

**19-6-1003 Board and director powers.**

- (1) By following the procedures and requirements of Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the board shall make rules:
  - (a) governing administrative proceedings under this part;
  - (b) specifying the terms and conditions under which the director shall approve, disapprove, revoke, or review a plan submitted by a manufacturer; and
  - (c) governing reports and educational materials required by this part.
- (2) These rules shall include:
  - (a) time requirements for plan submission, review, approval, and implementation;
  - (b) a public notice and comment period for a proposed plan; and
  - (c) safety standards for the collection, packaging, transportation, storage, recycling, and disposal of mercury switches.
- (3) The director may:
  - (a) review and approve or disapprove plans, specifications, or other data related to mercury switch removal;
  - (b) enforce a rule by issuing a notice, an order, or both;
  - (c) initiate an administrative action to compel compliance with this part and any rules adopted under this part; or
  - (d) request the attorney general to bring an action for injunctive relief and enforcement of this part, including imposition of the penalty described in Section 19-6-1006.
- (4) The director shall establish a fee to cover the costs of a plan's review by following the procedures and requirements of Section 63J-1-504.

Amended by Chapter 360, 2012 General Session