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# SENATE BILL No. 372

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 13-20-7-1.

**Synopsis:** Special waste. Prohibits a person that generates or disposes of special waste from being required to conduct tests on the special waste that exceed testing requirements described in certain federal hazardous waste regulations if the special waste is disposed of in a solid waste landfill cell or unit that meets or exceeds Subtitle D design standards of the federal Resource Conservation and Recovery Act. Prohibits a person that generates special waste that is disposed of at the landfill from being required to conduct Level III QA/QC tests on the special waste. Provides that, if the generator and the landfill operator agree that the generator has sufficient knowledge to properly characterize the waste, the generator and the landfill operator are not required to conduct any tests on the special waste before the special waste is disposed of at the landfill. Provides that, if the generator and the landfill operator do not agree that the generator has sufficient knowledge to properly characterize the waste: (1) the generator and the landfill operator must agree on the number and types of tests that must be conducted on the special waste; and (2) the generator must conduct the tests on the special waste before the special waste is disposed of at the solid waste landfill.

**Effective:** July 1, 2000.

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## Riegsecker

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January 10, 2000, read first time and referred to Committee on Environmental Affairs.

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Second Regular Session 111th General Assembly (2000)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1999 General Assembly.

# SENATE BILL No. 372



A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 13-20-7-1, AS AMENDED BY P.L.224-1999,
- 2 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2000]: Sec. 1. (a) A person may not be required to have
- 4 special waste certified for disposal:
- 5 (1) for a single shipment of special waste if:
- 6 (A) the special waste is generated by one (1) generator from
- 7 one (1) process;
- 8 (B) the quantity of special waste generated by the process is
- 9 less than one hundred (100) kilograms per month; and
- 10 (C) the quantity of special waste disposed of is less than one
- 11 thousand (1,000) kilograms per shipment; or
- 12 (2) if:
- 13 (A) the special waste is disposed of at a solid waste landfill
- 14 cell or unit that meets or exceeds Subtitle D design standards
- 15 of the federal Resource Conservation and Recovery Act as
- 16 provided in 40 CFR Part 258; and
- 17 (B) the disposal complies with section 7 of this chapter.

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- 1           **(b) A person that:**  
2           **(1) generates special waste that is disposed of; or**  
3           **(2) disposes of special waste;**  
4           **at a solid waste landfill cell or unit described in subsection (a)(2)**  
5           **may not be required to conduct tests on the special waste that**  
6           **exceed testing requirements described in 40 CFR Parts 261**  
7           **through 262.**  
8           **(c) A person that generates special waste that is disposed of at**  
9           **a solid waste landfill cell or unit described in subsection (a)(2) may**  
10           **not be required to conduct Level III Quality Assurance/Quality**  
11           **Control (QA/QC) tests on the special waste described in United**  
12           **States Environmental Protection Agency publication "Data**  
13           **Quality Objectives for Remedial Response Activities."**  
14           **(d) If:**  
15           **(1) a person that generates special waste that is disposed of at**  
16           **a solid waste landfill cell or unit described in subsection**  
17           **(a)(2); and**  
18           **(2) the person that operates the landfill;**  
19           **agree that the person that generates the special waste has sufficient**  
20           **knowledge to properly characterize the waste, the person that**  
21           **generates the special waste and the person that operates the landfill**  
22           **are not required to conduct any tests on the special waste before**  
23           **the special waste is disposed of at the solid waste landfill.**  
24           **(e) If a person that generates special waste that is disposed of at**  
25           **a solid waste landfill cell or unit described in subsection (a)(2) and**  
26           **the person that operates the landfill do not agree that the person**  
27           **that generates the special waste has sufficient knowledge to**  
28           **properly characterize the waste:**  
29           **(1) the person that generates the special waste and the person**  
30           **that operates the landfill shall agree on the number and types**  
31           **of tests that must be conducted on the special waste; and**  
32           **(2) the person that generates the special waste shall conduct**  
33           **the tests on the special waste;**  
34           **before the special waste is disposed of at the solid waste landfill.**

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