

**Summary of Reasons  
Proposed Revisions to Division 13  
Recycling Program**

**335-13-1-.03 Definitions:**

- Definition updated for “Beach”, “Coastal Area”, and “Primary Dune System” for consistency with other Land Division regulations.
- Definition added for “End Use Manufacturing Facility”.
- Definition added for “Energy Recovery” and “Energy Recovery Facility”.
- Definition updated for “Recovered Materials Processing Facility” to be consistent with statute.
- Definition added for “Responsible Official”.
- Definition added for “Whole Tire”.
- Definitions re-numbered to reflect the addition of new definitions and movement of “Endangered or Threatened Species”.

**335-13-3 General Requirements for Materials Recovery Facilities, Recovered Materials Processing Facilities, Energy Recovery Facilities, and End-Use Manufacturing Facilities:**

- Updated the title of this Chapter along with the Table of Contents.

**335-13-3-.01 Purpose And Applicability**

- Adds applicability to include Materials Recovery Facilities (MRF), Recovered Materials Processing Facilities (RMPF), Energy Recovery Facilities (ERF), and End-Use Manufacturing Facilities (EUMF).
- Adds general language for business confidential information.

**335-13-3-.02 Recycling Exemptions**

- Updated the activities in existing rules that qualify for exemptions imposed by 335-13-3.
- Removed the exemption for solid waste incinerator and waste to energy facilities.

**335-13-3-.03 Certification**

- Maintains the requirements for certification in existing rules.

**335-13-3-.04 Materials Recovery Facility (MRF)**

- Outlines registration and application requirements (valid for 5 years with 60-day renewal notification before expiration).
- Retains operation criteria from current rules.
- Requirements for acceptance of solid waste containing recyclable materials including notification for registration modification within 30 days of initial receipt of new material types.
- Material segregation and storage requirements includes protecting the integrity of the materials and designation of defined areas within the facility.

- Storage and accumulation limitations-75% accumulation limitation requirement with restrictions on speculative accumulation.
- Requirements for recordkeeping and reporting to include a minimum of three years of records available for inspection.
- Changed semi-annual reporting to annual reporting with report due on February 15<sup>th</sup> of the following year.
- Retains inspection and closure of facility requirements.

### **335-13-3-.05 Recovered Material Processing Facility (RMPF)**

- Outlines registration and application requirements (valid for 5 years with 60-day renewal notification before expiration).
- Includes requirements for facility operations, acceptance of recovered materials, material segregation and storage, and signage.
- Storage and accumulation limitations-75% accumulation limitation requirement with restrictions on speculative accumulation.
- Outlines requirements for recordkeeping and reporting for each shipment of recovered and non-recovered materials.
- Updated annual reporting requirements with a report due on February 15<sup>th</sup> of the following year.
- Includes criteria for closure of facilities.

### **335-13-3-.06 Energy Recovery Facility (ERF)**

- Outlines a one-time registration and application requirements for new and existing facilities.
- Requirements for recordkeeping and annual reporting to include a minimum of three years of records available for inspection.
- Includes criteria for closure notifications.

### **335-13-3-.07 End-Use Manufacturing Facility (EUMF)**

- Outlines a one-time registration and application requirements for new and existing facilities.
- Outlines the reporting requirements for annual reporting.
- Includes criteria for closure notification.

### **335-13-3-.08 Variances**

- Current language moved from 335-13-3-.04 to 335-13-3-.08 and made consistent with other Land Division regulations.

### **335-13-3-.09 State Agency Reporting**

- Added language to mirror state statute.