;
  - (b) includes pre-consumer materials and post-consumer materials;
  - (c) has been sorted from solid waste and other regulated waste but may contain residual amounts of waste including organic material and incidental contaminants or impurities;
  - (d) is not mixed with solid waste or hazardous waste during processing at the advanced recycling facility;
  - (e) is used as a feedstock for the manufacturing of raw materials, intermediate products, or final products using advanced recycling; and
  - (f) is held for processing or processed at the advanced recycling facility.
- (12) "Product sold as fuel" does not mean a recycled product.
- (13) "Public entity" means:
- (a) a county;
  - (b) a municipality;
  - (c) a special service district under Title 17D, Chapter 1, Special Service District Act;
  - (d) a service area under Title 17B, Chapter 2a, Part 9, Service Area Act; or
  - (e) a municipal-type service district created under Title 17, Chapter 34, Municipal-Type Services to Unincorporated Areas.
- (14) "Pyrolysis" means a manufacturing process that:
- (a) heats post-use polymers or recovered feedstock, without oxygen, until melted and thermally decomposed; and
  - (b) following the process described in Subsection (14)(a), cools, condenses, and converts post-use polymers or recovered feedstock into raw materials and intermediate and final products.
- (15)
- (a) "Recovered feedstock" means a material:
    - (i) that includes post-use polymers;

- (ii) for which the United States Environmental Protection Agency made a non-waste determination or has otherwise determined is feedstock and solid waste; or
- (iii) that is converted using an advanced recycling process after storage of less than 270 days.
- (b) "Recovered feedstock" does not include unprocessed municipal solid waste or recovered feedstock that is not mixed with solid waste or hazardous waste onsite, or during processing, at an advanced recycling facility.
- (16) "Recycled plastic" means a product produced from:
  - (a) mechanical recycling of pre-consumer feedstock or plastic, or post-consumer plastic;
  - (b) the advanced recycling of pre-consumer feedstock or plastic, or post-consumer plastic, using mass balance attribution under a third-party certification system; or
  - (c) a recycled material, as that term is defined in Section 4-10-102.
- (17) "Requirement" means an ordinance, policy, rule, mandate, or other directive that imposes a legal duty on a person.
- (18) "Residence" means an improvement to real property used or occupied as a primary or secondary detached single-family dwelling.
- (19) "Resource recovery" means the separation, extraction, recycling, or recovery of usable material, energy, fuel, or heat from solid waste and the disposition of it.
- (20) "Short-term agreement" means a contract or agreement having a term of five years or less.
- (21)
  - (a) "Solid waste" means a putrescible or nonputrescible material or substance discarded or rejected as being spent, useless, worthless, or in excess of the owner's needs at the time of discard or rejection, including:
    - (i) garbage;
    - (ii) refuse;
    - (iii) industrial and commercial waste;
    - (iv) sludge from an air or water control facility;
    - (v) rubbish;
    - (vi) ash;
    - (vii) contained gaseous material;
    - (viii) incinerator residue;
    - (ix) demolition and construction debris;
    - (x) a discarded automobile; and
    - (xi) offal.
  - (b) "Solid waste" does not include:
    - (i) sewage or another highly diluted water carried material or substance and those in gaseous form; or
    - (ii) post-use polymers or recovered feedstock that are converted or held at an advanced recycling facility.
- (22)
  - (a) "Solid waste management" means the purposeful and systematic collection, transportation, storage, processing, recovery, or disposal of solid waste.
  - (b) "Solid waste management" does not include advanced recycling.
- (23)
  - (a) "Solid waste management facility" means a facility employed for solid waste management, including:
    - (i) a transfer station;
    - (ii) a transport system;
    - (iii) a baling facility;

- (iv) a landfill; and
  - (v) a processing system, including:
    - (A) a resource recovery facility;
    - (B) a facility for reducing solid waste volume;
    - (C) a plant or facility for compacting, or composting, of solid waste;
    - (D) an incinerator;
    - (E) a solid waste disposal, reduction, pyrolyzation, or conversion facility;
    - (F) a facility for resource recovery of energy consisting of:
      - (I) a facility for the production, transmission, distribution, and sale of heat and steam;
      - (II) a facility for the generation and sale of electric energy to a public utility, municipality, or other public entity that owns and operates an electric power system on March 15, 1982; and
      - (III) a facility for the generation, sale, and transmission of electric energy on an emergency basis only to a military installation of the United States; and
    - (G) an auxiliary energy facility that is connected to a facility for resource recovery of energy as described in Subsection (23)(a)(v)(F), that:
      - (I) is fueled by natural gas, landfill gas, or both;
      - (II) consists of a facility for the production, transmission, distribution, and sale of supplemental heat and steam to meet all or a portion of the heat and steam requirements of a military installation of the United States; and
      - (III) consists of a facility for the generation, transmission, distribution, and sale of electric energy to a public utility, a municipality described in Subsection (23)(a)(v)(F)(II), or a political subdivision created under Title 11, Chapter 13, Interlocal Cooperation Act.
  - (b) "Solid waste management facility" does not mean a facility that:
    - (i) accepts and processes metal, as described in Subsection 19-6-102(19)(b), by separating, shearing, sorting, shredding, compacting, baling, cutting, or sizing to produce a principle commodity grade product of prepared scrap metal for sale or use for remelting purposes provided that any byproduct or residual that would qualify as solid waste is managed at a solid waste management facility; or
    - (ii) accepts and processes paper, plastic, rubber, glass, or textiles that:
      - (A) have been source-separated or otherwise diverted from the solid waste stream before acceptance at the facility and that are not otherwise hazardous waste or subject to conditions of federal hazardous waste regulations; and
      - (B) are reused or recycled as a valuable commercial commodity by separating, shearing, sorting, shredding, compacting, baling, cutting, or sizing to produce a principle commodity grade product, provided that any byproduct or residual that would qualify as solid waste is managed at a solid waste management facility.
  - (c) "Solid waste management facility" does not include an advanced recycling facility.
- (24) "Solvolyis" means a manufacturing process that:
- (a) purifies post-use polymers using solvents, while heated at low temperatures or pressurized, allowing additives and contaminants to be removed;
  - (b) uses technology, including:
    - (i) hydrolysis;
    - (ii) aminolysis;
    - (iii) ammonolysis;
    - (iv) methanolysis; or
    - (v) glycolysis; and
  - (c) manufactures products, including:

- (i) monomers;
  - (ii) intermediates;
  - (iii) valuable chemicals;
  - (iv) chemical feedstock; or
  - (v) raw materials.
- (25) "Third-party certification system" means an international or multinational third-party certification system of rules to implement mass balance attribution approaches for advanced recycling, including:
- (a) International Sustainability and Carbon Certification;
  - (b) Underwriter Laboratories;
  - (c) SCS Recycled Content;
  - (d) Roundtable on Sustainable Biomaterials;
  - (e) Ecoloop; or
  - (f) REDcert2.

Amended by Chapter 206, 2023 General Session

**19-6-502.5 Solid waste management facility not a public utility.**

A solid waste management facility is not a public utility as defined in Section 54-2-1.

Enacted by Chapter 89, 2008 General Session

**19-6-503 Powers and duties of public entities.**

- (1) Subject to the powers and rules of the department and except as provided by Section 19-6-507, a governing body of a public entity may:
- (a) supervise and regulate the collection, transportation, and disposition of solid waste generated within its jurisdiction;
  - (b) provide a solid waste management facility to adequately handle solid waste generated or existing within or without its jurisdiction;
  - (c) assume, by agreement, responsibility for the collection and disposition of solid waste whether generated within or without its jurisdiction;
  - (d) enter into a short- or long-term interlocal agreement to provide for or operate a solid waste management facility with:
    - (i) another public entity;
    - (ii) a public agency, as defined in Section 11-13-103;
    - (iii) a private person; or
    - (iv) a combination of persons listed in Subsections (1)(d)(i) through (iii);
  - (e) levy and collect a tax, fee, or charge or require a license as may be appropriate to discharge its responsibility for the acquisition, construction, operation, maintenance, and improvement of a solid waste management facility, including licensing a private collector operating within its jurisdiction;
  - (f) require that solid waste generated within its jurisdiction be delivered to a solid waste management facility;
  - (g) control the right to collect, transport, and dispose of solid waste generated within its jurisdiction;
  - (h) agree that, according to Section 19-6-505, the exclusive right to collect, transport, and dispose of solid waste within its jurisdiction may be assumed by:
    - (i) another public entity;

- (ii) a private person; or
  - (iii) a combination of persons listed in Subsections (1)(h)(i) through (ii);
  - (i) accept and disburse funds derived from a federal or state grant, a private source, or money that may be appropriated by the Legislature for the acquisition, construction, ownership, operation, maintenance, and improvement of a solid waste management facility;
  - (j) contract for the lease or purchase of land, a facility, or a vehicle for the operation of a solid waste management facility;
  - (k) establish one or more policies for the operation of a solid waste management facility, including:
    - (i) hours of operation;
    - (ii) character and kind of wastes accepted at a disposal site; and
    - (iii) any other policy necessary for the safety of the operating personnel;
  - (l) sell or contract for the sale, according to a short or long-term agreement, of usable material, energy, fuel, or heat separated, extracted, recycled, or recovered from solid waste in a solid waste management facility, on terms in its best interest;
  - (m) pledge, assign, or otherwise convey as security for the payment of bonds, revenues and receipts derived from the sale or contract or from the operation and ownership of a solid waste management facility or an interest in it;
  - (n) issue a bond according to Title 11, Chapter 14, Local Government Bonding Act;
  - (o) issue industrial development revenue bonds according to Title 11, Chapter 17, Utah Industrial Facilities and Development Act, to pay the costs of financing a project consisting of a solid waste management facility on behalf of an entity that constitutes the users of a solid waste management facility project within the meaning of Section 11-17-2;
  - (p) agree to construct and operate or to provide for the construction and operation of a solid waste management facility project, which project manages the solid waste of a public entity or private person, according to one or more contracts and other arrangements provided for in a proceeding according to which a bond is issued; and
  - (q) issue a bond to pay the cost of establishing reserves to pay principal and interest on the bonds as provided for in the proceedings according to which the bonds are issued.
- (2) The power to issue a bond under this section is in addition to the power to issue a bond under Title 11, Chapter 17, Utah Industrial Facilities and Development Act.

Amended by Chapter 281, 2018 General Session

**19-6-505 Long-term agreements for joint action -- Construction, acquisition, or sale of interest in management facilities -- Issuance of bonds.**

- (1)
- (a) Two or more public entities, which for the purposes of this section shall only include any political subdivision of the state, the state and its agencies, and the United States and its agencies, may enter into long-term agreements with one another pursuant to Title 11, Chapter 13, Interlocal Cooperation Act, and any one or more public entities may enter into long-term agreements with any private entity or entities for joint or cooperative action related to the acquisition, construction, ownership, operation, maintenance, and improvement of solid waste management facilities, regardless of whether the facilities are owned or leased by a public entity or entities, private entity or entities, or combination of them and pursuant to which solid waste of one or more public entities, any private entity or entities, or combination of them, are made available for solid waste management pursuant to the terms, conditions, and consideration provided in the agreement.

- (b) Any payments made by a public entity for services received under the agreement are not an indebtedness of the public entity within the meaning of any constitutional or statutory restriction, and no election is necessary for the authorization of the agreement.
  - (c) Any public entity or any public entity in combination with a private entity agreeing to make solid waste management facilities available may, in the agreement, agree to make available to other public entities a specified portion of the capacity of the solid waste management facilities, without regard to its future need of the specified capacity for its own use and may in the agreement agree to increase the capacity of its solid waste management facilities from time to time, as necessary, in order to take care of its own needs and to perform its obligations to the other parties to the agreement.
- (2)
- (a) Two or more public entities or any one or more public entities together with any private entity or entities may construct or otherwise acquire joint interests in solid waste management facilities, or any part of them, for their common use, or may sell to any other public or private entity or entities a partial interest or interests in its solid waste management facility.
  - (b) Any public entity otherwise qualifying under Title 11, Chapter 14, Local Government Bonding Act or Title 11, Chapter 17, Utah Industrial Facilities and Development Act may issue its bonds pursuant to these acts for the purpose of acquiring a joint interest in solid waste management facilities, or any part thereof, whether the joint interest is to be acquired through construction of new facilities or the purchase of an interest in existing facilities.

Amended by Chapter 105, 2005 General Session

**19-6-506 Schedule of fees -- Classification of property -- Collection of delinquent fees.**

- (1)
- (a) The governing body of any public entity may by ordinance or resolution establish a schedule of fees to be imposed and assessed on property within its jurisdiction the revenue from which shall be used for solid waste purposes.
  - (b) In establishing a schedule of fees, the governing body shall classify the property within its jurisdiction based upon the character and volume of waste occurring from the various property uses subject to this part.
  - (c) If the governing body makes solid waste facilities available to a public entity as provided in Section 19-6-505, it shall charge a fee to that public entity, calculated in the same way as fees assessed on property within the jurisdiction of the governing body.
- (2)
- (a) The governing body may impose, assess, and collect a reasonable fee for each classification of property established and divide the property within its jurisdiction according to the classifications.
  - (b) It may also establish classifications of property for which services may be provided for no fee or a reduced fee and determine the eligibility requirements for inclusion in the classifications upon application by property owners on a case-by-case basis.
  - (c) The governing body shall impose and assess the appropriate fee established for each classification and division of property by ordinance or resolution, and provide therein for the billing and collection of the fees on an annual or more frequent basis as it shall determine to be necessary or appropriate.
  - (d) The ordinance or resolution may provide that the fees imposed and assessed may be billed and collected by the county treasurer as a part of the regular, ad valorem property tax notice, billing, and collection system of the county, if it is feasible to do so, unless the public entity

imposing and assessing the fees has an existing service or utility billing and collection system which can be used for this purpose.

- (3) County treasurers may include the fees certified to them pursuant to this part on the general, ad valorem tax notice and collect and remit the fees in the manner and as a part of the tax collection system including the collection of delinquent fees in the manner provided by law for tax delinquencies.
- (4) Any governing body which uses the general property tax billing and collection system of a county to bill and collect the fees imposed and assessed under this part shall reimburse the county for the actual costs thereof annually, which costs include the materials, equipment, and supplies used and the labor involved plus a factor added for overhead and general and administrative expenses.

Renumbered and Amended by Chapter 112, 1991 General Session

**19-6-507 Flow control for solid waste prohibited -- Exceptions.**

- (1) Except as provided in Subsection (2), a public entity may not require solid waste discarded or rejected within the public entity's jurisdiction to be stored, recovered, or disposed of at a solid waste management facility owned or operated by a public entity.
- (2) A public entity may require solid waste discarded or rejected within the public entity's jurisdiction to be stored, recovered, or disposed of at a solid waste management facility owned or operated by a public entity if:
  - (a) the solid waste is municipal residential waste;
  - (b) no more than one landfill that may take the solid waste exists within:
    - (i) the public entity's jurisdiction; and
    - (ii) 125 miles outside the public entity's jurisdiction, as measured from the landfill's primary entrance by following the shortest route of ordinary travel by motor vehicle; or
  - (c) the solid waste management facility owned or operated by the public entity receives less than 75 tons of solid waste per day.
- (3) A requirement described in Subsection (1) that is:
  - (a) in effect on January 1, 2008 is void as of January 1, 2013; and
  - (b) adopted on or after January 2, 2008 and in effect on May 4, 2008 is void as of May 5, 2008.
- (4) A person engaged in solid waste management that is aggrieved by a violation of this section may seek judicial review of the violation in a court of competent jurisdiction.

Enacted by Chapter 89, 2008 General Session

**19-6-508 Resource recovery project operated by an improvement district.**

- (1) As used in this section, "resource recovery project" means a project that consists of facilities for the handling, treatment and processing through anaerobic digestion, and resource recovery, of solid waste consisting primarily of organic matter.
- (2) An improvement district authorized to operate all or any part of a system for the collection, treatment, or disposition of sewage under Section 17B-2a-403 may own, acquire, construct, or operate a resource recovery project in accordance with this section.
- (3) An improvement district described in Subsection (2) may:
  - (a)
    - (i) own, acquire, construct, or operate a resource recovery project independently; or
    - (ii) subject to Subsection (4), enter into a short- or long-term agreement for the ownership, acquisition, construction, management, or operation of a resource recovery project with:



- (A) a public agency, as defined in Section 11-13-103;
  - (B) a private person; or
  - (C) a combination of persons listed in Subsections (3)(a)(ii)(A) and (B);
  - (b) accept and disburse money from a federal or state grant or any other source for the acquisition, construction, operation, maintenance, or improvement of a resource recovery project;
  - (c) contract for the lease or purchase of land, a facility, or a vehicle for the operation of a resource recovery project;
  - (d) establish one or more policies for the operation of a resource recovery project, including:
    - (i) the hours of operation;
    - (ii) the character and kind of waste accepted by the resource recovery project; and
    - (iii) any policy necessary to ensure the safety of the resource recovery project personnel;
  - (e) sell or contract for the sale of usable material, energy, fuel, or heat separated, extracted, recycled, or recovered from solid waste that consists primarily of organic matter in a resource recovery project;
  - (f) issue a bond in accordance with Title 17B, Chapter 1, Part 11, Special District Bonds;
  - (g) issue an industrial development revenue bond in accordance with Title 11, Chapter 17, Utah Industrial Facilities and Development Act, to pay the costs of financing a project, as defined in Section 11-17-2, that consists of a resource recovery project;
  - (h) agree to construct and operate a resource recovery project that manages the solid waste of a public entity or a private person, in accordance with one or more contracts and other arrangements described in a proceeding according to which a bond is issued; and
  - (i) contract for and accept solid waste that consists primarily of organic matter at a resource recovery project regardless of whether the solid waste is generated inside or outside the boundaries of the improvement district.
- (4)
- (a) An agreement described in Subsection (3)(a)(ii) shall:
    - (i) contain provisions that the improvement district's board determines are in the best interests of the improvement district, including provisions that address:
      - (A) the purposes of the agreement;
      - (B) the duration of the agreement;
      - (C) the method of appointing or employing necessary personnel;
      - (D) the method of financing the resource recovery project, including the apportionment of costs of construction and operation;
      - (E) the ownership interest of each owner in the resource recovery project and other property used in connection with the resource recovery project;
      - (F) the procedures for the disposition of property when the agreement expires or is terminated, or when the resource recovery project ceases operation for any reason;
      - (G) any agreement of the parties prohibiting or restricting the alienation or partition of the undivided interests of an owner in the resource recovery project;
      - (H) the construction and repair of the resource recovery project, including, if the parties agree, a determination that one of the parties may construct or repair the resource recovery project as agent for all parties to the agreement;
      - (I) the administration, operation, and maintenance of the resource recovery project, including, if the parties agree, a determination that one of the parties may administer, operate, and maintain the resource recovery project as agent for all parties to the agreement;
      - (J) the creation of a committee of representatives of the parties to the agreement, including the committee's powers;

- (K) if the parties agree, a provision that if any party defaults in the performance or discharge of the party's obligations under the agreement, the other parties may perform or assume, pro rata or otherwise, the obligations of the defaulting party and may, if the defaulting party fails to remedy the default, succeed to or require the disposition of the rights and interests of the defaulting party in the resource recovery project;
- (L) provisions for indemnification of construction, operation, and administration agents for completing construction, handling emergencies, and allocating output of the resource recovery project among the parties to the agreement according to the ownership interests of the parties;
- (M) methods for amending and terminating the agreement; and
- (N) any other matter determined by the parties to the agreement to be necessary; and
- (ii) provide for an equitable method of allocating operation, repair, and maintenance costs of the resource recovery project.
- (b) A provision under Subsection (4)(a)(i)(G) is not subject to any law restricting covenants against alienation or partition.
- (c) An improvement district's ownership interest in a resource recovery project may not be less than the proportion of money or the value of property supplied by the improvement district for the acquisition and construction of the resource recovery project.

Amended by Chapter 16, 2023 General Session

**19-6-509 Recycling data -- Publication.**

(1) As used in this section:

- (a)
  - (i) "Municipal solid waste" means nonhazardous solid waste, including garbage, refuse, office waste, or other similar material that results from the operation of residential, municipal, commercial, or institutional establishments or community activities.
  - (ii) "Municipal solid waste" does not include a plastic or material that is converted or held at an advanced recycling facility, including:
    - (A) post-use polymers; or
    - (B) recovered feedstock.
- (b) "Recyclable material" means municipal solid waste that is suitable for recycling.
- (c) "Recyclable material hauler" means a person, including a political subdivision, who:
  - (i) for compensation, collects and transports recyclable material; and
  - (ii) uses the billing and collection system of a political subdivision to bill or collect payment from the recyclable material hauler's customers.
- (d) "Recycle" means to take action to recover recyclable materials from the municipal solid waste stream for the purposes of use or reuse, conversion into raw materials, or use in the production of new products.
- (e) "Recycling facility" means a facility that:
  - (i) accepts recyclable material collected and paid for through a political subdivision's billing process;
  - (ii) separates the recyclable material by material type;
  - (iii) sells the recyclable material; and
  - (iv) sends the waste stream contaminant to a landfill.
- (f) "Recycling facility annual report" is a report submitted each year by a recycling facility to the Division of Waste Management and Radiation Control.

- (2) A recyclable material hauler shall collect data on the approximate tonnage of recyclable material collected by the recyclable material hauler that the recyclable material hauler delivered directly, or through an intermediary hauler, to:
  - (a) a landfill; or
  - (b) a recycling facility.
- (3)
  - (a) At least two times each calendar year, a recyclable material hauler shall report the data described in Subsection (2) to each political subdivision that the recyclable material hauler uses for billing and collection.
  - (b) The recyclable material hauler shall provide data under Subsection (3)(a) for the longer of:
    - (i) the time since the recyclable material hauler last provided the data; or
    - (ii) six months before the day on which the data is provided.
- (4) Within 45 days after the day on which a recyclable material hauler provides data under this section, the political subdivision shall publish the data, as available:
  - (a) in a newsletter produced by the political subdivision; and
  - (b) if the political subdivision operates a website, on the website operated by the political subdivision.
- (5)
  - (a) A recycling facility shall submit a recycling facility annual report by March 1.
  - (b) The recycling facility shall complete the recycling facility annual report:
    - (i) using the methods approved by the Division of Waste Management and Radiation Control; and
    - (ii) including data collected during the previous calendar year.
  - (c) The Division of Waste Management and Radiation Control shall compile the data submitted in the recycling facility annual reports described in this Subsection (5) by June 1 each year.
- (6) A political subdivision shall publish the data or an electronic link to the data compiled by the Division of Waste Management and Radiation Control from the recycling facility annual reports described in Subsection (5):
  - (a) in a newsletter produced by the political subdivision that is published between June 1 and October 1 of each year; and
  - (b) if a political subdivision operates a website, on the website each year beginning on a date that occurs between June 1 and October 1, and ending no earlier than December 31 of the same year.

Amended by Chapter 490, 2024 General Session