

IC 13-22-10

Chapter 10. Hazardous or Low Level Radioactive Waste Facility
Site Approval

IC 13-22-10-1

Repealed

(Repealed by P.L.124-1996, SEC.30.)

IC 13-22-10-2

Repealed

(Repealed by P.L.124-1996, SEC.30.)

IC 13-22-10-3

Repealed

(Repealed by P.L.1-2001, SEC.51.)

IC 13-22-10-4

Repealed

(Repealed by P.L.1-2001, SEC.51.)

IC 13-22-10-5

Approval of construction

Sec. 5. (a) This section does not apply to a person who applied for a certificate of environmental compatibility under IC 13-7-8.6 (before its repeal) before July 1, 1995.

(b) A person who proposes to construct a hazardous waste disposal facility permitted under IC 13-22, a commercial hazardous waste facility permitted under IC 13-22, or a commercial low level radioactive waste facility permitted under IC 13-29-1-6 may not begin construction of the facility until:

- (1) the person has obtained all approvals to construct the facility required under applicable zoning ordinances or other zoning laws; or
- (2) if the facility is located in an area that is not subject to a zoning ordinance or other zoning law, the person has obtained approval to construct the facility from the county executive of the county in which the facility would be located.

As added by P.L.124-1996, SEC.11. Amended by P.L.45-1997, SEC.19.

IC 13-22-10-6

Repealed

(Repealed by P.L.1-2001, SEC.51.)

IC 13-22-10-7

Repealed

(Repealed by P.L.1-2001, SEC.51.)

IC 13-22-10-8

Repealed

(Repealed by P.L.1-2001, SEC.51.)

IC 13-22-10-9

Repealed

(Repealed by P.L.1-2001, SEC.51.)

IC 13-22-10-10

Repealed

(Repealed by P.L.1-2001, SEC.51.)

IC 13-22-10-11

Repealed

(Repealed by P.L.1-2001, SEC.51.)

IC 13-22-10-12

Repealed

(Repealed by P.L.1-2001, SEC.51.)

IC 13-22-10-13

Repealed

(Repealed by P.L.1-2001, SEC.51.)

IC 13-22-10-14

Repealed

(Repealed by P.L.1-2001, SEC.51.)

IC 13-22-10-15

Repealed

(Repealed by P.L.1-2001, SEC.51.)

IC 13-22-10-16

Repealed

(Repealed by P.L.1-2001, SEC.51.)

IC 13-22-10-17

Repealed

(Repealed by P.L.1-2001, SEC.51.)

IC 13-22-10-18

Repealed

(Repealed by P.L.1-2001, SEC.51.)

IC 13-22-10-19

Repealed

(Repealed by P.L.1-2001, SEC.51.)

IC 13-22-10-20

Repealed

(Repealed by P.L.1-2001, SEC.51.)

IC 13-22-10-21

Repealed

(Repealed by P.L.1-2001, SEC.51.)

IC 13-22-10-22

Repealed

(Repealed by P.L.1-2001, SEC.51.)

IC 13-22-10-23

Effects of granting certificate; limitations of local government

Sec. 23. (a) A:

(1) certificate of environmental compatibility granted under:

(A) IC 13-7-8.6 (before its repeal); or

(B) this chapter (before the expiration of the sections of this chapter authorizing the hazardous waste facility site approval authority to grant certificates of environmental compatibility);

preempts any local government zoning or other land use regulations, laws, or ordinances; and

(2) person obtaining the certificate of environmental compatibility is not required to apply for approval by:

(A) a regional;

(B) a county; or

(C) a municipal;

zoning board or authority.

(b) Local government may not prohibit or unduly restrict:

(1) the transportation of hazardous waste or low level radioactive waste through the local government's area of jurisdiction that is en route to a facility; or

(2) the:

(A) treatment;

(B) storage; or

(C) disposal;

of hazardous waste or low level radioactive waste at a facility within the jurisdiction of the local government.

As added by P.L.124-1996, SEC.29. Amended by P.L.1-2001, SEC.21.