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## Disposal Criteria for Construction and Demolition Waste

The following information is provided as guidance for the proper disposal of construction and demolition waste.

Disposal of construction/demolition (C/D) waste is a regulated activity. C/D waste is defined in 329 IAC 10-2-37 as, "...solid waste resulting from the construction, remodeling, repair, or demolition of structures. Such wastes may include any of the following: (1) scrap lumber; (2) bricks; (3) concrete; (4) stone; (5) glass; (6) wallboard; (7) roofing; (8) plumbing fixtures; (9) wiring; (10) nonasbestos insulation." **These waste types must be disposed of at a State permitted solid waste management facility.**

Certain solid waste management activities are not subject to the Rule and as such are not regulated by IDEM. Rule 329 IAC 10-3-1 states, "The following solid waste management activities are not subject to the provisions of the article: **Disposing of only uncontaminated rocks, bricks, concrete, road demolition waste materials, or dirt.**" These materials are not required to be disposed at a State permitted solid waste management facility. Although these items are not regulated by solid waste disposal rules they may be regulated by other rules and/or statutes, depending on the area being utilized for disposal, such as a wetland or flood area.

The Indiana Air Pollution Control Rule 326 IAC 4-1 prohibits the open burning of waste material. Section 5 of this rule states, "Any person who allows the accumulation or existence of combustible material which constitutes or contributes to a fire causing air pollution shall not be excused from the responsibility thereof on the basis that the fire was set by vandals, accidental or an act of God."

Any violation of these rules may subject the violator to legal action by the State of Indiana. Such action may include, but not be limited to, the imposition of a civil penalty in addition to being required to dispose all solid waste at a State approved solid waste management facility. IC 13-30-4-1 authorizes a civil penalty of up to \$25,000 per day of violation.

If you have a questions concerning this topic please contact the Compliance Branch, Office of Land Quality at (317) 234-6923.