

Indiana: Education and Enforcement

Law

Since the 1960's, various state laws and revisions have outlawed certain types of burning in Indiana. Exceptions are made for residential burning of paper and wood, and individuals in some locations with no practical alternative method of waste disposal can apply for permits to burn.

Original law: Chapter 171 s1 of the *Acts of Indiana* 1961. For the text of the current law, please reference

www.in.gov/legislative/iac/T03260/A00040.pdf

However, about 40% of rural Indiana households use burning as their main method of waste disposal according to a 2000 EPA study.

Local Bans

Some counties and cities have passed garbage burning bans to supplement state laws. For example, the city of Mount Vernon banned open burning in 1993. Evansville revised its burning ordinance in 2003 (see section 4 of this resource kit) and Crawford County passed a ban in 2004.

Enforcement

Inspectors from the state's Office of Air Quality and local environmental agencies are responsible for enforcement of the state ban.

Local bans are enforced by various departments or programs. In Mount Vernon, the fire department

enforces the ordinance. The Evansville EPA depends on neighbor complaints and notification of evidence of illegal burning from the fire department in order to identify violators. In Crawford County, the Solid Waste Management District is responsible for enforcement, and the ordinance grants authority to the fire, police, and health departments to help enforce the ban.

Enforcement officials may require violators to show proof of use of a recycling center or contract with a hauling company. Penalties for repeat offenses include fines of up to \$2,500 and required court appearances.

Providing Alternatives

A number of alternatives to trash burning exist in Indiana. Waste collection is available in all areas of Indiana with fees ranging from \$13 to \$22 per month.

Indiana Department of Environmental Management (IDEM) surveys indicate that 90 percent of Indiana's population lives within eight miles of a recycling drop-off center. In addition, many towns and cities offer curbside pickup for recyclables.

In Crawford County, for example, recycling drop-off is free, while household trash can be dropped off at a local facility for \$1.25/bag. In Evansville, curbside pickup service of trash and recyclables is available to residents for \$8/month.

Education campaign

Currently a statewide education campaign is underway to publicize the no-burn law and to raise

awareness of health concerns related to open burning. This initiative includes public service announcements including a website (stopburningtrash.org), billboards, and newspaper, television, and radio ads informing citizens of the hazards of burning.

The campaign has written a model anti-burning ordinance for Indiana cities to implement as a supplement to the state law. County governments too might seek to pass such an ordinance to cover households in unincorporated areas.

The program also advocates exchange programs where individuals can trade in their burn barrels for recycling bins. Currently, however, its primary focus is education: working to inform people of the existing law and to explain the health and safety reasons behind it.

Results

The statistics on open burning in Indiana are changing in response to these efforts. According to a series of studies by EPA's Great Lakes National Program Office, 75% of Mount Vernon residents used to burn their trash before the ordinance; none currently do. In other locations, though, the recent bans have met with resistance, indicating that it may take time and an aggressive information campaign to persuade residents to stop the practice of open burning.

