

SENATE BILL No. 502

DIGEST OF INTRODUCED BILL

Citations Affected: IC 13-18-12.

Synopsis: Wastewater management. Allows the department of environmental management to determine the appropriate period for new and renewal wastewater permits, licenses, and approvals not to exceed three years. (Under current law, approval periods may not exceed one year.) Specifies that the commissioner or a designated staff person may revoke or modify a wastewater management permit, license, or approval under certain circumstances.

Effective: Upon passage.

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January 19, 1999, read first time and referred to Committee on Environmental Affairs.

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First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

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SENATE BILL No. 502



A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 13-18-12-2 IS AMENDED TO READ AS
- 2 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) A person
- 3 may not transport, treat, store, or dispose of wastewater in violation of
- 4 this chapter.
- 5 (b) A person may not engage in:
- 6 (1) the cleaning of sewage disposal systems; or
- 7 (2) the transportation, treatment, storage, or disposal of
- 8 wastewater;
- 9 without a wastewater management permit unless the person is
- 10 exempted under section 7 of this chapter.
- 11 (c) A person may not operate a vehicle for the transportation of
- 12 wastewater without a wastewater management vehicle license under
- 13 this chapter unless the person is exempted under section 4(a)(2) of this
- 14 chapter.
- 15 (d) A person may not dispose of wastewater by land application
- 16 without first obtaining approval of the land application site under this
- 17 chapter.



1 (e) The department may issue new and renewal permits,
 2 licenses, and approvals under this chapter for a period the
 3 department determines appropriate. However, the period may not
 4 exceed three (3) years.

5 SECTION 2. IC 13-18-12-4 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) The board
 7 shall, in accordance with IC 13-14-8, adopt rules to establish the
 8 following:

9 (1) Standards for the following:

10 (A) The issuance of wastewater management permits under
 11 section 3 of this chapter.

12 (B) Cleaning of sewage disposal systems.

13 (C) Transportation, storage, and treatment of wastewater, and
 14 disposal of wastewater, including land application.

15 (2) Licensure of all vehicles used in wastewater management
 16 services. However, the board may exempt by rule vehicles
 17 licensed on September 1, 1983, under the industrial waste haulers
 18 rule 320 IAC 5-10 as the rule existed on September 1, 1983.

19 (3) Procedures and standards for approval of sites for land
 20 application of wastewater.

21 (b) The board may designate a county or city health agency as the
 22 board's agent to approve land application sites in accordance with rules
 23 adopted under this section. ~~The procedures required by subsection~~
 24 ~~(a)(3) must allow the granting of one (1) time as well as continuing site~~
 25 ~~approvals. However, continuing approvals may not be granted for a~~
 26 ~~period exceeding one (1) year.~~

27 SECTION 3. IC 13-18-12-6.5 IS ADDED TO THE INDIANA
 28 CODE AS A NEW SECTION TO READ AS FOLLOWS
 29 [EFFECTIVE UPON PASSAGE]: **Sec. 6.5. In addition to any other**
 30 **authority in this title, the commissioner or a designated staff**
 31 **member may, under IC 4-21.5, revoke or modify a permit, license,**
 32 **or approval issued under this chapter for any of the following**
 33 **reasons:**

34 (1) **Violation of a requirement of this chapter, rules adopted**
 35 **under this chapter, a permit, a license, or an approval.**

36 (2) **Failure to disclose all relevant facts.**

37 (3) **A misrepresentation made in obtaining the permit, license,**
 38 **or approval.**

39 (4) **Failing to meet the qualifications for a permit, a license, or**
 40 **an approval or failing to comply with the requirements of the**
 41 **water pollution control laws or rules adopted by the board.**

42 (5) **Changes in circumstances relating to the permit, license,**



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1 **or approval that require either a temporary or permanent**
2 **reduction in the discharge of contaminants.**
3 **(6) A change, situation, or activity relating to the use of a**
4 **permit, a license, or an approval that, in the judgment of the**
5 **department, is not consistent with the following:**
6 **(A) The purposes of this title.**
7 **(B) Rules adopted by the board under this chapter.**
8 **SECTION 4. An emergency is declared for this act.**

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