



Reprinted  
February 22, 2000

---

---

# ENGROSSED

## SENATE BILL No. 372

---

DIGEST OF SB 372 (Updated February 21, 2000 6:20 PM - DI 52)

**Citations Affected:** IC 13-11; IC 13-15; IC 13-18; IC 13-20; noncode.

**Synopsis:** Special waste and industrial waste and environmental construction permits. Eliminates the designation of certain waste as special waste. Defines industrial waste and establishes standards for the disposal of industrial waste. Requires that unless the department of environmental management issues a permit providing otherwise, industrial waste must be disposed of at a solid waste landfill cell or unit that meets certain requirements of federal law. Requires a generator of industrial waste to document that an appropriate waste determination has been made. Requires that a generator of industrial waste to provide notification to the landfill that the industrial waste is not hazardous waste and of an special handling requirements. Provides interim standards for the disposal of waste formerly classified as special waste. Provides that a transfer station may not accept industrial waste unless the transfer station is permitted by the department of environmental management to accept the waste. Directs the department of environmental management to adopt rules before July 1, 2001, to reflect the elimination of references in the Indiana Code to special waste and the addition of references to industrial waste. Requires that a department registered engineer must approve any changes to plans and specifications for construction, installation, or modification with respect to water, sewage, or wastewater systems if the plans were prepared by a registered engineer.

**Effective:** July 1, 2000.

---

---

## Riegsecker

(HOUSE SPONSORS — WOLKINS, STURTZ)

---

---

January 10, 2000, read first time and referred to Committee on Environmental Affairs.  
January 25, 2000, amended, reported favorably — Do Pass.  
February 1, 2000, read second time, amended, ordered engrossed.  
February 2, 2000, engrossed.  
February 7, 2000, read third time, passed. Yeas 50, nays 0.

HOUSE ACTION

February 10, 2000, read first time and referred to Committee on Environmental Affairs.  
February 16, 2000, reported — Do Pass.  
February 21, 2000, read second time, amended, ordered engrossed.

---

---

ES 372—LS 6906/DI 69+



C  
O  
P  
Y

Reprinted  
February 22, 2000

Second Regular Session 111th General Assembly (2000)

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 *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1999 General Assembly.

## ENGROSSED SENATE BILL No. 372

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 13-11-2-109.5 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2000]: **Sec. 109.5. "Industrial waste", for**  
4 **purposes of IC 13-20, means a solid waste from a nonresidential**  
5 **source that is not:**

- 6 (1) **a hazardous waste (as defined in section 99 of this**  
7 **chapter);**  
8 (2) **a municipal waste (as defined in section 133 of this**  
9 **chapter);**  
10 (3) **a construction\demolition waste (as defined in section 41**  
11 **of this chapter); or**  
12 (4) **an infectious waste as defined in IC 16-41-16-4.**

13 SECTION 2. IC 13-11-2-133 IS AMENDED TO READ AS  
14 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 133. (a) "Municipal  
15 waste", for purposes of:

- 16 (1) IC 13-20-4;  
17 (2) IC 13-20-6;

ES 372—LS 6906/DI 69+



C  
O  
P  
Y

- 1 (3) IC 13-20-21;  
 2 (4) IC 13-20-23;  
 3 (5) IC 13-22-1 through IC 13-22-8; and  
 4 (6) IC 13-22-13 through IC 13-22-14;

5 means any garbage, refuse, industrial lunchroom or office waste, and  
 6 other **similar** material resulting from the operation of residential,  
 7 municipal, commercial, or institutional establishments and community  
 8 activities.

9 (b) The term does not include the following:

- 10 (1) ~~Special Industrial waste (as defined in 329 IAC 2-21-1, as in~~  
 11 ~~effect on January 1, 1990)~~ **section 109.5 of this chapter**.  
 12 (2) Hazardous waste regulated under:  
 13 (A) IC 13-22-1 through IC 13-22-8 and IC 13-22-13 through  
 14 IC 13-22-14; or  
 15 (B) the federal Solid Waste Disposal Act (42 U.S.C. 6901 et  
 16 seq.), as in effect on January 1, 1990.  
 17 (3) Infectious waste (as defined in IC 16-41-16-4).  
 18 (4) Wastes that result from the combustion of coal and that are  
 19 referred to in IC 13-19-3-3.  
 20 (5) Materials that are being transported to a facility for  
 21 reprocessing or reuse.

22 (c) As used in subsection (b)(5), "reprocessing or reuse" does not  
 23 include either of the following:

- 24 (1) Incineration.  
 25 (2) Placement in a landfill.

26 SECTION 3. IC 13-11-2-208 IS AMENDED TO READ AS  
 27 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 208. "Solid waste  
 28 landfill", for purposes of **IC 13-20-7.5**, IC 13-20-9 and IC 13-22-9,  
 29 means a solid waste disposal facility at which solid waste is deposited  
 30 on or beneath the surface of the ground as an intended place of final  
 31 location.

32 SECTION 4. IC 13-11-2-253 IS AMENDED TO READ AS  
 33 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 253. "Waste-to-energy  
 34 facility", for purposes of **IC 13-20 and IC 13-21**, means a facility at  
 35 which solid waste is converted into energy or another useful product by  
 36 incineration.

37 SECTION 5. IC 13-15-4-1, AS AMENDED BY P.L.224-1999,  
 38 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 39 JULY 1, 2000]: Sec. 1. Except as provided in sections 2, 3, and 6 of  
 40 this chapter, the commissioner shall approve or deny an application  
 41 filed with the department after July 1, 1995, within the following  
 42 number of days:

ES 372—LS 6906/DI 69+



C  
O  
P  
Y

- 1 (1) Three hundred sixty-five (365) days for an application  
 2 concerning the following:  
 3 (A) A new hazardous waste or solid waste landfill.  
 4 (B) A new hazardous waste or solid waste incinerator.  
 5 (C) A major modification of a solid waste landfill.  
 6 (D) A major modification of a solid waste incinerator.  
 7 (E) A new hazardous waste treatment or storage facility.  
 8 (F) A new Part B permit issued under 40 CFR 270 et seq. for  
 9 an existing hazardous waste treatment or storage facility.  
 10 (G) A Class 3 modification under 40 CFR 270.42 to a  
 11 hazardous waste landfill.
- 12 (2) Two hundred seventy (270) days for an application concerning  
 13 the following:  
 14 (A) A Class 3 modification under 40 CFR 270.42 of a  
 15 hazardous waste treatment or storage facility.  
 16 (B) A major new National Pollutant Discharge Elimination  
 17 System permit.
- 18 (3) One hundred eighty (180) days for an application concerning  
 19 the following:  
 20 (A) A new solid waste processing or recycling facility.  
 21 (B) A minor new National Pollutant Discharge Elimination  
 22 System individual permit.  
 23 (C) A permit concerning the land application of wastewater.
- 24 (4) One hundred fifty (150) days for an application concerning a  
 25 minor new National Pollutant Discharge Elimination System  
 26 general permit.
- 27 (5) One hundred twenty (120) days for an application concerning  
 28 a Class 2 modification under 40 CFR 270.42 to a hazardous waste  
 29 facility.
- 30 (6) Ninety (90) days for an application concerning the following:  
 31 (A) A minor modification to a solid waste landfill or  
 32 incinerator permit.  
 33 (B) A wastewater facility or water facility construction permit.
- 34 (7) The amount of time provided for in rules adopted by the air  
 35 pollution control board for an application concerning the  
 36 following:  
 37 (A) An air pollution construction permit that is subject to 326  
 38 IAC 2-2 and 326 IAC 2-3.  
 39 (B) An air pollution facility construction permit (other than as  
 40 defined in 326 IAC 2-2).  
 41 (C) Registration of an air pollution facility.
- 42 (8) Sixty (60) days for an application concerning the following:



C  
O  
P  
Y

1 (A) A Class 1 modification under 40 CFR 270.42 requiring  
2 prior written approval, to a hazardous waste:

- 3 (i) landfill;  
4 (ii) incinerator;  
5 (iii) treatment facility; or  
6 (iv) storage facility.

7 (B) Any other permit not specifically described in this section  
8 for which the application fee exceeds one hundred dollars  
9 (\$100) and for which a time frame has not been established  
10 under section 3 of this chapter.

11 ~~(9) Fifty (50) days for an application concerning certification of~~  
12 ~~a special waste.~~

13 SECTION 6. IC 13-18-16-1 IS AMENDED TO READ AS  
14 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 1. (a) A permit is  
15 required for the construction, installation, or modification of:

- 16 (1) sources;  
17 (2) facilities;  
18 (3) equipment; or  
19 (4) devices;

20 of a public water supply, including water distribution systems.

21 (b) Plans and specifications for the construction, installation, or  
22 modification of sources, facilities, equipment, or devices of a public  
23 water supply must be submitted to the commissioner with a permit  
24 application. The plans and specifications must be complete and of  
25 sufficient detail to show all proposed construction, changes, or  
26 modifications that may affect the sanitary quality, chemical quality, or  
27 adequacy of the public water supply involved. The applicant shall  
28 supply any additional data or material considered appropriate by the  
29 commissioner to a review of the plans and specifications.

30 (c) Unless otherwise provided in rules adopted under section 8(b)  
31 of this chapter, plans and specifications must be submitted to the  
32 commissioner with the permit application for water distribution  
33 systems.

34 (d) Construction, installation, or modification of a public water  
35 supply may not begin until the commissioner has issued a permit under  
36 subsection (a).

37 (e) In determining whether to issue a permit under this section, the  
38 commissioner shall proceed under IC 13-15.

39 **(f) If a permit application to the department includes plans and**  
40 **specifications prepared by a professional engineer registered under**  
41 **IC 25-31 for:**

- 42 **(1) construction, installation, or modification described in**

C  
O  
P  
Y



1           **subsection (a): or**  
 2           **(2) construction, installation, or modification of a sewage**  
 3           **works or wastewater treatment plant;**  
 4           **the department may not require changes to the plans and**  
 5           **specifications as a condition to issuance of the permit unless the**  
 6           **changes are approved by an employee of the department who is a**  
 7           **professional engineer registered under IC 25-31.**

8           SECTION 7. IC 13-20-1-1 IS AMENDED TO READ AS  
 9           FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 1. This chapter does not  
 10          apply to an individual, a corporation, a partnership, or a business  
 11          association that in its regular business activity:

12          (1) produces solid or ~~special~~ **industrial** waste as a byproduct of  
 13          or incidental to its regular business activity; and

14          (2) disposes of the solid or ~~special~~ **industrial** waste at a site that  
 15          meets the following conditions that is:

16               (A) owned by the individual, corporation, partnership, or  
 17               business association; and

18               (B) limited to use by that individual, corporation, partnership,  
 19               or business association for the disposal of solid or ~~special~~  
 20               **industrial** waste produced by:

21                   (i) that individual, corporation, partnership, or business  
 22                   association; or

23                   (ii) a subsidiary of an entity referred to in item (i).

24          SECTION 8. IC 13-20-4-8 IS AMENDED TO READ AS  
 25          FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 8. A vehicle may only  
 26          be used to collect and transport the following:

27          (1) Municipal waste.

28          (2) ~~Special Industrial~~ **Special Industrial** waste. ~~(as defined in 329 IAC 2-21-1, as in~~  
 29          ~~effect January 1, 1990).~~

30          (3) Hazardous waste regulated under:

31               (A) IC 13-22; or

32               (B) the federal Solid Waste Disposal Act (42 U.S.C. 6901 et  
 33               seq., as in effect January 1, 1990).

34          (4) Waste described under IC 13-19-3-3 that results from the  
 35          combustion of coal.

36          (5) Material that is being transported to a facility, except an  
 37          incinerator or a landfill, for reprocessing or reuse.

38          (6) Wood, concrete, brick, and other construction and demolition  
 39          materials.

40          (7) Dirt, sand, gravel, asphalt, salt, and other highway  
 41          maintenance material.

42          (8) Coal, gypsum, slag, scrap metal, and other bulk industrial



C  
O  
P  
Y

1 commodities.

2 (9) Infectious waste (as defined in IC 16-41-16-4).

3 SECTION 9. IC 13-20-7.5 IS ADDED TO THE INDIANA CODE  
4 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
5 JULY 1, 2000]:

6 **Chapter 7.5. Industrial Waste**

7 **Sec. 1. (a) Except as provided in subsection (b), industrial waste**  
8 **may be disposed of only at a solid waste landfill cell or unit that**  
9 **meets or exceeds Subtitle D design standards of the federal**  
10 **Resource Conservation and Recovery Act as provided in 40 CFR**  
11 **Part 258 or in a waste-to-energy facility in accordance with the**  
12 **facility operating permit.**

13 **(b) The department may issue a permit to a solid waste landfill**  
14 **that does not meet or exceed the standards described in subsection**  
15 **(a).**

16 **Sec. 2. A generator of industrial waste must document that it**  
17 **has made a waste determination in accordance with 40 CFR 240**  
18 **through 40 CFR 299 and 40 CFR 761.**

19 **Sec. 3. A solid waste landfill may not accept hazardous waste**  
20 **unless the solid waste landfill is authorized to accept hazardous**  
21 **waste under IC 13-22.**

22 **Sec 4. Before a generator first disposes of industrial waste, the**  
23 **person must provide the solid waste landfill with notification from**  
24 **the generator that:**

25 **(1) states that the industrial waste is not hazardous waste as**  
26 **determined under section 2 of this chapter; and**

27 **(2) identifies any special handling requirements.**

28 **Sec. 5. Disposal of an industrial waste that was certified as a**  
29 **special waste under IC 13-20-7 (before its repeal on July 1, 2000)**  
30 **at a solid waste landfill that does not meet or exceed the standards**  
31 **described in section 1(a) of this chapter may continue until the**  
32 **earlier of:**

33 **(1) the date of expiration of the certification under IC 13-20-7;**  
34 **or**

35 **(2) July 1, 2001.**

36 **Sec. 6. A transfer station may not accept industrial waste unless**  
37 **the transfer station is permitted by the department to accept**  
38 **industrial waste.**

39 SECTION 10. IC 13-20-21-6 IS AMENDED TO READ AS  
40 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 6. For solid waste, the  
41 disposal fees are as follows:



C  
O  
P  
Y

1		Fee
2	Municipal Waste per ton	\$ 0.10
3	<del>Special</del> <b>Industrial</b> Waste per ton	\$ 0.10
4	Municipal Waste Disposed	
5	of at an Incinerator per ton	\$ 0.05
6	Construction\	
7	Demolition Waste per ton	\$ 0.10
8	SECTION 11. [EFFECTIVE JULY 1, 2000] <b>(a) The department</b>	
9	<b>of environmental management shall adopt rules under IC 4-22-2</b>	
10	<b>before July 1, 2001, to reflect the elimination of references to</b>	
11	<b>special waste and the addition of references to industrial waste in</b>	
12	<b>this act.</b>	
13	<b>(b) This SECTION expires January 1, 2002.</b>	
14	SECTION 12. THE FOLLOWING ARE REPEALED [EFFECTIVE	
15	JULY 1, 2000]: IC 13-11-2-215; IC 13-11-2-215.1; IC 13-20-7;	
16	IC 13-20-21-5.	

C  
o  
p  
y

## COMMITTEE REPORT

Mr. President: The Senate Committee on Environmental Affairs, to which was referred Senate Bill No. 372, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 1, delete "13-20-7-1, AS AMENDED BY P.L.224-1999," and insert "13-11-2-109.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: **Sec. 109.5. "Industrial waste", for purposes of IC 13-20, means a solid waste that is not:**

- (1) a hazardous waste (as defined in section 99 of this chapter);
- (2) a municipal waste (as defined in section 133 of this chapter); or
- (3) a construction\demolition waste (as defined in section 41 of this chapter).

SECTION 2. IC 13-11-2-133 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 133. (a) "Municipal waste", for purposes of:

- (1) IC 13-20-4;
- (2) IC 13-20-6;
- (3) IC 13-20-21;
- (4) IC 13-20-23;
- (5) IC 13-22-1 through IC 13-22-8; and
- (6) IC 13-22-13 through IC 13-22-14;

means any garbage, refuse, industrial lunchroom or office waste, and other material resulting from the operation of residential, municipal, commercial, or institutional establishments and community activities.

(b) The term does not include the following:

- (1) ~~Special industrial waste (as defined in ~~329 IAC 2-21-1, as in effect on January 1, 1990)~~ **section 109.5 of this chapter).**~~
- (2) Hazardous waste regulated under:
  - (A) IC 13-22-1 through IC 13-22-8 and IC 13-22-13 through IC 13-22-14; or
  - (B) the federal Solid Waste Disposal Act (42 U.S.C. 6901 et seq.), as in effect on January 1, 1990.
- (3) Infectious waste (as defined in IC 16-41-16-4).
- (4) Wastes that result from the combustion of coal and that are referred to in IC 13-19-3-3.
- (5) Materials that are being transported to a facility for reprocessing or reuse.

(c) As used in subsection (b)(5), "reprocessing or reuse" does not

ES 372—LS 6906/DI 69+



C  
O  
P  
Y

include either of the following:

- (1) Incineration.
- (2) Placement in a landfill.

SECTION 3. IC 13-11-2-208 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 208. "Solid waste landfill", for purposes of **IC 13-20-7.5**, IC 13-20-9 and IC 13-22-9, means a solid waste disposal facility at which solid waste is deposited on or beneath the surface of the ground as an intended place of final location.

SECTION 4. IC 13-15-4-1, AS AMENDED BY P.L.224-1999, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 1. Except as provided in sections 2, 3, and 6 of this chapter, the commissioner shall approve or deny an application filed with the department after July 1, 1995, within the following number of days:

- (1) Three hundred sixty-five (365) days for an application concerning the following:
  - (A) A new hazardous waste or solid waste landfill.
  - (B) A new hazardous waste or solid waste incinerator.
  - (C) A major modification of a solid waste landfill.
  - (D) A major modification of a solid waste incinerator.
  - (E) A new hazardous waste treatment or storage facility.
  - (F) A new Part B permit issued under 40 CFR 270 et seq. for an existing hazardous waste treatment or storage facility.
  - (G) A Class 3 modification under 40 CFR 270.42 to a hazardous waste landfill.
- (2) Two hundred seventy (270) days for an application concerning the following:
  - (A) A Class 3 modification under 40 CFR 270.42 of a hazardous waste treatment or storage facility.
  - (B) A major new National Pollutant Discharge Elimination System permit.
- (3) One hundred eighty (180) days for an application concerning the following:
  - (A) A new solid waste processing or recycling facility.
  - (B) A minor new National Pollutant Discharge Elimination System individual permit.
  - (C) A permit concerning the land application of wastewater.
- (4) One hundred fifty (150) days for an application concerning a minor new National Pollutant Discharge Elimination System general permit.
- (5) One hundred twenty (120) days for an application concerning

C  
O  
P  
Y



a Class 2 modification under 40 CFR 270.42 to a hazardous waste facility.

(6) Ninety (90) days for an application concerning the following:

(A) A minor modification to a solid waste landfill or incinerator permit.

(B) A wastewater facility or water facility construction permit.

(7) The amount of time provided for in rules adopted by the air pollution control board for an application concerning the following:

(A) An air pollution construction permit that is subject to 326 IAC 2-2 and 326 IAC 2-3.

(B) An air pollution facility construction permit (other than as defined in 326 IAC 2-2).

(C) Registration of an air pollution facility.

(8) Sixty (60) days for an application concerning the following:

(A) A Class 1 modification under 40 CFR 270.42 requiring prior written approval, to a hazardous waste:

- (i) landfill;
- (ii) incinerator;
- (iii) treatment facility; or
- (iv) storage facility.

(B) Any other permit not specifically described in this section for which the application fee exceeds one hundred dollars (\$100) and for which a time frame has not been established under section 3 of this chapter.

~~(9) Fifty (50) days for an application concerning certification of a special waste:~~

SECTION 5. IC 13-20-1-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 1. This chapter does not apply to an individual, a corporation, a partnership, or a business association that in its regular business activity:

(1) produces solid or ~~special~~ **industrial** waste as a byproduct of or incidental to its regular business activity; and

(2) disposes of the solid or ~~special~~ **industrial** waste at a site that meets the following conditions that is:

(A) owned by the individual, corporation, partnership, or business association; and

(B) limited to use by that individual, corporation, partnership, or business association for the disposal of solid or ~~special~~ **industrial** waste produced by:

- (i) that individual, corporation, partnership, or business association; or

C  
O  
P  
Y



(ii) a subsidiary of an entity referred to in item (i).

SECTION 6. IC 13-20-4-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 8. A vehicle may only be used to collect and transport the following:

- (1) Municipal waste.
- (2) ~~Special Industrial~~ waste. ~~(as defined in 329 IAC 2-21-1, as in effect January 1, 1990):~~
- (3) Hazardous waste regulated under:
  - (A) IC 13-22; or
  - (B) the federal Solid Waste Disposal Act (42 U.S.C. 6901 et seq., as in effect January 1, 1990).
- (4) Waste described under IC 13-19-3-3 that results from the combustion of coal.
- (5) Material that is being transported to a facility, except an incinerator or a landfill, for reprocessing or reuse.
- (6) Wood, concrete, brick, and other construction and demolition materials.
- (7) Dirt, sand, gravel, asphalt, salt, and other highway maintenance material.
- (8) Coal, gypsum, slag, scrap metal, and other bulk industrial commodities.
- (9) Infectious waste (as defined in IC 16-41-16-4).

SECTION 7. IC 13-20-7.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]:

**Chapter 7.5. Industrial Waste**

**Sec. 1. (a) Except as provided in subsection (b), industrial waste may be disposed of only at a solid waste landfill cell or unit that meets or exceeds Subtitle D design standards of the federal Resource Conservation and Recovery Act as provided in 40 CFR Part 258.**

**(b) The department may issue a permit to a solid waste landfill for disposal of industrial waste in a cell or unit that does not meet or exceed the standards described in subsection (a).**

**Sec. 2. (a) This section applies to all persons that:**

- (1) generate industrial waste; and**
- (2) dispose of the industrial waste at a solid waste landfill cell or unit described in section 1(a) of this chapter.**

**(b) Before a person first disposes of industrial waste, the person must provide the solid waste landfill with a signed notification attesting that the information on the notification is true and accurate and that:**



C  
O  
P  
Y

- (1) the industrial waste is not hazardous waste;
- (2) a waste determination was performed on the industrial waste in accordance with 40 CFR 61, 40 CFR 240 through 40 CFR 299, 40 CFR 761, and 40 CFR 152 through 40 CFR 186;
- (3) any industrial waste management requirements are identified; and
- (4) the characteristics of the industrial waste have not changed since the waste determination was performed.

**Sec. 3. (a) This section applies to all persons that generate industrial waste.**

**(b) A person that generates industrial waste may not send the industrial waste to a transfer station unless the transfer station is permitted by the department to accept industrial waste.**

SECTION 8. IC 13-20-21-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 6. For solid waste, the disposal fees are as follows:

	Fee
Municipal Waste per ton	\$ 0.10
<b>Special Industrial</b> Waste per ton	\$ 0.10
Municipal Waste Disposed of at an Incinerator per ton	\$ 0.05
Construction\ Demolition Waste per ton	\$ 0.10

SECTION 9. [EFFECTIVE JULY 1, 2000] **(a) The department of environmental management shall adopt rules under IC 4-22-2 before July 1, 2001, to reflect the elimination of references to special waste and the addition of references to industrial waste in this act.**

**(b) This SECTION expires January 1, 2002.**

SECTION 10. THE FOLLOWING ARE REPEALED [EFFECTIVE JULY 1, 2000]: IC 13-11-2-215; IC 13-11-2-215.1; IC 13-20-7; IC 13-20-21-5."

Page 1, delete lines 2 through 17.

Delete page 2.

and when so amended that said bill do pass.

(Reference is to SB 372 as introduced.)

GARD, Chairperson

Committee Vote: Yeas 6, Nays 1.

ES 372—LS 6906/DI 69+



C  
O  
P  
Y

## SENATE MOTION

Mr. President: I move that Senate Bill 372 be amended to read as follows:

Page 1, line 4, after "waste" insert "**from a nonresidential source**".

Page 1, line 8, delete "or".

Page 1, line 10, delete "." and insert "; or".

Page 1, between lines 10 and 11, begin a new line block indented and insert:

**"(4) an infectious waste as defined in IC 16-41-16-4."**

Page 2, line 4, after "other" insert "**similar**".

Page 2, between lines 28 and 29, begin a new paragraph and insert:

"SECTION 4. IC 13-11-2-253 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 253. "Waste-to-energy facility", for purposes of **IC 13-20 and IC 13-21**, means a facility at which solid waste is converted into energy or another useful product by incineration."

Page 5, line 8, after "258" insert "**or in a waste-to-energy facility in accordance with the facility operating permit**".

Page 5, line 10, delete "for disposal of industrial waste in a cell or unit".

Page 5, delete lines 12 through 32, begin a new paragraph and insert:

**"Sec. 2. A generator of industrial waste must document that it has made a waste determination in accordance with 40 CFR 240 through 40 CFR 299 and 40 CFR 761.**

**Sec. 3. A solid waste landfill may not accept hazardous waste unless the solid waste landfill is authorized to accept hazardous waste under IC 13-22.**

**Sec 4. Before a generator first disposes of industrial waste, the person must provide the solid waste landfill with notification from the generator that:**

- (1) states that the industrial waste is not hazardous waste as determined under section 2 of this chapter; and**
- (2) identifies any special handling requirements.**

**Sec. 5. Disposal of an industrial waste that was certified as a special waste under IC 13-20-7 (before its repeal on July 1, 2000) at a solid waste landfill that does not meet or exceed the standards described in section 1(a) of this chapter may continue until the earlier of:**

- (1) the date of expiration of the certification under**

ES 372—LS 6906/DI 69+



C  
O  
P  
Y

**IC 13-20-7; or  
(2) July 1, 2001.**

**Sec. 6. A transfer station may not accept industrial waste unless the transfer station is permitted by the department to accept industrial waste."**

Renumber all SECTIONS consecutively.

(Reference is to SB 372 as printed January 26, 2000.)

RIEGSECKER

C  
o  
p  
y



COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred Senate Bill 372, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

STURTZ, Chair

Committee Vote: yeas 11, nays 0.

C  
o  
p  
y



## HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 372 be amended to read as follows:

Page 2, line 10, delete "industrial" and insert "**Industrial**".

Page 4 , between lines 12 and 13, begin a new paragraph and insert:

"SECTION 6. IC 13-18-16-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 1. (a) A permit is required for the construction, installation, or modification of:

- (1) sources;
- (2) facilities;
- (3) equipment; or
- (4) devices;

of a public water supply, including water distribution systems.

(b) Plans and specifications for the construction, installation, or modification of sources, facilities, equipment, or devices of a public water supply must be submitted to the commissioner with a permit application. The plans and specifications must be complete and of sufficient detail to show all proposed construction, changes, or modifications that may affect the sanitary quality, chemical quality, or adequacy of the public water supply involved. The applicant shall supply any additional data or material considered appropriate by the commissioner to a review of the plans and specifications.

(c) Unless otherwise provided in rules adopted under section 8(b) of this chapter, plans and specifications must be submitted to the commissioner with the permit application for water distribution systems.

(d) Construction, installation, or modification of a public water supply may not begin until the commissioner has issued a permit under subsection (a).

(e) In determining whether to issue a permit under this section, the commissioner shall proceed under IC 13-15.

**(f) If a permit application to the department includes plans and specifications prepared by a professional engineer registered under IC 25-31 for:**

- (1) construction, installation, or modification described in subsection (a): or**
- (2) construction, installation, or modification of a sewage works or wastewater treatment plant;**

**the department may not require changes to the plans and specifications as a condition to issuance of the permit unless the changes are approved by an employee of the department who is a**

ES 372—LS 6906/DI 69+



C  
O  
P  
Y

**professional engineer registered under IC 25-31."**

Renumber all SECTIONS consecutively.

(Reference is to ESB 372 as printed February 17, 2000.)

BAILEY

C  
o  
p  
y

