

### **IC 13-20-10.5**

#### **Chapter 10.5. Biomass Anaerobic Digestion Facilities and Biomass Gasification Facilities**

### **IC 13-20-10.5-1**

#### **Department approval**

Sec. 1. (a) A person may not after June 30, 2011, start:

(1) construction of:

(A) a biomass anaerobic digestion facility; or

(B) a biomass gasification facility; or

(2) expansion of:

(A) a biomass anaerobic digestion facility; or

(B) a biomass gasification facility;

without obtaining prior approval of the department.

(b) A person who proposes to construct or expand a biomass anaerobic digestion facility or a biomass gasification facility on the premises of a confined feeding operation must obtain the prior approval required under subsection (a) through the approval process for confined feeding operations under IC 13-18-10 and rules implementing that chapter.

*As added by P.L.189-2011, SEC.13.*

### **IC 13-20-10.5-2**

#### **Regulation as a solid waste processing facility**

Sec. 2. Except as provided in section 3 of this chapter, a biomass anaerobic digestion facility or a biomass gasification facility for which the only input is biomass is not subject to regulation as a solid waste processing facility.

*As added by P.L.189-2011, SEC.13.*

### **IC 13-20-10.5-3**

#### **Regulation as a solid waste processing facility; department determination**

Sec. 3. (a) The department may determine that a biomass anaerobic digestion facility or a biomass gasification facility for which the input is a combination of biomass and solid waste is subject to regulation as a solid waste processing facility.

(b) Anaerobic digestion and gasification facilities required to maintain a permit under IC 13-17 are not required to seek approval under this chapter.

*As added by P.L.189-2011, SEC.13.*

### **IC 13-20-10.5-4**

#### **Rules**

Sec. 4. The board may adopt rules under IC 4-22-2 and IC 13-14-9 to implement this chapter.

*As added by P.L.189-2011, SEC.13.*