

IC 13-22-13

Chapter 13. Corrective Actions

IC 13-22-13-1

Order; civil action by commissioner

Sec. 1. If, on the basis of any information, the commissioner determines that there is or has been a release of a hazardous waste or a constituent of a hazardous waste into the environment from a facility authorized to operate under interim status under Section 3005(e) of the federal Solid Waste Disposal Act (42 U.S.C. 6925(e)) or under IC 13-22-3, the commissioner may:

- (1) issue an order requiring corrective action or another response measure that the commissioner considers necessary to protect human health or the environment; or
- (2) commence a civil action to compel corrective action as described in subdivision (1).

As added by P.L.1-1996, SEC.12.

IC 13-22-13-2

Restrictions on corrective action

Sec. 2. Under section 1 of this chapter, the commissioner or a court may order the performance of corrective action beyond the boundaries of the facility from which the release occurs. However, the commissioner may not order corrective action beyond the boundaries of the facility if the owner or operator of the facility demonstrates to the satisfaction of the commissioner that, despite the best efforts of the owner or operator, the owner or operator is unable to obtain the necessary permission to undertake the corrective action.

As added by P.L.1-1996, SEC.12.

IC 13-22-13-3

Contents of order

Sec. 3. An order issued by the commissioner under this chapter:

- (1) must state with reasonable specificity the nature of the corrective action or other response measure required by the order;
- (2) must specify a time for compliance; and
- (3) may include a suspension or revocation of authorization for the facility to operate under interim status.

As added by P.L.1-1996, SEC.12.