

88 chapter and is also radioactive as defined in Section 19-3-102.

89 (16) "Modification plan" means a plan under Section 19-6-108 to modify a facility or
90 site for the purpose of disposing of nonhazardous solid waste or treating, storing, or disposing
91 of hazardous waste.

92 (17) "Operation plan" or "nonhazardous solid or hazardous waste operation plan"
93 means a plan or approval under Section 19-6-108, including:

94 (a) a plan to own, construct, or operate a facility or site for the purpose of disposing of
95 nonhazardous solid waste or treating, storing, or disposing of hazardous waste;

96 (b) a closure plan;

97 (c) a modification plan; or

98 (d) an approval that the director is authorized to issue.

99 (18) "Permittee" means a person who is obligated under an operation plan.

100 (19) (a) "Solid waste" means any garbage, refuse, sludge, including sludge from a
101 waste treatment plant, water supply treatment plant, or air pollution control facility, or other
102 discarded material, including solid, liquid, semi-solid, or contained gaseous material resulting
103 from industrial, commercial, mining, or agricultural operations and from community activities
104 but does not include solid or dissolved materials in domestic sewage or in irrigation return
105 flows or discharges for which a permit is required under Title 19, Chapter 5, Water Quality
106 Act, or under the Water Pollution Control Act, 33 U.S.C. Sec. 1251 et seq.

107 (b) "Solid waste" does not include:

108 (i) any of the following wastes unless the waste causes a public nuisance or public
109 health hazard or is otherwise determined to be a hazardous waste:

110 [(iv)] (A) certain large volume wastes, such as inert construction debris used as fill
111 material;

112 [(iv)] (B) drilling muds, produced waters, and other wastes associated with the
113 exploration, development, or production of oil, gas, or geothermal energy;

114 [(iv)] (C) solid wastes from the extraction, beneficiation, and processing of ores and
115 minerals; or

116 [(iv)] (D) cement kiln dust[-]; or

117 (ii) used or recyclable metal, paper, plastic, glass, rubber, or a textile that is ~~destined~~
118 for reuse or recycling ~~reused or recycled~~ ~~←H~~ as a valuable commercial commodity ~~H→~~ , if it is
118a shown that at least 50% of the material on hand is recycled within two calendar years ~~←H~~ .