

**19-6-108.5 Management of hazardous waste generated outside Utah.**

- (1) On and after July 1, 1992, any waste entering Utah for disposal or treatment, excluding incineration, that is classified by Utah as nonhazardous solid waste and by the state of origin as hazardous waste, and that exceeds the base volume provided in Subsection (2) for each receiving facility or site, shall be treated according to the same treatment standards to which it would have been subject had it remained in the state where it originated. However, if those standards are less protective of human health or the environment than the treatment standards applicable under Utah law, the waste shall be treated in compliance with the Utah standards.
- (2) The base volume provided in Subsection (1) for each receiving facility or site is the average of the annual quantities of nonhazardous solid waste that originated outside Utah and were received by the facility or site in calendar years 1990 and 1991.
- (3)
  - (a) The base volume for each receiving facility or site that has an operating plan approved prior to July 1, 1992, but did not receive nonhazardous solid waste originating outside Utah during calendar years 1990 and 1991, shall be the average of annual quantities of out-of-state nonhazardous waste the facility or site received during the 24 months following the date of initial receipt of nonhazardous waste originating outside Utah.
  - (b) The base determined under Subsection (3)(a) applies to the facility or site on and after July 1, 1995, regardless of the amount of nonhazardous waste originating outside Utah received by the facility or site prior to this date.

Amended by Chapter 324, 2010 General Session