

### **3. Waste Transport and Transporters**

In addition to complying with the general requirements of 3.2.4L.1, waste transport and transporters shall comply with the following standards:

#### **a. Hazardous Waste**

Transporters of waste as defined herein shall comply with 40 CFR Part 262 and applicable requirements of the state of Utah.

#### **b. Special Requirements for Waste Spills and Discharges**

In the event of a discharge, release or spill of waste during transportation, the waste transporter shall: take appropriate immediate action to protect human health and the environment, including but not limited to, notifying the Grand Council Administrator and Solid Waste District; contain the discharge, release or spill; devise and implement a cleanup plan; and provide such clean up plan to the Administration and the Solid Waste District.

#### **c. Exception**

The requirements of this 3.2.4L shall not apply to lawfully permitted waste transporters who are only passing through Grand County on railroads and/or on state, federal or County roads and/or highways and who are not engaged in any waste activity in Grand County other than such passage; such "through traffic only" is exempt from the provisions of this subsection L.

#### **d. Responsibility for Waste**

Each applicant, upon acceptance of a permit under this 3.2.4L, agrees to indemnify and hold harmless Grand County (and Grand County's elected officials, officers, employees, agents and consultants; collectively "Grand County") regarding any claims, whether frivolous or not, stated in any court or administrative proceeding relating to any spill, release, improper handling, improper disposal of any hazardous or other regulated substance or waste, to the extent not prohibited by law. Further, each applicant agrees to release Grand County from any liability associated with or claimed to be related to the adoption or enforcement of this 3.2.4L, including but not limited to any failure of Grand County to enforce any regulation hereunder. Each applicant, by acceptance of any permit hereunder irrevocably acknowledges that it is responsible and liable, and Grand County is not, for all damages and injury to person and/or property related to its waste, its activities and for its failure to abide by any and all state, local and/or federal laws and regulations; and each applicant by acceptance of any permit from Grand County, whether or not such applicant agrees that such permit is proper or lawful, releases Grand County regarding any liability or responsibility relating to the applicant's activities and/or waste.