

FACT SHEET



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Neutral Selection of Regulated Entities Office of Land Quality Compliance & Response Branch

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Description:

- Each year inspection programs within the Office of Land Quality, Compliance & Response Branch, select regulated entities for routine compliance inspections.
- This fact sheet addresses compliance inspections conducted by OLQ's Confined Feeding Section, Industrial Waste Section, Hazardous Waste Section, and Solid Waste Section.
- The selection process for the inspection of regulated entities is neutral (i.e. un-biased, without prejudice).
- A neutral selection process is not a random selection process.
- There are numerous means to accomplish a neutral selection. Examples include but are not limited to, using a percentage of the regulated universe, inspecting all (or a percentage) of regulated entities within an industrial sector, selection in a geographic area, or inspecting all of the regulated entities within a program's universe.
- Compliance programs strive to achieve an adequate inspection presence while not creating undue burden on the regulated community.
- Several compliance programs are subject to federal requirements for the number of inspections conducted annually.
- The most common method to achieve a neutral selection process for annual inspections uses a percentage of the regulated universe.
- The specific regulated entities are selected based on two (2) criteria:
 1. Regulated entities that have never been inspected, or
 2. The regulated entity's last inspection date.
- The first inspections selected are regulated entities without a prior history of inspection. Regulated entities with the oldest inspection date are next until we reach the percentage of inspections for the universe.
- Following this process helps eliminate bias or the appearance of bias from the selection of a specific regulated entity for a compliance inspection.
- Regulated entities may be inspected more frequently than would be indicated by the above process for the following reasons:
 1. The agency receives a complaint,
 2. A visit by a permit writer,
 3. The regulated entity is regulated under multiple programs managed by other IDEM offices (such as Office of Water or Office of Air),
 4. Inspections are needed to follow up on violations,
 5. A compliance status check is required due to a regulated entity renewing or modifying their permit, or
 6. Certain sectors or activities may be considered high risk or otherwise problematic.

Environmental Impacts:

- Indiana's environmental statutes and regulations are designed to protect our air, land and water quality. By consistently complying with these statutes and regulations, regulated entities can limit potential impacts on Indiana's environment.

IDEM's Role:

- IDEM is responsible for protecting human health and the environment while providing for safe industrial, agricultural, commercial and governmental operations vital to a prosperous economy.

- IDEM regulates and monitors entities throughout the State of Indiana that have the potential to impact the environment.
- IDEM has developed regulations that protect air, land and water. IDEM's Compliance staff is responsible for evaluating compliance and initiating appropriate actions to correct non-compliance.

Regulated Entity's Role:

- Regulated entities are responsible for understanding and complying with Indiana's statutes and regulations at all times.

More Information:

- For questions and concerns, please call IDEM's Office of Land Quality, Compliance and Response Branch at (317) 234-6923 or (800) 451-6027 and request extension 4-6923.