



# Utah Division of Solid and Hazardous Waste Solid Waste Management Program

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## INSTRUCTIONS FOR APPLICATION FOR A PERMIT TO OPERATE A SOLID WASTE INCINERATOR

Utah Code Annotated 19-6-105(1) allows the Solid and Hazardous Waste Control Board to make rules establishing requirements for solid waste disposal facilities and to allow the Director to review the information and issue permits prior to disposal of any solid waste. Utah Administrative Code (UAC) R315-310 was adopted by the Board and sets the requirements for a permit application that must be submitted to the Director. The Director has determined that any solid waste incinerator required to complete a permit application, renewal or modification must be accompanied by the form titled "*Application for a Permit to Operate A Solid Waste Incinerator.*"

The following instructions are included to assist the applicant in completing the form. If additional help is needed, please contact a member of the solid waste section staff at (801) 536-0200.

The form consists of two parts. Part I "General Information" requires specific information on the facility and the owner and operator. Part I must be completed and submitted with the permit application.

Part II "Application Checklist" shows the areas that a permit application should cover. Please note that the "Application Checklist" is provided to help the permit applicant in the preparation of an application. In the event that questions arise regarding the permit requirements for a solid waste incinerator, the text of the rules, UAC R315-301 through 320, will govern. Completion of Part II, although not required as part of the permit application, will in aid application preparation and permit review.

### **Part I Instructions**

#### **Section I - Incinerator Type**

This application can be used to apply for a permit for a small or large incinerator. Incineration is defined as follows (UAC R315-301-2(34)):

"Incineration" means a controlled thermal process by which solid wastes are physically or chemically altered to gas, liquid, or solid residues which are also regulated solid wastes. Incineration does not include smelting operations where metals are reprocessed or the refining, processing, or the burning of used oil for energy recovery as described in Rule R315-15.

UAC R315-306 sets standards for the operation of incinerators in Utah. The rule separates incinerators into three categories. Large incinerators are those that have a design capacity of over 10 tons per day. Small incinerators have a design capacity of 10 tons or less per day. Small incinerators have been further divided by separating out those incinerators that dispose of 250 pounds or less of waste per week. An incinerator that disposes of less than 250 pounds per week may have a design capacity of up to 10 tons per day but fit into the category of the smallest incinerators by the amount disposed. Incinerators that dispose of less than 250 pounds per week are not required to get a permit from the Director unless the incinerator is a commercial operation. Commercial incinerators of any size are required to obtain a permit from the Director.

Incinerators that are operated for energy recovery are not treated differently from other incinerators by the rules.

## Section II - Application Type

Check the appropriate box.

All applications for incinerators not operating under a current permit are considered new applications.

Currently permitted incinerators, for which a permit renewal is being requested, should check the RENEWAL APPLICATION box.

Permit applications in which the permittee is seeking to expand the facility beyond the design capacity shown in the existing permit should check the FACILITY EXPANSION box. Facility expansion beyond a 50% increase in the capacity shown on the application filed when the facility was granted the original permit will require a complete application and must meet all of the requirements for a new facility.

All permit modification requests, whether major or minor, must be accompanied by a completed APPLICATION FOR A PERMIT TO OPERATE A SOLID WASTE INCINERATOR. Modifications are either major or minor as defined in UAC R315-311-2. Replacement of equipment with equivalent equipment is not a permit modification. Construction of new units according to the design shown in the existing permit is a major permit modification. Construction of approved units should follow the requirements of the rules and the permit.

All applications that are for permit renewal, modification, or expansion must show the permit number of the current landfill permit.

## Section III - Facility Name and Location

A solid waste incinerator includes waste destruction units, processing areas, solid waste transfer areas, loading areas, waste piles, waste storage areas, and surface impoundments.

The NAME OF FACILITY is the legal name of the solid waste incinerator as recorded by the applicant. This name shall be used as the name of the facility in all subsequent applications and correspondence with the Division. The name of the facility can be changed by submitting a written request to the Director of the Division of Solid and Hazardous. The SITE ADDRESS (including the CITY, STATE, ZIP CODE, and COUNTY) is the street address of the facility or a description of the location where no address is available. The SITE ADDRESS is not the legal description, or mailing address. The legal description will be included as one of the attachments in the permit application. If a TELEPHONE number is not established for the facility, indicate by recording "N/A" in the check box.

Township range and section describe the Land on which the incinerator is located. The property boundaries of an incinerator may cover more than one section or occasionally be in more than one township or range. If multiple townships, ranges or sections are included in the site, include them all. The QUARTER SECTION and QUARTER/QUARTER SECTION (for example SW, quarter/quarter of the NW, quarter) describe the location of the incinerator within the section. LATITUDE and LONGITUDE refer to a point and should be given as the coordinates of the facility main entrance.

## Section IV - Facility Owner(s) Information

In the space titled FACILITY OWNER(S) INFORMATION, record the name of the individual, partnership, corporation, association, governmental entity, or other legal entity that owns or will own the facility. (NOTE: The Facility Owner will be the principal permittee and will be held responsible for all activities at

the facility.) The applicant's address is the business mailing address. Contact information will be provided in Section VII.

#### Section V - Operator(s) Information

In the space titled FACILITY OPERATOR(S) INFORMATION, record the name of the individual (other than an employee of the owner), partnership, corporation, association, governmental entity, or other legal entity that will provide daily operations at the facility. (NOTE: A federal court ruling has interpreted the Solid and Hazardous Waste Act as requiring the operator and land owner be joint permittees with the facility owner.) If the operator is the same as the facility owner, enter SAME in the space labeled LEGAL NAME OF FACILITY OPERATOR. The applicant's address is the business mailing address. Contact information will be provided in Section VII.

#### Section VI - Property Owner(s) Information

In the space titled PROPERTY OWNER(S) INFORMATION, record the name of the individual, partnership, corporation, association, governmental entity, or other legal entity that owns the property. The TELEPHONE, ADDRESS, CITY, STATE, and ZIP CODE are those of the property owner. If the property owner has a contact person, they will be entered in Section VII. If there is more than one owner, please indicate so in the first line for SECTION VI by typing "See attached Owners List". Identify all property owners and what they own. The property owner means any person with an ownership interest in the property on which the incinerator is constructed.

#### Section VII - Contact Information

The person listed as OWNER CONTACT, OPERATOR CONTACT, and LAND OWNER CONTACT should be the person that the owner, operator, or landowner wants the Division to communicate through for general information. This person is not necessarily the person that is authorized to act for the owner, operator, or landowner. In many cases the contact will be the facility manager while the authorized representative will be an executive director or elected official. All official communication will be through the authorized representative. Where the owner, operator, and landowner are the same enter the contact information for the owner contact only.

#### Section VIII - Waste Type

The applicant should indicate the waste types to be disposed of in the incinerator. Many incinerators will dispose of only a small subset of the wastes on the list. UAC R315-315-7(2) defines PCB wastes that may be disposed of at all permitted incinerators in Utah thus the PCB box need not be checked if these are the only PCB wastes that will be accepted. If PCB's regulated by UAC R315-315-7(3) are to be disposed of at the incinerator the PCB box should be checked and the permit application must contain sufficient information to meet the requirements of UAC R315-315-7(3)(b) and (c).

#### Section IX - Facility Design Capacity

DESIGN CAPACITY is the total capacity of the equipment, in tons per day or pounds per hour, as designated in the application. As previously indicated, the design capacity indicated on the permit application for the first permit issued for the facility will be the base capacity. Any capacity increase will be calculated from the base design capacity.

## Section X - Fee and Application Documents

Application fees are as follows:

New Commercial Incinerator:	\$5,000
New Non-Commercial Incinerator:	\$1,000
Plan Renewals and Plan Modifications	\$ 100
Variance Requests	\$ 500

The fees apply to all applications except those from municipalities, counties, or special service districts seeking Division of Solid and Hazardous Waste reviews. These facilities should put NA in the APPLICATION FEE area. In addition to the application fee, the Division is required to charge for review time at the rate of \$90.00 per hour. This fee applies to all sites that must pay an application fee. In addition to the application fee and the review fee, the applicant is required to pay all costs for public notices published.

All of the documents listed should be attached (see the attached "Application Check List"). If a specific document is not included in the application a note of explanation should be attached explaining the reasons for the missing document.

In addition to the documents required for all incinerators, a Commercial incinerator should contain the information required by UCA 19-6-108(9) and (10).

### Authorized Signature

The owner, operator, and landowner will be listed as co-permittees on the final permit. Each of the co-permittees must have a person meeting the requirements of UAC R315-310-2(4) sign the permit application. If the permittee wishes to authorize a person other than the representative listed in the rule, an authorization as outlined in UAC R315-310-2(4)(d) must be submitted with the application.

### **Part II Application Checklist**

Permit applicants should review each section of the checklist and provide information in the application that addresses each of the requirements of the rules regarding solid waste incinerators. Showing the area or areas in the permit application where the information can be found will expedite the review process.

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