

IC 13-20-25

Chapter 25. Resource Conservation and Recycling

IC 13-20-25-1

State recycling goal

Sec. 1. The goal of the state is to recycle at least fifty percent (50%) of its municipal waste.

As added by P.L.126-2014, SEC.9.

IC 13-20-25-2

"Fiscal year"

Sec. 2. As used in this chapter, "fiscal year" means a period:

- (1) beginning July 1 in a calendar year; and
- (2) ending June 30 of the succeeding calendar year.

As added by P.L.126-2014, SEC.9.

IC 13-20-25-3

"Municipal waste"

Sec. 3. As used in this chapter, "municipal waste" means any:

- (1) garbage;
- (2) refuse;
- (3) industrial lunchroom waste;
- (4) office waste; or
- (5) other, similar material;

that results from the operation of residential, municipal, commercial, or institutional establishments and community activities.

As added by P.L.126-2014, SEC.9.

IC 13-20-25-4

"Recyclable material"

Sec. 4. As used in this chapter, "recyclable material" means municipal waste that is suitable for recycling.

As added by P.L.126-2014, SEC.9.

IC 13-20-25-5

"Recyclable materials broker"

Sec. 5. As used in this chapter, "recyclable materials broker" means a person that:

- (1) engages in the business of arranging for the collection, transportation, delivery, recycling, or reuse of recyclable materials; but
- (2) does not take title to, or physical possession of, the recyclable materials.

As added by P.L.126-2014, SEC.9.

IC 13-20-25-6

"Recycle"

Sec. 6. As used in this chapter, "recycle" means to take action by

which recyclable materials are recovered from the solid waste stream for purposes of:

- (1) use or reuse;
- (2) conversion into raw materials; or
- (3) use in the production of new products.

As added by P.L.126-2014, SEC.9.

IC 13-20-25-7

"Recycler"

Sec. 7. (a) As used in this chapter, "recycler" means a person who recycles recyclable materials generated by more than one (1) person.

(b) The term includes the following:

- (1) A recyclable materials broker.
- (2) The owner or operator of a solid waste disposal facility regulated under IC 13-20-8 at which recycling occurs.
- (3) The owner or operator of a material recovery facility.
- (4) A solid waste management district established under IC 13-21 or IC 13-9.5 (before its repeal).

As added by P.L.126-2014, SEC.9.

IC 13-20-25-8

"Single stream recyclable materials"

Sec. 8. As used in this chapter, "single stream recyclable materials" means a combination of two (2) or more types of recyclable materials that have been commingled and cannot be separated into individual types without processing.

As added by P.L.126-2014, SEC.9.

IC 13-20-25-9

Mandatory reporting of recycling activities

Sec. 9. (a) A recycler shall report the recycler's recycling activities under this section. A recycler may elect to report the recycler's recycling activities on an annual basis under subsection (b) or on a quarterly basis under subsection (c).

(b) A recycler that elects to report on an annual basis shall, in 2016 and each succeeding calendar year, before March 1, submit to the commissioner a completed recycling activity report concerning the recycling activities conducted by the recycler during the calendar year that ended on the most recent December 31.

(c) A recycler that elects to report on a quarterly basis shall, for the July through September quarter of 2014 and each succeeding quarter, not more than thirty (30) days after the end of the quarter, submit to the commissioner a completed recycling activity report concerning the recycling activities conducted by the recycler during the quarter. A quarterly report submitted under this subsection must concern the recycling activities conducted by the recycler during the period of:

- (1) July through September;

- (2) October through December;
- (3) January through March; or
- (4) April through June.

(d) A recycler shall submit a separate recycling activity report under this section for each reporting period, whether annual or quarterly, for each facility:

- (1) that was owned or operated by the recycler; and
- (2) at which the recycler conducted recycling activities;

during the reporting period.

As added by P.L.126-2014, SEC.9. Amended by P.L.147-2015, SEC.15.

IC 13-20-25-10

Voluntary reporting of recycling activities

Sec. 10. (a) A person:

- (1) who:
 - (A) is not required to submit a recycling activity report under section 9 of this chapter; but
 - (B) recycled recyclable materials during a calendar year;
- (2) who:
 - (A) meets the definition of "scrap metal processing facility" set forth in IC 8-23-1-36;
 - (B) meets the definition of "automotive salvage recycler" set forth in IC 9-13-2-10;
 - (C) meets the definition of "recycling facility" set forth in IC 9-13-2-150.3;
 - (D) is engaged in business subject to IC 9-22-3;
 - (E) meets the definition of "automotive salvage rebuilder" set forth in IC 9-32-2-5;
 - (F) meets the definition of "scrap metal processor" set forth in IC 13-11-2-196.5;
 - (G) meets the definition of "core buyer" set forth in IC 25-37.5-1-0.2; or
 - (H) meets the definition of "valuable metal dealer" set forth in IC 25-37.5-1-1(b); or

- (3) who:
 - (A) is not required to submit a recycling activity report under section 9 of this chapter; but
 - (B) took action during a calendar year to recover, from the solid waste stream, for purposes of:
 - (i) use or reuse;
 - (ii) conversion into raw materials; or
 - (iii) use in the production of new products;

materials that were not municipal waste; may voluntarily submit a recycling activity report to the commissioner concerning the person's recycling activity during the calendar year.

- (b) The commissioner shall include information reported to the

commissioner under this section in the annual reports that the commissioner is required to submit under section 14 of this chapter. *As added by P.L.126-2014, SEC.9. Amended by P.L.151-2015, SEC.79; P.L.147-2015, SEC.16.*

IC 13-20-25-11

Uniform recycling activity report form

Sec. 11. (a) Except as provided in subsection (b), a recycling activity report submitted to the commissioner under this chapter must be submitted on the uniform recycling activity report form posted by the commissioner on the department's Internet web site under section 12 of this chapter.

(b) If a uniform recycling activity report form is not posted on the department's Internet web site by July 1 in a calendar year in which a recycler is required to submit a completed recycling activity report under section 9(a) of this chapter, the recycler may satisfy the recycler's duties under this chapter by submitting to the commissioner, by a letter postmarked before August 1 of the calendar year, the types of information about the recycler's recycling activities during the calendar year that are set forth in section 12 of this chapter.

As added by P.L.126-2014, SEC.9. Amended by P.L.147-2015, SEC.17.

IC 13-20-25-12

Posting of uniform recycling activity report form on web site

Sec. 12. (a) Not later than July 1, 2015, the commissioner shall post on the department's Internet web site a uniform recycling activity report form. The form must do the following:

- (1) Provide for reporting of the:
 - (A) name and location of; and
 - (B) principal business activities conducted at; the recycler's establishment.
- (2) Include:
 - (A) an appropriate space for; and
 - (B) instructions requiring the completion of; an appropriate certification, by signature of the recycler (if the recycler is an individual) or a senior official with management responsibility for the recycler (if the recycler is not an individual), of the accuracy and completeness of the recycling activity report.
- (3) Provide for reporting of the quantity, in tons, of each type of recyclable material listed in subsection (b) that was in storage at the reporting recycler's establishment:
 - (A) at the start of the calendar year; and
 - (B) at the close of the calendar year.
- (4) Provide for reporting of the quantity, in tons, of each type of recyclable material listed in subsection (b) that was transported

from the reporting recycler's establishment, or (in the case of a recycler that is a recyclable materials broker) that was transported or delivered by arrangement of the recycler, to any of the following:

- (A) Other recyclers located in Indiana.
- (B) Persons that are located in Indiana but are not recyclers, including persons who may employ the recyclable material as a raw material or a new product without further recycling.
- (C) Persons located outside Indiana.

(b) The uniform recycling activity report form posted on the department's Internet web site under subsection (a) must specify that the information to be reported by a recycler under subsection (a)(3) and (a)(4) must be reported separately for each of the following types of recyclable materials:

- (1) Glass.
- (2) Metal, including white goods (ferrous).
- (3) Metal (nonferrous).
- (4) Paper and paper products (all grades).
- (5) Plastic and plastic products.
- (6) Single stream recyclable materials.
- (7) Any other distinct type of recyclable material not specified in subdivisions (1) through (6).

As added by P.L.126-2014, SEC.9. Amended by P.L.147-2015, SEC.18.

IC 13-20-25-13

Estimating weight of material recycled

Sec. 13. A recycler is not required to measure directly the weight of recyclable materials for purposes of submitting a recycling activities report under this chapter. For the purposes of reporting the quantity, in tons, of a type of recyclable material recycled, a recycler may estimate the weight of the recyclable material by converting the volume of the recyclable material to weight based on the density of the recyclable material.

As added by P.L.126-2014, SEC.9.

IC 13-20-25-14

Commissioner's annual report summarizing information from recycling activity reports

Sec. 14. Not later than May 1, 2016, and in each succeeding calendar year, the commissioner shall submit to the executive director of the legislative services agency, in an electronic format under IC 5-14-6, a report summarizing the information obtained through the recycling activity reports submitted to the commissioner under this chapter concerning the calendar year most recently ended. The executive director of the legislative services agency shall forward the report to the members of the standing committees of the senate and the house having subject matter jurisdiction most closely

related to the subject of recycling.

As added by P.L.126-2014, SEC.9. Amended by P.L.147-2015, SEC.19; P.L.112-2016, SEC.21.

IC 13-20-25-15

Rules

Sec. 15. The environmental rules board may adopt rules under IC 4-22-2 and IC 13-14-9 to administer this chapter.

As added by P.L.126-2014, SEC.9.

IC 13-20-25-16

Expired

(As added by P.L.126-2014, SEC.9. Expired 12-31-2014 by P.L.126-2014, SEC.9.)