

IC 13-20-16

Chapter 16. Battery Recycling

IC 13-20-16-1

Improper disposal notice; posting; violations

Sec. 1. (a) In each retail establishment in which a retailer sells lead acid batteries, the retailer shall post in a conspicuous place a written notice that bears the following statements:

"Improper disposal of batteries is against the law."

"It is illegal to put used motor vehicle batteries or other vehicle or boat batteries in the trash."

"Recycle your used batteries."

"State law requires us to accept your used battery for recycling if you purchase a new battery from us."

(b) A notice required by this section must be at least eight and one-half (8.5) inches by eleven (11) inches in size.

(c) A person who knowingly violates this section commits a Class C infraction.

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

IC 13-20-16-2

Disposal of used batteries; violations

Sec. 2. (a) A retailer, wholesaler, or manufacturer that sells one (1) or more new lead acid batteries to a purchaser shall:

(1) accept from the purchaser, if offered, a number of used lead acid batteries equal to the number of new batteries sold to the purchaser; and

(2) dispose of the used batteries in accordance with section 4, 5, or 6 of this chapter.

(b) A person who violates this section commits a Class C infraction.

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

IC 13-20-16-3

Time limit on possession of used battery; violations

Sec. 3. A retailer or wholesaler that accepts a used lead acid battery under section 2 of this chapter may not retain possession of the battery for more than ninety (90) days. A person who violates this section commits a Class C infraction.

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

IC 13-20-16-4

Means of disposal of used batteries by retailers; violations

Sec. 4. (a) A retailer shall dispose of the used lead acid batteries in the retailer's possession by one (1) or more of the following means:

(1) Delivery to a wholesaler or to an agent of a wholesaler.

(2) Delivery to a manufacturer of lead acid batteries.

- (3) Delivery to a facility that:
 - (A) recycles lead acid batteries; or
 - (B) collects lead acid batteries for delivery to a recycling facility.
- (4) Delivery to a facility operated as a secondary lead smelter under a valid permit issued by the department or the United States Environmental Protection Agency.

(b) A person who violates this section commits a Class C infraction.

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

IC 13-20-16-5

Means of disposal of used batteries by wholesalers; violations

Sec. 5. (a) A wholesaler shall dispose of the used lead acid batteries in the wholesaler's possession by one (1) or more of the following means:

- (1) Delivery to a manufacturer of lead acid batteries.
- (2) Delivery to a facility that:
 - (A) recycles lead acid batteries; or
 - (B) collects lead acid batteries for delivery to a recycling facility.
- (3) Delivery to a facility operated as a secondary lead smelter under a valid permit issued by the department or the United States Environmental Protection Agency.

(b) A person who violates this section commits a Class C infraction.

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

IC 13-20-16-6

Means of disposal of used batteries by manufacturers; violations

Sec. 6. (a) A manufacturer shall dispose of the used lead acid batteries in the manufacturer's possession in Indiana by one (1) or more of the following means:

- (1) Delivery to a facility that:
 - (A) recycles lead acid batteries; or
 - (B) collects lead acid batteries for delivery to a recycling facility.
- (2) Delivery to a facility operated as a second lead smelter under a valid permit issued by the department or the United States Environmental Protection Agency.

(b) A person who violates this section commits a Class C infraction.

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

IC 13-20-16-7

Offense

Sec. 7. A person who knowingly causes or allows:

- (1) the placing of a lead acid battery into a container intended

for collection and disposal at a facility that is not authorized under IC 13-22 or federal law for operation as a hazardous waste facility; or

(2) the disposal of a lead acid battery in a facility that is not authorized under IC 13-22 or federal law for operation as a hazardous waste facility;

commits a Class C infraction.

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

IC 13-20-16-8

Means of disposal of used batteries by state or political subdivision

Sec. 8. The state or a political subdivision (as defined in IC 34-6-2-110) shall dispose of used lead acid batteries in the state's or political subdivision's possession by one (1) or more of the following means:

(1) Delivery to a wholesaler or an agent of a wholesaler.

(2) Delivery to a manufacturer of lead acid batteries.

(3) Delivery to a facility that:

(A) recycles used lead acid batteries; or

(B) collects lead acid batteries for delivery to a recycling facility.

(4) Delivery to a facility operated as a secondary lead smelter under a valid permit issued by the department or the United States Environmental Protection Agency.

As added by P.L.1-1996, SEC.10. Amended by P.L.1-1998, SEC.106.