

367 received during the calendar month, computed to the first decimal place, by the required fee
368 rate;

369 (b) pay the fees imposed by this section to the department by the 15th day of the month
370 following the month in which the fees accrued; and

371 (c) with the fees required under Subsection (6)(b), submit to the department, on a form
372 prescribed by the department, information that verifies the amount of nonhazardous solid waste
373 received and the fees that the owner or operator is required to pay.

374 (6) (a) In accordance with Section 63J-1-504, on or before July 1, 2018, the department
375 shall establish a fee schedule for the treatment, transfer, and disposal of all nonhazardous solid
376 waste.

377 (b) The department shall, before establishing the fee schedule described in Subsection
378 (6)(a), ~~H~~→ **consult with industry and local government and** ←~~H~~ complete a review of program
378a costs and indirect costs of regulating nonhazardous solid
379 waste in the state and use the findings of the review to create the fee schedule.

380 (c) The fee schedule described in Subsection (6)(a) shall:

381 (i) create an equitable and fair fee to be paid by all persons whose treatment, transfer,
382 or disposal of nonhazardous solid waste creates a regulatory burden to the department, except
383 as provided in Subsection (6)(d);

384 (ii) cover the fully burdened costs of the program and provide for reasonable and
385 timely oversight by the department;

386 (iii) adequately meet the needs of industry, local government, and the department,
387 including enabling the department to employ qualified personnel to appropriately oversee
388 industry and local government regulation; ~~H~~→ [and] ←~~H~~

389 (iv) provide stable funding for the Environmental Quality Restricted Account created
390 in ~~H~~→ Section ←~~H~~ 19-1-108 ~~H~~→ [:] ; and

390a (v) give consideration to a fee differential regarding solid waste managed at a transfer
390b facility. ←~~H~~

391 (d) Any person who treats, transfers, stores, or disposes of solid waste from the
392 extraction, beneficiation, and processing of ores and minerals on a site owned, controlled, or
393 operated by that person may not be charged a fee under this section for the treatment, transfer,
394 storage, or disposal of solid waste from the extraction, beneficiation, and processing of ores
395 and minerals that are generated:

396 (i) on-site by the person; or

397 (ii) by off-site sources owned, controlled, or operated by the person.

398 (e) The fees in the fee schedule established by Subsection (6)(a) shall take effect on
399 January 1, 2019.

400 (7) On and after January 1, 2019, a facility required to pay fees under this section shall:

401 (a) pay the fees imposed by this section to the department by the 15th day of the month
402 following the quarter in which the fees accrued; and

403 (b) with the fees required under Subsection (7)(a), submit to the department, on a form
404 prescribed by the department, information that verifies the amount of nonhazardous solid waste
405 received and the fees that the owner or operator is required to pay.

406 ~~[(7)]~~ (8) The department shall:

407 (a) deposit all fees received under this section into the Environmental Quality
408 Restricted Account created in Section 19-1-108; and

409 (b) in preparing its budget for the governor and the Legislature, separately indicate the
410 amount of the department's budget necessary to administer the solid and hazardous waste
411 program established by this part.

412 ~~[(8)]~~ (9) The department may contract or agree with a county to assist in performing
413 nonhazardous solid waste management activities, including agreements for:

414 (a) the development of a solid waste management plan required under Section
415 17-15-23; and

416 (b) pass-through of available funding.

417 ~~[(9)]~~ (10) This section does not exempt any facility from applicable regulation under
418 the Atomic Energy Act, 42 U.S.C. Sec. 2014 and 2021 through 2114.

419 (11) The department shall report to the Natural Resources, Agriculture, and
420 Environment Interim Committee by November 30, 2017 ~~H→~~, ~~←H~~ on the fee schedule described in
421 Subsection (6)(a).