

**IC 13-22-12**

Chapter 12. Hazardous Waste Fees

**IC 13-22-12-1**

**Establishment**

Sec. 1. Notwithstanding fees established under IC 13-16-1, the hazardous waste:

- (1) permit application fees;
  - (2) annual operation fees; and
  - (3) prices for purchasing manifests;
- contained in this chapter are established.  
*As added by P.L.1-1996, SEC.12.*

**IC 13-22-12-2**

**Fee schedule; application fees**

Sec. 2. For hazardous waste, the application fees are as follows:

| New Permit Application                    |          |
|---|----------|
|   | Fee      |
| Land Disposal                             | \$40,600 |
| Incinerator (per unit)                    | \$21,700 |
| Storage                                   | \$23,800 |
| Treatment                                 | \$23,800 |
| Permit Renewal or<br>Class 3 Modification |          |
| Land Disposal                             | \$34,000 |
| Incinerator                               | \$21,700 |
| Storage                                   | \$17,200 |
| Treatment                                 | \$17,200 |
| Class 2 Modification                      |          |
| Class 2 Modification                      | \$ 2,250 |

*As added by P.L.1-1996, SEC.12.*

**IC 13-22-12-3**

**Fee schedule; annual operation fees**

Sec. 3. For hazardous waste, the annual operation fees are as follows:

|   | Fee      |
|---|----------|
| Land Disposal   | \$37,500 |
| Incinerator (per unit)  | \$10,000 |
| Storage   | \$ 2,500 |
| Treatment   | \$10,000 |
| Generator   | \$ 1,565 |
| Postclosure Activity  | \$ 1,500 |
| Groundwater Compliance<br>Sampling at active<br>facilities (per well) | \$ 1,000 |

*As added by P.L.1-1996, SEC.12.*

**IC 13-22-12-4**

*(Repealed by P.L.143-2000, SEC.8.)*

### **IC 13-22-12-5**

#### **Remittance of fee required; denial of permit**

Sec. 5. (a) When a person files a hazardous waste permit application with the department, the person must remit an application fee to the department.

(b) If a person does not remit an application fee to the department, the department shall deny the person's application.

*As added by P.L.1-1996, SEC.12.*

### **IC 13-22-12-6**

#### **Accrual of annual operation fees**

Sec. 6. Hazardous waste annual operation fees begin accruing January 1 each year. The department shall assess the fees not later than January 15 of that year.

*As added by P.L.1-1996, SEC.12.*

### **IC 13-22-12-7**

#### **Remittance of fees or installments**

Sec. 7. A person must remit a hazardous waste annual operation fee or an installment established by the department under IC 13-16-2 to the department not more than thirty (30) days after the date the fee is assessed or on the date the installment is due.

*As added by P.L.1-1996, SEC.12. Amended by P.L.130-1996, SEC.6; P.L.2-1997, SEC.46.*

### **IC 13-22-12-8**

#### **Delinquency charge; revocation of permit**

Sec. 8. (a) In addition to the penalties described under:

- (1) IC 13-30-4-1;
- (2) IC 13-30-4-2; and
- (3) IC 13-30-5-1;

if a person does not remit a hazardous waste annual operation fee or an installment established by the department under section 14 of this chapter not more than sixty (60) days after the date the fee is assessed or not more than thirty (30) days after the date the installment is due, the person shall be assessed a delinquency charge equal to ten percent (10%) of the hazardous waste annual operation fee or ten percent (10%) of the installment, whichever is applicable. The delinquency charge is due and payable sixty (60) days after the date the hazardous waste annual operation fee is assessed or thirty (30) days after the date the installment is due.

(b) If a person does not remit a hazardous waste annual operation fee or an installment established by the department under IC 13-16-2 and any applicable delinquency charge not more than ninety (90) days after the date the hazardous waste annual operation fee is assessed or not more than sixty (60) days after the date the installment is due, the department may revoke the person's permit. However, before the department may revoke the permit:

- (1) not earlier than sixty (60) days after the date the hazardous

waste annual operation fee is assessed or not earlier than thirty (30) days after the date an installment is due; and  
(2) not later than thirty (30) days before the department revokes the permit;

the department must deliver a written notice to the person that describes what fees and delinquency charges are due and that indicates that the department may revoke the person's permit for nonpayment after thirty (30) days.

*As added by P.L.1-1996, SEC.12. Amended by P.L.130-1996, SEC.7; P.L.2-1997, SEC.47.*

#### **IC 13-22-12-9**

##### **Annual operation fees; applicability**

Sec. 9. Annual operation fees established under this chapter apply to facilities that:

- (1) have received a permit from the department; or
- (2) are operating under interim status or otherwise manage hazardous waste subject to regulation under the following:
  - (A) IC 13-22-2 through IC 13-22-8.
  - (B) IC 13-22-13 through IC 13-22-14.

*As added by P.L.1-1996, SEC.12.*

#### **IC 13-22-12-10**

##### **Annual operation fees; requirement under certain circumstances**

Sec. 10. Regardless of a person's rate of generation, a person must pay a generator annual operation fee if the person accumulates more than:

- (1) six thousand (6,000) kilograms of hazardous waste; or
- (2) one (1) kilogram of acutely toxic waste;

onsite at any time during a year.

*As added by P.L.1-1996, SEC.12.*

#### **IC 13-22-12-11**

##### **Groundwater compliance sampling fees**

Sec. 11. Groundwater compliance sampling fees established under this chapter apply to groundwater monitoring wells in existence at an operating land disposal facility at the time an annual operation fee concerning the land disposal facility is assessed.

*As added by P.L.1-1996, SEC.12.*

#### **IC 13-22-12-12**

##### **Payment of all fees by person or facility in multiple fee categories**

Sec. 12. A person or facility that is described in more than one (1) category under this chapter must pay all applicable fees.

*As added by P.L.1-1996, SEC.12.*

#### **IC 13-22-12-13**

##### **Payment and deposit of fees and delinquency charges**

Sec. 13. The fees and delinquency charges collected under this chapter:

(1) are payable to the department; and  
(2) shall be deposited in the environmental management permit  
operation fund established by IC 13-15-11-1.  
*As added by P.L.1-1996, SEC.12.*

**IC 13-22-12-14**

**Repealed**

*(Repealed by P.L.2-1997, SEC.89.)*