

WEBER-MORGAN DISTRICT HEALTH DEPARTMENT
WEBER COUNTY, UTAH

REGULATIONS FOR THE CONTROL OF WASTE DISPOSAL OPERATIONS,
RECYLING AND SALVAGE OPERATIONS

Adopted by the Weber-Morgan District
Board of Health

July 18, 1990

Under Authority of Section 26-24-20
Utah Code Annotated, 1953, as Amended

Certified Official Copy
Weber-Morgan District Health Department
by Carol S. Hardy
Chairperson, Board of Health

1.0 DEFINITIONS

For the purpose of these regulations the following phrases, terms and words shall have the meanings given in this Section:

- 1.1 Applicant: The person or persons applying for a permit or approval for a solid waste management service;
- 1.2 Asbestos Waste: Solid waste that contains by weight greater than 1 percent chrysolite, amosite, crocidolite, tremolite asbestos, anthophyllite asbestos, actinolite asbestos, or any of these materials that has been chemically treated or altered and that can be crumbled, pulverized or reduced to powder, when dry, by hand pressure;
- 1.3 Collection vehicle: any vehicle used in the commercial collection, transportation, storage or dumping of any solid waste.
- 1.4 Collector: Any person who collects or transports solid waste;
- 1.5 Commercial waste: Solid waste generated by stores, offices, restaurants, warehouses and other non-manufacturing activities other than household or industrial;
- 1.6 Construction and demolition waste: Solid waste resulting from the construction, remodeling, repair and demolition of structures, and from road building and land clearing. Such waste includes, but is not limited to bricks, concrete and other masonry materials, soil, rock, wall coverings, plaster, drywall and other inert material, plumbing fixtures, non-asbestos insulation, roofing shingles, asphaltic pavement, glass, plastics that are not sealed in a way that conceals other wastes, wood and metals that are incidental to any of the above. Solid waste that is not construction and demolition waste (even if resulting from the construction, remodeling, repair and demolition of structures, and from road building and land clearing) includes, but is not limited to asbestos waste, garbage, florescent electrical fixtures and transformers containing polychlorinated biphenyls, tires, drums and containers with liquid or unrecognizable wastes and fuel tanks. Specifically excluded from the definition of construction and demolition waste is solid waste that has been rendered unrecognizable by a process such as pulverizing or shredding or other similar process;
- 1.7 Container: Any portable device in which a solid waste is stored, transported, treated, disposed or otherwise handled;
- 1.8 Contamination: As applied to surface and groundwater, means to exceed the water quality standards specified in the Utah Public Drinking Water Standards or a rise above the established background concentration of measured parameters attributable to the solid waste management service using statistical tests specified or approved by the Department;
- 1.9 Department: The Weber-Morgan District Health Department;
- 1.10 Director: The Director of the Weber-Morgan District Health Department, or his designated representative;

- 1.11 Discharge: The accidental or intentional spilling, leaking, pumping, pouring, emitting, emptying or dumping of any solid waste or solid waste constituents, including leachate, into or on any air, land or water;
- 1.12 Empty Container: The container is empty when all wastes have been removed that can be removed using the practices commonly employed to remove materials from that type of container, e.g., pouring, pumping or aspirating and an end has been removed (for containers 25 gallons); and no more than 1 inch (2.54 centimeters) of residue remains on the bottom of a container or in a liner; or no more than 3% by weight of the total capacity of the container remains in the container (containers 110 gallons); or no more than 0.3% by weight of the total capacity of the container remains in the container (containers 110 gallons). Containers which once held acutely hazardous waste must be triple rinsed with an appropriate solvent or cleaned by an equivalent method. Containers which once held substances regulated under the Federal Insecticide, Fungicide and Rodenticide Act, must be empty according to label instructions or triple rinsed.
- 1.13 Etiologic agent: Any microorganism, helminth, or virus that causes, or significantly contributes to the cause of increased morbidity or mortality of human beings;
- 1.14 Freeboard: The vertical distance between the lowest elevation of the top of a tank, surface impoundment, or dike and the highest level of the surface of the solid waste contained therein;
- 1.15 Garbage: Solid and semisolid, putrescible animal and vegetable wastes resulting from the handling, preparing, cooking, storing, serving and consuming of food or material intended for use as food, an all offal (excluding useful industrial by-products) from all public and private establishments and from all residences;
- 1.16 Generator: Any person, firm or business that first creates or causes a product or material to become a solid waste as defined in these regulations;
- 1.17 Hazardous waste: Solid waste, or a combination of solid wastes which, because of its quantity, concentration, or physical or chemical, or infectious characteristics, may cause or significantly contribute to an increase in mortality or an increase in serious or incapacitating irreversible illness, or pose a substantial present or potential hazard to human health or the environment if improperly treated, stored, transported, disposed, or otherwise managed, or any solid waste listed as a hazardous waste by the Federal or State Government;
- 1.18 Health care facility: Hospital, psychiatric hospital, home health agency, hospice, skilled nursing facility, intermediate care facility, intermediate care facility for the mentally retarded, residential health care facility, maternity home or birthing center, free standing ambulatory surgical center, facility owned or operated by health maintenance organization, or stage renal

disease treatment center including free standing hemodialysis unit. For the purpose of these rules and regulations, health care facility shall also include rehabilitation hospitals, alcohol and chemical dependency units, infirmaries, emergency care clinics, employee health clinics, blood banks and plasma centers, biomedical laboratories, ambulance/paramedic services, veterinary clinics, funeral homes, or any other health care facility that the Department designates. A health care facility does not include a single office of a private physician, dentist or veterinarian but does include a physician, dentist or veterinarian in group practice or where a single office shares joint solid waste disposal containers or facilities;

- 1.19 Household hazardous waste: Solid waste, but for its point of generation would be a hazardous waste under the Utah Hazardous Waste Management Rules;
- 1.20 Household waste: Solid waste generated and discarded from any single or multiple dwelling, hotel, motel, campsite, ranger station or other residential source;
- 1.21 Infectious waste: A solid waste that contains pathogens of sufficient virulence and quantity that exposure to the waste of a susceptible host could result in an infectious disease. Infectious waste shall include any and all of the following:
 - (1) Biologic laboratory wastes, including cultures of etiologic agents, that pose a substantial threat to health due to their volume and virulence;
 - (2) Pathologic specimens, including human or animal tissues, blood elements, excreta and secretions that contain etiologic agents, and attendant disposable fomits;
 - (3) Surgical specimens, including human or animal parts and tissues removed surgically or at autopsy that, in the opinion of the attending physician or veterinarian, contain etiologic agents, or attendant disposable fomits;
 - (4) Equipment, instruments, utensils and other disposable materials that are likely to transmit etiologic agents from the rooms of humans or the enclosures of animals that have been isolated because of suspected or diagnosed communicable disease;
 - (5) Human dialysis waste materials including arterial lines and dialyzate membranes;
 - (6) Carcasses of animals infected with etiologic agents that may present a substantial hazard to public health if improperly managed;
 - (7) Sharps that are to be disposed, regardless of whether or not they have been used for injections or body fluid extractions;
 - (8) Chemotherapy waste, including all disposable materials that have come in contact with all cytotoxic/antineoplastic agents

during preparation, handling and administration of such agents. Such waste includes but is not limited to masks, gloves, gowns, empty intravenous tubing bags and vials and other contaminated materials. The above waste shall first be classified as empty and of such quantity that it is not subject to state or federal waste management regulations prior to being handled as infectious waste;

(9) Any other material that in determination of the Department or the waste generators staff, can present a significant danger of infection because it may reasonably be expected to be contaminated with etiologic agents;

- 1.22 Liquid waste: Any solid waste material that contains "free liquids" as defined by Method 9095 (Paint Filter Liquids Test), as described in "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods" (EPA pub. no. SW-846, latest edition);
- 1.23 Municipality: A county, village, town, city, district or designated agency thereof;
- 1.24 Nuisance: An act or condition that annoys, injures or endangers the comfort, health or safety of any person or that endangers or interferes with the use of property;
- 1.25 Owner: Any person who alone, jointly or severally with others, has legal title to a solid waste collection service or other property with or without accompanying actual possession thereof, or has charge, care or control of any solid waste management service, as legal or equitable owner, agent of the owner, lessor or lessee or is an executor, executrix, administrator, administratrix, trustee or guardian of the estate of the owner;
- 1.26 Permittee: The person who has received a permit from the Department for the operation of a solid waste management service.
- 1.27 Person: Any individual, trust, firm, estate, joint stock company, federal agency, partnership, corporation (including a government corporation), association, state, municipality, commission, political subdivision of a state and interstate body, company, society or any other legal entity whatsoever which is recognized by law as being subject to rights and duties.
- 1.28 Pollution: The condition caused by the presence in or on a body of water, soil or air of any solid waste or substance derived therefrom in such quantity or such nature and duration or under such condition that the quality, appearance or usefulness of the water, soil, land or air is significantly degraded or adversely altered;
- 1.29 Putrescible: Organic matter that has a tendency to decompose with the formation of foul smelling by-products;

- 1.30 Recycling: The reuse of all or part of recovered solid waste by resource recovery for manufacturing, agriculture, power or heat production of any other process;
- 1.31 Refuse: Solid waste, except hazardous waste, including but not limited to garbage, construction or demolition waste, clothing, rags and yard trimmings;
- 1.32 Remediation: The corrective actions taken in the event of a discharge or threatened discharge of a contamination into the environment;
- 1.33 Residue: Any solid or liquid that remains after a treatment process;
- 1.34 Rubbish: All solid waste except garbage and hazardous waste, including but not limited to ashes, bedding, cardboard, paper, wood, cans, metal, glass, crockery, rubber, plastic, leather, rags and yard trimmings;
- 1.35 Salvaging: The controlled removal or handling of junk or other waste material for processing, recycling or other utilization;
- 1.36 Sanitary wastes: Shall include any septic tank contents, holding tank contents, any sewage or any medium containing human excrement.
- 1.37 Scavenge: The uncontrolled removal of solid waste from a solid waste management facility;
- 1.38 Sewage: Human or animal wastes carried by water or other liquid from a dwelling, business building, institution, industrial establishment, agricultural, recreational or other location including but not limited to sewer systems, septic tanks, privy vaults and cesspools, including any ground water, surface water and storm water that may be mixed with these wastes;
- 1.39 Sharps: Any discarded or contaminated article or instrument that may cause puncture or cuts. Such waste includes but is not limited to needles, syringes, pipettes, intravenous tubing with needles attached, glassware, lancets and scalpel blades;
- 1.40 Sludge: Any solid, semi-solid or liquid waste generated from a municipal, commercial, industrial process or from a wastewater treatment plant, water supply treatment plant, air pollution control facility or any other waste having similar characteristics and effect. Sludge does not include industrial discharges that are point sources subject to permits under the Utah Water Pollution Control Regulations;
- 1.41 Solid Waste: Garbage, refuse, trash, household wastes, septic tank or holding tank contents, rubbish, junk, asbestos waste, hazardous waste, infectious waste, industrial waste, dry waste, construction and demolition waste, dead animals, sludge, liquid or

semi-liquid waste, used oil, other spent, useless, worthless, or discarded materials, or materials stored or accumulated for the purpose of discarding; including but not limited to materials that have served their original intended purpose or waste material resulting from industrial manufacturing, mining, commercial agricultural, household, institutional, recreational or community activities.

- 1.42 Solid waste collection service: Any activity or process in whole or part necessary for collection, transportation and disposal of solid wastes by a waste contractor.
- 1.43 Solid waste management facility: Any person, firm, municipality, or public or private entity engaged in solid waste collection, transfer, storage, treatment or disposal including but not limited to storage areas or facilities, transfer stations, rail-haul facilities, processing facilities, landfills, disposal facilities, solid waste incinerators, landspreading facilities, composting facilities, surface impoundments, waste oil storage reprocessing or rerefining facilities, recycling facilities, reclamation facilities or tire storage facilities;
- 1.44 Transporter: A person engaged in the off-site transportation of solid waste by air, rail, highway or water. Transporter shall include but not be limited to waste contractors;
- 1.45 Trash: Solid waste, except hazardous waste, including but not limited to garbage, construction or demolition waste, clothing, rags and yard trimmings;
- 1.46 Vector: Any agent capable of transmitting a pathogen from one individual or organism to another. Vector includes but is not limited to mosquitoes, flies and other insects, rodents and other vermin;
- 1.47 Vehicle: Any motor vehicle, trailer, water vessel, railroad car, airplane or other device for transporting solid waste;
- 1.48 Waste contractor: Any person engaged in the business of collecting, hauling or transporting solid waste or who performs the function for a waste contractor for another person. The term waste contractor does not include businesses that collect or transport solid waste as an incidental part of their business;
- 1.49 Wetlands: Areas that are inundated or saturated by surface or groundwater at a frequency duration sufficient to support, under normal circumstances, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands shall include but not be limited to swamps, marshes, bogs and similar areas.

2.0 GENERAL PROVISIONS

2.1 Purpose and Applicability

(a)Purpose. The purpose of these rules and regulations is to control the collection transportation and disposal of solid and liquid waste in a way that will: protect public health, safety and welfare; prevent the spread of disease; prevent the creation of nuisances; prevent damage to property; and prevent air, water and other environmental pollution.

(b)Applicability. These rules and regulations shall apply only to solid waste management beyond the point of generation to the point of final disposal. Compliance with these rules and regulations does not preclude a person from complying with applicable State and Federal regulations.

2.2 Jurisdiction of the Department

All solid waste management services as defined in these rules and regulations shall be subject to the regulatory direction and control of the Department as it carries out the purposes of these rules and regulations.

2.3 Powers and Duties

The Department, by the Director, shall be responsible for the administration of these rules and regulations and in addition to any other powers vested in it by law, shall:

- (a) Issue permits and charge fees as necessary to implement the provisions, requirements, and standards of these rules and regulations;
- (b) Conduct inspections of solid waste management services and issue orders as necessary to effect the purpose of those rules and regulations;
- (c) Take samples and analyze solid waste or require the sampling and analysis of any such materials;
- (d) Prohibit a specific waste from being accepted by a waste contractor if the acceptance violates these rules and regulations or if a threat exists to the health, safety, or welfare of the waste contractor employees, the users of the solid waste management services, or the public;
- (f) Do any and all acts permitted by law that are necessary for the successful enforcement of these rules and regulations.

2.4 Scope

It shall be unlawful for a waste contractor or any person or owner or operator of a solid waste collection service not to comply with any rule or regulation promulgated by the Department, unless expressly waived by these rules and regulations.

2.5 General Design, Construction, Operation and Maintenance

Each solid waste collection service shall be equipped, operated, and maintained in a way that will:

- (a) Protect the public health, safety, and welfare;
- (b) Prevent the creation of a nuisance, unsanitary condition, or potential environmental or public health hazard;
- (c) Conform to the requirements of these rules and regulations; and
- (d) Conform to all applicable air, noise, water, radiation control, and solid waste rules and regulations of the Department, the State of Utah, and the Federal Government.

2.6 Prohibited Acts

Except as provided in other sections of these rules and regulations, it shall be unlawful for a waste contractor or any person, generator, transporter, or owner, operator, or employee of a solid waste collection service;

- (a) To accept or to dispose of any liquid, solid, hazardous, infectious, or asbestos waste that is not specifically permitted by the Department or if applicable, by State or Federal environmental agencies, to accept or process, or to dispose of any hot or smoldering waste or any other waste that may pose a hazard to the collection employees, vehicles, or solid waste management facility, or the public health or safety;
- (b) To create, cause, or allow insect or rodent propagation, conditions of transmission of disease, any unsanitary condition, or any other health or public safety hazard;
- (c) To fail to keep records or falsify records on the type or amounts of solid waste transported, treated, stored, or disposed, including the name and location of the solid waste management facility;
- (d) To cause a discharge of solid waste into water or waterways within Weber or Morgan County, including wetlands, that violates any requirements of the Clean Water Act including but not limited to, the Utah Pollutant Discharge Elimination System (UPDES), the Utah State Wastewater Regulations or the area-wide or state-side water quality management plan that has been approved under Section.208 of Clean Water Act, as amended.

2.7 Right to appeal.

Within 10 calendar days after the Department has given a notice of condemnation, suspension, revocation, notice of violation, or notice of any inadequacy to comply with any other requirements of these rules and regulations, any person aggrieved by the action may request in writing a hearing before the Department. The hearing shall take place within 10 calendar days after the request is received. Any further appeal shall

be made to the Director personally or to the Weber-Morgan District Board of Health if not otherwise involved in original hearings. A written notice of the Director's final determination shall be given within 10 calendar days after adjournment of the hearing. The Director may sustain, modify, or reverse the action or order.

2.8 Penalty.

(a) Any person who is found guilty of violating any of the provisions of these rules and regulations, either by failing to do those acts required herein or by doing a prohibited act, is guilty of a Class B misdemeanor, pursuant to Section 26-24-22, Utah Code Annotated, 1953, as amended. If a person is found guilty of a subsequent similar violation within 2 years, he or she is guilty of a Class A misdemeanor, pursuant to Section 26-24-22, Utah Code Annotated, 1953, as amended.

(b) Each day such violation is committed or permitted to continue shall constitute a separate violation.

(c) The City or County Attorney may initiate legal action, civil or criminal, requested by the Department to abate any condition that exists in violation of these rules and regulations.

(d) In addition to other penalties imposed by a court of competent jurisdiction any person found guilty of violating any of these rules and regulations shall be liable for all expenses incurred by the Department, including but not limited to the costs incurred for sampling and analysis, cleaning and disposal or any other costs incurred in abating the hazard or nuisance.

2.9 Severability.

If any provision, clause, sentence, or paragraph of these rules and regulations or the application thereof to any person or circumstances shall be held to be invalid, such invalidity shall not affect the other provisions of applications of these rules and regulations. The valid part of any clause, sentence, or paragraph of these rules and regulations shall be given independence from the invalid provisions of application and to this end the provisions of these rules and regulations are hereby declared to be severable.

2.10 Effective date.

These rules and regulations shall become effective 15 calendar days after their enactment by the Weber-Morgan County Board of Health.

3.0 Permits.

Department approval and permits required.

3.1 No person shall engage in the practice of a waste contractor or operate a solid waste collection service within the limits of Weber and Morgan Counties, Utah, without approval and corresponding valid permit from the Department, unless specifically exempted by these rules and regulations.

- 3.2 Upon approval of the permit application, receipt of all the necessary fees as required, the Department shall issue the permit. Such permit shall expire one year following the date of issuance or on the date specified by the Department. The permit shall be renewable within 60 calendar days prior to the expiration date. Renewal requests shall be in writing to the Department at least 30 calendar days prior to the expiration date.
- 3.3 Permits shall not be transferable from one person to another or one vehicle to another without approval from the Department.
- 3.4 Permit fees.
(a) Unless specifically exempted in Section 3.5, waste contractor shall pay a permit fee. The permit fees required in Section 3.4, except for the initial permit fee, shall become effective January 1, 1991. The permit fees shall be the following:
- (1) For a waste contractor (excluding those engaged in the collection and transportation of infectious waste), the fee for a waste contractor permit shall be the greater of \$50.00 or \$10.00 per collection vehicle used for solid waste collection. The fee shall accompany the initial application and be paid annually thereafter;
 - (2) For a waste contractor engaged in the collection of infectious waste the fee for a waste contractor permit shall be \$50.00 per vehicle used for the infectious waste collection and transport. The fee shall accompany the initial application and be paid annually thereafter;
- (b) Permit fees shall only be used by the Department for solid waste management activities associated with these rules and regulations including but not limited to surveillance and enforcement activities, administrative activities, educational activities, monitoring, and any other activity necessary for the successful application or enforcement of these rules and regulations.
- 3.5 Exemptions or adjustments to the permit, permit fees and bonds.
(a) The following solid waste collection services or waste contractors are exempt from the initial or annual operating permit, and the initial or annual operating permit fee:
- (1) Those who transport solid waste who are not a waste contractor who only haul construction and demolition waste that results from the operation of their business;

(b) The following solid waste management facilities are exempt from the initial or annual operating permit fee, but are not exempt from the initial or annual operating permit,

(1) Waste contractors whose vehicles and employees are of a governmental body and whose debts and liabilities are of a municipality, Weber County, The State of Utah, or the Federal Government;

3.6 Suspension or revocation of approval or permit.

Any approval or permit received or issued pursuant to these rules and regulations may be denied, suspended, or revoked by the Director following notice and opportunity for a hearing for any of the following reasons:

- (a) Failure of the reports, plans, or specifications to show the solid waste collection service will be operated, or maintained in accordance with the requirements and standards of these rules and regulations;
- (b) Submission of incorrect or false information in the application, reports, plans, or specifications;
- (c) Failure to construct, operate, or maintain the solid waste vehicles in accordance with the application, reports, plans, and specifications approved by the Department or in accordance with the requirements of these rules and regulations;
- (d) Operation of the solid waste management service business, or vehicle in a way that causes or creates a nuisance or hazard to the public health, safety, or welfare;
- (e) Violation of any rule or regulation, restriction or requirement adopted by the Department;
- (f) Violation of any condition on which the permit was issued;
- (g) Failure to pay to the Department the permit fee required in Section 3.4;
- (h) Failure of the waste contractor to permit or allow the Department to conduct inspections or obtain samples as necessary to determine compliance with these rules and regulations.

4.0 Waste Contractor Requirement

- 4.1 Container construction, maintenance, and placement requirements.
Waste compactors shall only provide solid waste containers that meet the following minimum requirements:

(a) Containers shall be constructed of metal, durable plastic, or rubber. Metal containers shall be painted to prevent rust and corrosion.

(b) Containers shall have on the front or side, the name and telephone number of the contractor legibly printed in letters at least one inch (2.54 centimeters) high. Containers provided to dwellings as part of a municipality-wide service may instead use an identification code;

(c) Containers shall be outfitted with tight-fitting lids or other Department approved covers;

(d) Containers shall be maintained in a clean condition and in good repair including repainting if necessary to prevent rust and corrosion. If the waste contractor furnishes solid waste storage containers, the contractor shall be responsible for maintaining the containers in a clean and sound condition. The contractor shall have the proper facilities and equipment to clean and repair the waste containers provided or the waste contractor shall have working arrangements with a person who provides that service. The waste contractor shall plan and work with the property owner or occupant or both for placement of the storage containers to minimize traffic of other hazards and the prevention of a nuisance. Containers shall be placed in areas least offensive to adjoining properties and shall not be placed or located on a parking strip, except for the day of collection, or stored within 3 feet (.91 meters) of an adjoining property;

(e) Containers shall be designed and constructed in a way that they can be emptied without the collector coming into physical contact with the solid waste;

(f) Containers containing garbage shall not be allowed to remain on any premise without being emptied at least on a weekly or other required or needed interval; and

(g) Containers not meeting these requirements shall not be used without approval from the Department.

4.1 Collection and Transportation of Solid Waste

Each waste contractor shall be responsible for the satisfactory collection and transportation of all solid waste to a solid waste management facility approved by the Department. No waste contractor or employee of a waste contractor engaged in solid waste collection and transportation shall:

(a) Permit or allow any vehicle or trailer loaded with garbage, manure, slop, swill, refuse, or other solid waste to remain standing upon any premises, street, road, or highway any longer than necessary for loading and transporting except that solid waste may remain for a longer period of time in an emergency, such as severe weather conditions, equipment breakdown, or an accident;

(b) Haul, convey, or transport any solid waste in an open truck, transfer vehicle, open trailer, or other open conveyance for a distance of five(5) blocks or more without making a waste collection stop, unless covered completely or secured to prevent littering or discharge;

(c) Operate any vehicle used for the collection and transportation of solid waste in a way that the contents discharge from the vehicle. If a discharge occurs during collection or transportation, the material shall be picked up immediately by the collector or transportor and returned to the vehicle and the area shall be properly cleared;

(d) Convey, transport, or haul any garbage, slop, swill, sewage, sludge, fecal material or other similar solid waste, except in a sanitary receptacle or vehicle especially constructed for that purpose and with a valid permit from the Department; or

(e) Collect waste, materials, that are unauthorized or that are smoldering, smoking, or burning.

4.2 Unloading Solid Waste

All solid waste shall be unloaded only within a solid waste management facility or site approved by the Department. All unloading shall be in accordance with the requirements of the solid waste management facility accepting the waste, and the requirements of the Department.

All sanitary wastes that are not directly drained into a sanitary sewer system or an approved individual wastewater disposal system must be transported to and deposited in a sanitary sewer or directly into a sewage treatment plant.

4.3 Safety Plan and Training Requirements

Each waste contractor engaged in solid waste collection and transportation shall have a written safety plan for the collection, transportation, and disposal of solid waste. Each waste collector and operator of a solid waste collection or transportation vehicle shall be trained in each part of the safety plan prior to the collection, transportation, or disposal of solid waste and prior to the operation of the collection or transportation vehicle. The safety plan and training shall include the following parts:

(a) The proper operations and safety features of the solid waste collection vehicle;

- (b) The proper method of collecting, transporting, and unloading solid waste;
- (c) A copy and understanding of the requirements for the collection, transportation, and disposal, including any of the prohibited acts listed in these rules and regulations relating to the collection, transport and disposal of solid waste;
- (d) A description and understanding of the characteristics of solid waste and its hazardous properties; and
- (e) The procedures that must be followed if:
 - (1) Actual or potential injury results from contact with solid waste;
 - (2) Spillage of solid waste occurs during collection or transportation;
 - (3) Hot or burning solid waste loads are encountered; and
 - (4) Unauthorized waste material is deposited in the containers to be collected.

5.0 Solid Waste Collection and Transportation Vehicles

5.1 Vehicle Inspection and Permit Required

Vehicles used by waste contractors to collect or transport solid waste shall be inspected and approved by the Department on an annual basis. Upon making application for the required permit or license or both, each vehicle used by the waste contractor for solid waste collection and/or transportation shall be made available to the Department for inspection. If the vehicle meets the requirements of Section 5.2 and is approved by the Department, the following document shall be issued:

- (a) An inspection report signed by the Director stating that the vehicle identified by the report has passed inspection;
- (b) Two permit stickers that shall be placed on the vehicle by the Director to identify the vehicle as having been inspected for the current year. Such stickers shall not be removed, except by the Department, so long as the vehicle is used for hauling; and
- (c) A receipt showing payment of the permit fee.

5.2 Vehicle Construction Requirements

Each vehicle to be used by a solid waste contractor in the collection or transportation of solid waste shall meet the following requirements:

- (a) The vehicle body shall be clean, easily cleanable, and in good condition and repair;
- (b) The body shall be metal-lined with steel and welded at all seams or constructed of other materials approved by the Department;
- (c) The size capacity of the vehicle body or tank shall be certified by the manufacturer or a size certification company approved by the Department;

- (d) The vehicle shall be easily loaded and emptied;
- (e) The tailgate or hopper of the vehicle shall be constructed so the contents of the body will not spill or blow from the vehicle while in motion;
- (f) A heavy-duty canvas or other acceptable heavy-duty cover that is adequate in size to cover the open body of the vehicle shall accompany the vehicle;
- (g) The name and telephone number of the person or company owning the vehicle and the size capacity of the truck body or tank shall be permanently affixed on the body in letters and numbers that are legible and are at least three inches(7.6 centimeters) high;
- (h) All equipment attached to a vehicle hauling liquid or hazardous waste, including but not limited to pumps, hoses, valves, and the containers or tanks or both used to contain or pump the waste, shall be maintained water-tight and in good repair; and
- (i) The vehicle shall comply with all applicable air pollution and noise control ordinances and regulations.

5.3 Vehicle Maintenance Requirements

- (a) All equipment used for the collection and transportation of solid waste shall be maintained in good condition and cleaned with a frequency to prevent the propagation or attraction of flies; rodents, or other vectors and prevent the creation of a nuisance.
- (b) A collection vehicle that fails to meet the requirements of these rules and regulations shall be repaired or corrected immediately. If the corrections are not made to the collection vehicle its use shall be discontinued and the permit issued to the owner of the vehicle shall be revoked pursuant to the revocation provision of section 3.6.

5.4 Vehicles To Be Used For Permitted Use Only

A vehicle shall be used to collect and transport only solid waste for which it was designed and approved by the Department when the permit was issued. Permits issued by the Department do not constitute approval for trucks to haul material inappropriate to the trucks intended design or previous use or transporting material requiring State or Federal approval before such material is transported and disposed of.