

IC 13-20

ARTICLE 20. SOLID WASTE MANAGEMENT

IC 13-20-1

Chapter 1. Demonstration of Need for Solid Waste Management Facilities

IC 13-20-1-1

Exempt entities

Sec. 1. This chapter does not apply to an individual, a corporation, a partnership, a limited liability company, or a business association that in its regular business activity:

- (1) produces solid waste as a byproduct of or incidental to its regular business activity; and
- (2) disposes of the solid waste at a site that is:
 - (A) owned by the individual, corporation, partnership, limited liability company, or business association; and
 - (B) limited to use by that individual, corporation, partnership, limited liability company, or business association for the disposal of solid waste produced by:
 - (i) that individual, corporation, partnership, limited liability company, or business association; or
 - (ii) a subsidiary of an entity referred to in item (i).

As added by P.L.1-1996, SEC.10. Amended by P.L.138-2000, SEC.6; P.L.1-2001, SEC.19; P.L.218-2001, SEC.7; P.L.154-2005, SEC.10.

IC 13-20-1-2

Need for local or regional facility

Sec. 2. A person that applies for a permit for a solid waste disposal facility or a solid waste processing facility, except for a transfer station, must demonstrate that there is a local or regional need in Indiana for the facility.

As added by P.L.1-1996, SEC.10. Amended by P.L.154-2005, SEC.11.

IC 13-20-1-3

Demonstration statement

Sec. 3. A person that applies for a permit referred to in section 2 of this chapter must submit the following information to the department along with the permit application:

- (1) A description of the area that would be served by the solid waste disposal or processing facility.
- (2) A description of existing solid waste management facilities in the area that would be served by the solid waste disposal facility.
- (3) A description of the need that would be fulfilled by constructing the solid waste disposal facility.

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

SEC.12.

IC 13-20-1-4

Denial of permit

Sec. 4. If the department determines that there is not a local or regional need in Indiana for the solid waste disposal facility, the person referred to in section 2 of this chapter may not receive a permit described under IC 13-15-1-3 of this chapter. If a permit is denied under this section, the department must provide the person referred to in section 2 of this chapter with a statement describing the reasons the department denied the permit.

As added by P.L.1-1996, SEC.10. Amended by P.L.154-2005, SEC.13.

IC 13-20-1-5

Rules

Sec. 5. The board shall adopt rules under IC 4-22-2 and IC 13-14-9 to implement this chapter.

As added by P.L.1-1996, SEC.10. Amended by P.L.133-2012, SEC.135.