

IC 13-20-21

Chapter 21. Solid Waste Fees

IC 13-20-21-1

Purpose

Sec. 1. The provisions of this chapter are established to defray the costs of administering the solid waste program.

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

IC 13-20-21-2

Establishment

Sec. 2. Notwithstanding fees established under IC 13-16-1, the solid waste permit:

- (1) application;
- (2) annual operation;
- (3) generator; and
- (4) disposal;

fees contained in this chapter are established.

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

IC 13-20-21-3

Application of fees

Sec. 3. (a) Except as provided in subsections (b) and (c), for solid waste permits, the application fees are as follows:

New Permit or Major Modification	
	Fee
Construction\Demolition Site	\$20,000
Restricted Waste Site	
Type I	\$31,300
Type II	\$31,300
Type III	\$20,000
Processing Facility	
Transfer Station	\$12,150
Other	\$12,150
Incinerator	\$28,650
Waste Tire Storage	
Registration	\$ 500
Waste Tire Processing	\$ 200
Waste Tire	
Transportation	\$ 25
Permit Renewal	
Construction\ Demolition Site	\$ 7,150
Restricted Waste Site	
Type I	\$ 15,350
Type II	\$ 15,350
Type III	\$ 7,150
Processing Facility	

Transfer Station	\$ 2,200
Other	\$ 2,200
Incinerator	\$ 5,900
Waste Tire Processing	\$ 200

Minor Modification	\$2,500
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(b) The fee for:

(1) a new permit; or

(2) a permit for a major modification;

for a solid waste landfill not covered by subsection (a) is thirty-one thousand three hundred dollars (\$31,300).

(c) The fee for a permit renewal for a solid waste landfill not covered by subsection (a) is fifteen thousand three hundred fifty dollars (\$15,350).

As added by P.L.1-1996, SEC.10. Amended by P.L.159-2011, SEC.32.

IC 13-20-21-4

Annual operation fees

Sec. 4. For solid waste, the annual operation fees are as follows:

	Fee
Solid Waste Landfill	
Not Otherwise Covered in This Section	
> 500 TPD	\$35,000
250-499 TPD	\$15,000
100-249 TPD	\$ 7,000
<100 TPD	\$ 2,000
Construction\	
Demolition Site	\$ 1,500
Restricted Waste Site	
Type I	\$35,000
Type II	\$25,000
Type III	\$10,000
Processing Facility	
Transfer Station	\$ 2,000
Other	\$ 2,000
Incinerator	
>500 TPD	\$35,000
250-499 TPD	\$15,000
100-249 TPD	\$ 7,000
<100 TPD	\$ 2,000
Infectious Waste	
Incinerator (>7 TPD)	\$ 5,000
Waste Tire Storage	
Registration	\$ 500
Waste Tire Transportation	
Registration	\$ 25
Groundwater	
Compliance	

Sampling
(per well)

\$ 250

As added by P.L.1-1996, SEC.10. Amended by P.L.159-2011, SEC.33.

IC 13-20-21-5

Repealed

(As added by P.L.1-1996, SEC.10. Repealed by P.L.138-2000, SEC.11.)

IC 13-20-21-6

Disposal fees; additional fees for certain municipal landfills

Sec. 6. (a) Subject to subsection (c), for solid waste, the disposal fees are as follows:

	Fee
Solid waste disposed into a municipal solid waste landfill per ton	\$ 0.10
Solid waste disposed into a nonmunicipal solid waste landfill per ton	\$ 0.10
Solid waste disposed into an incinerator per ton	\$ 0.05
Solid waste disposed into a construction\demolition waste site per ton	\$ 0.10

(b) There is no solid waste disposal fee for solid waste disposed into a solid waste landfill permitted to accept restricted waste solely generated by the person to which the permit is issued.

(c) With respect to a municipal solid waste landfill, a nonmunicipal solid waste landfill, or a construction\demolition waste site:

- (1) located in a county that does not zone under IC 36-7-4;
- (2) for which the department issues an original permit for construction after March 1, 2006; and
- (3) for which a host agreement has not been entered into under IC 13-20-24;

the county fiscal body may establish a disposal fee that does not exceed two dollars and fifty cents (\$2.50) per ton, which applies in addition to the disposal fee established in subsection (a).

As added by P.L.1-1996, SEC.10. Amended by P.L.138-2000, SEC.9; P.L.218-2001, SEC.9; P.L.131-2006, SEC.8.

IC 13-20-21-7

Remittance of fee required; denial of permit

Sec. 7. (a) When a person files an application or a registration with the department concerning an activity associated with a fee established by section 3, 4, 5, or 6 of this chapter, the person must remit an application fee or a registration fee to the department.

(b) If a person does not remit the application fee or the registration fee to the department, the department shall deny the person's

application or registration.
As added by P.L.1-1996, SEC.10.

IC 13-20-21-8

Remittance of fees or installments

Sec. 8. Solid waste annual operation fees begin accruing January 1 of each year. The department shall assess the fees not later than January 15 of that year. A person must remit solid waste annual operation fees or an installment established under IC 13-16-2 to the department not more than thirty (30) days after the date the fees are assessed or on the date the installment is due.

As added by P.L.1-1996, SEC.10. Amended by P.L.130-1996, SEC.4; P.L.2-1997, SEC.44.

IC 13-20-21-9

Payment of solid waste disposal fees

Sec. 9. Solid waste disposal fees must be paid under section 6 of this chapter by all solid waste disposal facilities, including solid waste landfills, incinerators, and construction\demolition disposal facilities. The owner or operator of a solid waste disposal facility shall pay the solid waste disposal fees at the same time the owner or operator is required to submit quarterly reports to the department under IC 13-20-22-11(e).

As added by P.L.1-1996, SEC.10. Amended by P.L.159-2011, SEC.34; P.L.147-2015, SEC.13.

IC 13-20-21-10

Delinquency charge; revocation of permit

Sec. 10. (a) In addition to the penalties described under:

- (1) IC 13-30-4-1;
- (2) IC 13-30-4-2; and
- (3) IC 13-30-5-1;

if a person does not remit a solid waste annual operation fee or an installment established by the department under IC 13-16-2 to the department not more than sixty (60) days after the date the fee is assessed or not more than thirty (30) days after the date the installment is due, the person shall be assessed a delinquency charge equal to ten percent (10%) of the solid waste annual operation fee or ten percent (10%) of the installment, whichever is applicable. A delinquency charge is due and payable sixty (60) days after the date the solid waste annual operation fee is assessed or thirty (30) days after the date an installment is due.

(b) If a person does not remit a solid waste annual operation fee or an installment established by the department under IC 13-16-2 and any applicable delinquency charge not more than ninety (90) days after the date the solid waste annual operation fee is assessed or not more than sixty (60) days after the date the installment is due, the department may revoke the person's permit. However, before the department may revoke the permit:

- (1) not earlier than sixty (60) days after the date the solid waste annual operation fee is assessed or not earlier than thirty (30) days after the date the installment is due; and
- (2) not later than thirty (30) days before the department revokes the permit;

the department must deliver a written notice to the person that describes what fees and delinquency charges are due and indicates that the department may revoke the person's permit for nonpayment after thirty (30) days.

As added by P.L.1-1996, SEC.10. Amended by P.L.130-1996, SEC.5; P.L.2-1997, SEC.45.

IC 13-20-21-11

Disposal fees; delinquency charges; revocation of permit; notice

Sec. 11. (a) In addition to the penalties described under:

- (1) IC 13-30-4-1;
- (2) IC 13-30-4-2; and
- (3) IC 13-30-5-1;

if a person does not remit a solid waste disposal fee to the department not more than sixty (60) days after the date the fee is due, the person shall be assessed a delinquency charge equal to ten percent (10%) of the solid waste disposal fee. The delinquency charge shall be due and payable sixty (60) days after the date the solid waste disposal fee is due.

(b) If a person does not remit a solid waste disposal fee and any applicable delinquency charge not more than ninety (90) days after the date the solid waste disposal fee is due, the department may revoke the person's permit. However, before the department may revoke the permit:

- (1) not earlier than sixty (60) days after the date the solid waste disposal fee is assessed; and
- (2) not later than thirty (30) days before the department revokes the permit;

the department must deliver a written notice to the person that describes what fees and delinquency charges are due and indicates that the department may revoke the person's permit for nonpayment after thirty (30) days.

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

IC 13-20-21-12

Groundwater compliance sampling fees

Sec. 12. Groundwater compliance sampling fees established under this chapter apply to groundwater monitoring wells in existence at an operating land disposal facility at the time a solid waste annual operation fee concerning the land disposal facility is assessed.

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

IC 13-20-21-13

Payment of all fees by person or facility in multiple fee categories

Sec. 13. A person or a facility that is described in more than one (1) fee category under this chapter must pay all applicable fees.

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

IC 13-20-21-14

Payment and deposit of fees and charges; remission to counties of additional fees

Sec. 14. (a) Except as provided in subsection (b), fees and delinquency charges collected under this chapter:

(1) are payable to the department; and

(2) shall be deposited in the environmental management permit operation fund established by IC 13-15-11-1.

(b) Fees and delinquency charges collected under section 6(c) of this chapter are payable to the department. The department shall remit the revenue to the county treasurer of the county in which the landfill is located for deposit in the fund established by the county treasurer under IC 36-2-9-21.

As added by P.L.1-1996, SEC.10. Amended by P.L.131-2006, SEC.9.