
SENATE BILL No. 511

DIGEST OF INTRODUCED BILL

Citations Affected: IC 13-14-12-1; IC 13-22.

Synopsis: Hazardous waste manifests and reports. Repeals provisions that require the solid waste management board to adopt a manifest form that concerns hazardous waste that is transported to a treatment, storage, or disposal facility located at a site other than the site where the waste was generated. Requires a person that generates hazardous waste that is transported to one of these facilities to: (1) use the Uniform Hazardous Waste Manifest form adopted by the United States Environmental Protection Agency for purposes of the transportation of hazardous waste; and (2) enter on the form the waste codes for each hazardous waste in a shipment that is transported to the facility. Repeals provisions that require: (1) generators of hazardous waste that is shipped to a facility; and (2) owners and operators of the facility; to submit a copy of each hazardous waste manifest to the department of environmental management. Requires a person that generates hazardous waste that is transported to a facility located at a site other than the site where the waste was generated to submit a report to the department before February 1 of each year that summarizes the person's hazardous waste shipments during the previous calendar year. Requires the first report to be submitted before February 1, 2002, concerning shipments made in 2001.

Effective: January 1, 2001; January 1, 2002.

Simpson, Gard

January 11, 2000, read first time and referred to Committee on Environmental Affairs.

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

SENATE BILL No. 511

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 13-14-12-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 1. (a) The
3 officials collecting the following shall remit the money to the treasurer
4 of state:

5 (1) Money collected under the following:

6 (A) IC 13-30-4-1.

7 (B) IC 13-30-4-2.

8 (C) IC 13-30-5-1.

9 (2) Fees collected under IC 13-16-1-2 through IC 13-16-1-5.

10 ~~(3) Fees collected under IC 13-22-4-5.~~

11 (b) The treasurer of state shall credit the money to the
12 environmental management special fund.

13 SECTION 2. IC 13-22-4-1 IS AMENDED TO READ AS
14 FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 1. (a) ~~The solid~~
15 ~~waste management board shall: (1) adopt a manifest form; and (2)~~
16 ~~prescribe the form's use regarding~~ **A person that generates** hazardous
17 waste that is transported to a:



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1 ~~(A)~~ (1) treatment;

2 ~~(B)~~ (2) storage; or

3 ~~(C)~~ (3) disposal;

4 facility located at a site other than the site where the waste was
5 generated **shall use the Uniform Hazardous Waste Manifest form**
6 **adopted by the United States Environmental Protection Agency for**
7 **purposes of the transportation of hazardous waste.**

8 (b) The form:

9 (1) where applicable, must call for the entry of the same
10 information as is required under 40 CFR 261 and 40 CFR 262;
11 Subpart B by the United States Environmental Protection Agency;
12 in the same manner and form as required by the United States
13 Environmental Protection Agency; and

14 (2) may call for the entry of any additional information required
15 by:

16 ~~(A)~~ the United States Environmental Protection Agency; or

17 ~~(B)~~ the board under a rule adopted by the board.

18 **(b) In addition to any other information a person is required to**
19 **enter on the Uniform Hazardous Waste Manifest form described**
20 **in subsection (a), the person shall enter, in an appropriate place on**
21 **the form, the waste codes for each hazardous waste in a shipment**
22 **that is transported to the treatment, storage, or disposal facility.**

23 SECTION 3. IC 13-22-4-2 IS AMENDED TO READ AS
24 FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 2. ~~(a)~~ If a
25 generator generates at least one hundred (100) kilograms of hazardous
26 waste in a month, the generator shall, within five (5) working days after
27 the transportation of any hazardous waste to a treatment, storage, or
28 disposal facility during that month, submit to the office of solid and
29 hazardous waste management of the department a copy of the manifest
30 created for purposes of the transportation of the hazardous waste.

31 ~~(b)~~ (a) A generator located in Indiana whose hazardous waste is
32 transported to a treatment, storage, or disposal facility located in
33 another state may use a manifest form prescribed by the law of the
34 other state to meet the requirements of this chapter if the form is
35 compatible with the form **adopted under described in** section 1 of this
36 chapter.

37 ~~(c)~~ (b) A generator located in a state other than Indiana whose
38 hazardous waste is transported to a treatment, storage, or disposal
39 facility in Indiana must:

40 (1) use the manifest form **adopted under described in** section 1 of
41 this chapter; and

42 (2) meet the other requirements of IC 13-22-2 through IC 13-22-8

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1 and IC 13-22-13 through IC 13-22-14.

2 SECTION 4. IC 13-22-4-3.1 IS ADDED TO THE INDIANA CODE
3 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
4 JANUARY 1, 2002]: **Sec. 3.1. A person that generates hazardous
5 waste that is transported to a treatment, storage, or disposal
6 facility located at a site other than the site where the waste was
7 generated shall, before February 1 of each year, submit to the
8 department a report that:**

9 (1) **summarizes the person's hazardous waste shipments
10 during the previous calendar year; and**

11 (2) **if the person is required to submit an annual or biennial
12 report to the United States Environmental Protection Agency
13 concerning the person's hazardous waste shipments, is based
14 on the person's annual or biennial report.**

15 SECTION 5. IC 13-22-5-6 IS AMENDED TO READ AS
16 FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 6. (a) If the
17 rejected load is to be returned to a generator, the generator shall
18 complete a new manifest form and comply with all of the standards
19 applicable to generators of hazardous waste except the following:

20 (1) Line out the word "generator" in Box 3 of the manifest and
21 insert the words "rejecting facility".

22 (2) Line out the words "designated facility" in Box 9 of the
23 manifest and insert the word "generator".

24 (3) Write the words "REJECTED LOAD" in large block print and
25 indicate the ~~state~~ manifest document number of the original
26 manifest in Box 15 of the rejected load manifest.

27 (b) The rejected load manifest must accompany the shipment back
28 to the generator. The generator retains all responsibility for
29 transportation of the rejected waste.

30 SECTION 6. IC 13-22-5-7 IS AMENDED TO READ AS
31 FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 7. (a) When the
32 rejected waste and the manifest are received by the generator, the
33 generator shall do the following:

34 (1) Note any discrepancies in Box 19 of the manifest.

35 (2) Line out the words "Facility Owner or Operator" in Box 20 of
36 the manifest and insert the words "Receiving generator".

37 (3) Sign Box 20 of the manifest.

38 (4) Give a copy of the manifest to the transporter.

39 (5) Mail a copy of the manifest to the rejecting facility ~~and the~~
40 ~~department~~ not more than five (5) days after receipt of the
41 shipment and the manifest.

42 (b) The receiving generator and rejecting facility shall retain copies

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1 of the manifest from the rejected load for not less than three (3) years
2 after the date of receipt.

3 SECTION 7. THE FOLLOWING ARE REPEALED [EFFECTIVE
4 JANUARY 1, 2001]: IC 13-22-4-3; IC 13-22-4-4; IC 13-22-4-5;
5 IC 13-22-12-4.

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