

## **IC 13-20-6**

### Chapter 6. Requirements for Municipal Waste Transfer Activities

#### **IC 13-20-6-1**

##### **Applicability of chapter**

Sec. 1. This chapter does not apply to a person who:

- (1) generates municipal waste on a site owned or operated by the person; and
- (2) disposes of the municipal waste at a site that:
  - (A) is owned or operated by the person; and
  - (B) for the purpose of municipal waste disposal, may only be used by the person to dispose of municipal waste generated by the person.

*As added by P.L.1-1996, SEC.10.*

#### **IC 13-20-6-2**

##### **Repealed**

*(Repealed by P.L.154-2005, SEC.17.)*

#### **IC 13-20-6-3**

##### **Repealed**

*(Repealed by P.L.154-2005, SEC.17.)*

#### **IC 13-20-6-4**

##### **Suspension of waste transfer activities of nonresident operator or operator that failed inspection; notice; contents; reinstatement**

Sec. 4. (a) The commissioner may, by order, do the following:

- (1) Suspend the waste transfer activities of an operator who is not a resident of Indiana if the operator is not properly licensed, certified, or permitted to conduct waste transfer activities in another state in which the operator does business.
- (2) Suspend the waste transfer activities of a transfer station that does not meet the requirements of the inspection program established under section 7 of this chapter.

(b) An order issued by the commissioner under this section requiring an operator or transfer station to suspend operations must contain the date by which waste transfer activities must be suspended.

(c) After issuing an order requiring an operator or transfer station to suspend waste transfer activities but before the date by which the activities must be suspended, the department must provide notice by certified mail, return receipt requested, to the following:

- (1) Each regulated solid waste processing facility in Indiana.
- (2) Each regulated solid waste disposal facility in Indiana.

(d) The notice described under subsection (c) must contain the following:

- (1) The name of the operator or transfer station subject to the order.
- (2) The date on which waste transfer activities are suspended under the order.

(3) If the order applies to a transfer station, the location of the transfer station.

(e) Upon a determination by the commissioner that an operator previously ordered to suspend waste transfer activities may engage again in waste transfer activities, the department shall immediately provide notice by certified mail, return receipt requested, to each:

- (1) regulated solid waste processing facility in Indiana; and
- (2) regulated solid waste disposal facility in Indiana;

that the operator or transfer station will be allowed to resume waste transfer activities. The notice required under this subsection must contain the date on which the operator or transfer station will be allowed to resume waste transfer activities.

*As added by P.L.1-1996, SEC.10. Amended by P.L.154-2005, SEC.15.*

### **IC 13-20-6-5**

#### **Repealed**

*(Repealed by P.L.154-2005, SEC.17.)*

### **IC 13-20-6-6**

#### **Repealed**

*(Repealed by P.L.154-2005, SEC.17.)*

### **IC 13-20-6-7**

#### **Inspection of transfer stations; fees**

Sec. 7. (a) The department shall establish a uniform transfer station inspection program to protect the health of the residents of Indiana and the environment of Indiana:

- (1) for transfer stations located:
  - (A) inside Indiana; and
  - (B) outside Indiana;

that receive municipal waste and that engage in waste transfer activities; and

- (2) under rules adopted by the solid waste management board.

(b) The solid waste management board shall establish fees payable by the transfer stations inspected. The amount of a fee imposed for the inspection of a transfer station may not exceed the cost of time and materials directly expended by:

- (1) the department; or
- (2) a contractor hired by the department;

for conducting the inspection of the transfer station.

*As added by P.L.1-1996, SEC.10.*

### **IC 13-20-6-8**

#### **Prohibition on transfer activities during suspension; acceptance of waste by disposal facility; conditions**

Sec. 8. (a) An operator who is not a resident of Indiana or a transfer station may not engage in waste transfer activities while the operator or transfer station is suspended from engaging in waste transfer activities under section 4 of this chapter.

(b) On or after the effective date established under a rule adopted by the board, a solid waste disposal facility or a solid waste processing facility located inside Indiana may not knowingly accept municipal waste from a transfer station located inside of or outside of Indiana that receives municipal waste if:

(1) the municipal waste is not accompanied by a manifest that contains the information required under IC 13-20-4-7; or

(2) the person who manages the solid waste disposal facility or solid waste processing facility has received notice under section 4(c) of this chapter that:

(A) the transfer station that shipped the municipal waste; or

(B) an operator listed on the manifest;

has been suspended from engaging in waste transfer activities under this chapter.

*As added by P.L.1-1996, SEC.10. Amended by P.L.154-2005, SEC.16.*

### **IC 13-20-6-9**

#### **Rules**

Sec. 9. The solid waste management board shall adopt rules under IC 4-22-2 to implement this chapter.

*As added by P.L.1-1996, SEC.10.*