

TITLE 329 SOLID WASTE MANAGEMENT DIVISION

Rule Information Sheet

IC 13-14-9.5-1.1 Notice of Review of Nonexpiring Rules for Title 329
LSA Document #20-187

Overview

Certain rules described in IC 13-14-9.5-1.1 do not expire after seven years. These types of rules are: (1) rules required to receive or maintain delegation, primacy, or approval for implementation or operation of a program established under federal law; and (2) rules required to begin or continue receiving federal funding for implementation or operation of a program.

The Indiana Department of Environmental Management (IDEM) is required to publish a list of these rules that have been effective for seven years and request comment, in a 30 day comment period, on any specific rule that should be reviewed through the regular rulemaking process under IC 13-14-9. This notice was published in the Indiana Register on April 8, 2020, at DIN: 20200408-IR-329200187BNA. No comments were received during the comment period. IDEM must also hold a public hearing before the Environmental Rules Board (board). The board, after considering the comments, responses, and testimony at the hearing, will direct IDEM on whether additional rulemaking actions must be started to address concerns raised to the board.

The affected rules can be viewed online by clicking on the list of citations in the IC 13-14-9.5-1.1 Notice of Review of Nonexpiring Rules (DIN: 20200408-IR-329200187BNA).

Citations Affected

329 IAC 10-1	General Provisions
329 IAC 10-2	Definitions
329 IAC 10-2.5	Definitions for Nonmunicipal Solid Waste Landfills, Construction/Demolition Sites, and Restricted Waste Sites Types I, II, III, and IV
329 IAC 10-3-3	Insignificant facility modifications
329 IAC 10-3-4	Exclusion; disposal of wastes that meet restricted waste site Type IV criteria
329 IAC 10-4	Open Dumping and Open Dumps
329 IAC 10-5	Industrial On-Site Activities Needing Permits
329 IAC 10-6	Previously Permitted Solid Waste Land Disposal Facilities and Sanitary Landfills Closed Prior to April 14, 1996; Responsibilities
329 IAC 10-10	Transition Requirements of Municipal Solid Waste Landfill Siting, Design, and Closure
329 IAC 10-11-1	Permit requirements
329 IAC 10-11-2.1	Permit application requirements; general
329 IAC 10-11-2.5	Permit application for new land disposal facility and lateral expansions
329 IAC 10-11-3	Signatories to permit application and reports
329 IAC 10-11-4.1	Application for vertical expansions

329 IAC 10-11-5.1	Renewal permit application
329 IAC 10-11-6	Minor modification applications
329 IAC 10-11-6.5	Research, development, and demonstration minor modification application
329 IAC 10-12	Actions for Permit and Renewal Permit Application
329 IAC 10-13	Permit Issuance and Miscellaneous Provisions
329 IAC 10-15-1	General requirements
329 IAC 10-15-2	Plot plan requirements
329 IAC 10-15-3	Cross-sectional drawing and detail requirements
329 IAC 10-15-4	Hydrogeologic site investigation report
329 IAC 10-15-5	Description of proposed ground water monitoring well system
329 IAC 10-15-6	Operational plan
329 IAC 10-15-7	CQA/CQC plan and requirements
329 IAC 10-15-8	Calculations and analyses pertaining to landfill design
329 IAC 10-15-10	Leak detection plan
329 IAC 10-15-11	Leachate contingency plan
329 IAC 10-15-12	Storm water pollution prevention plan
329 IAC 10-16-1	Airport siting restrictions
329 IAC 10-16-2	Flood plain and floodway siting restrictions
329 IAC 10-16-3	Wetlands siting restrictions
329 IAC 10-16-4	Fault area siting restrictions
329 IAC 10-16-5	Seismic impact zone siting restrictions
329 IAC 10-16-6	Underground mine siting restrictions
329 IAC 10-16-7	Unstable area siting restrictions
329 IAC 10-16-8	Karst terrain siting restrictions
329 IAC 10-16-9	Aquifer siting restrictions
329 IAC 10-16-10	Endangered species siting restrictions
329 IAC 10-16-13	Closure of existing municipal solid waste landfill units
329 IAC 10-17	Municipal Solid Waste Landfill Liner System; Design, Construction, and CQA/CQC Requirements
329 IAC 10-20-1	Access control
329 IAC 10-20-2	On-site roads
329 IAC 10-20-3	Signs
329 IAC 10-20-4	Sanitation
329 IAC 10-20-6	Salvaging
329 IAC 10-20-7	Safety requirements
329 IAC 10-20-8	Records and reports
329 IAC 10-20-9	Open burning
329 IAC 10-20-10	Waste deposit and compaction
329 IAC 10-20-11	Diversion of surface water, run-on and run-off control systems, and monitoring
329 IAC 10-20-12	Erosion and sedimentation control measures; general requirements
329 IAC 10-20-13	Cover; general provisions
329 IAC 10-20-14	Daily and intermediate cover requirements
329 IAC 10-20-14.1	Alternative daily cover
329 IAC 10-20-15	Cover storage sites and borrow pits requirements

329 IAC 10-20-16	Grading and soil stabilization for intermediate cover and final cover
329 IAC 10-20-17	Explosive gases
329 IAC 10-20-18	Surface leachate control
329 IAC 10-20-19	Liner leak detection program
329 IAC 10-20-20	Leachate collection, removal, and disposal
329 IAC 10-20-21	Leachate recycling
329 IAC 10-20-23	Control program for regulated hazardous waste, PCB waste, and unauthorized solid waste
329 IAC 10-20-24	Survey requirements
329 IAC 10-20-25	Air criteria
329 IAC 10-20-26	Surface water requirements
329 IAC 10-20-27	Liquids restrictions
329 IAC 10-20-28	Self-inspections
329 IAC 10-21	Municipal Solid Waste Landfills; Ground Water Monitoring Programs and Corrective Action Program Requirements
329 IAC 10-22	Municipal Solid Waste Landfills; Closure Requirements
329 IAC 10-23	Municipal Solid Waste Landfills; Post-Closure Requirements
329 IAC 10-39	Solid Waste Land Disposal Facilities; Financial Responsibility

Affected Persons

This rulemaking affects no additional persons that were not already affected by the rules in the last seven years. These affected persons will benefit from the stability of a consistent regulatory environment and the ability to comment on the rules on a statutorily defined schedule.

Reasons for the Rule

This rulemaking to review rules that do not expire under IC 13-14-9.5 is a statutory requirement under IC 13-14-9.5-1.1.

Economic Impact of the Rule

This rulemaking creates no fiscal impact on any person.

Scheduled Hearings

Public Hearing: September 9, 2020, at 1:30 p.m., through Zoom

Join Zoom Meeting

<https://zoom.us/j/98588137995?pwd=SEpGdm9GVlVTclRlZm5iZHpSV3NlZz09>

By phone:

+1 301 715 8592

+1 312 626 6799

Meeting ID: 985 8813 7995

Password: 063903

IDEM Contact

Additional information regarding this rulemaking action can be obtained from Dan Watts, Rules

Development Branch, Office of Legal Counsel, (317) 234-5345, (800) 451-6027 (in Indiana), or dwatts1@idem.in.gov.